



Avoca Tank Project

Independent Environmental Audit Report 2025

Aeris Resources Limited

26 August 2025

→ The Power of Commitment



Project name		Aeris Hermidale ML1818 Avoca tank IEA2025					
Document title		Avoca Tank Project Independent Environmental Audit Report 2025					
Project number		12661372					
File name		Avoca Tank Project Independent Environmental Audit Report 2025.docx					
Status Code	Revision	Author	Reviewer		Approved for issue		
			Name	Signature	Name	Signature	Date
S4	0	M. Leung	B. Luffman		B. Luffman		25/08/25
S4	1	M. Leung	B. Luffman	Ben	B. Luffman	Ben	26/08/25
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1. Introduction

The Avoca Tank Project (the Project) is operated by Tritton Resources Pty Ltd (TRL), wholly owned subsidiary of Aeris Resources Limited. The Avoca Tank Project consists of an underground mining operation targeting a copper-gold-silver ore body. The Project site is located in the central western region of New South Wales (NSW), approximately 7 km northwest of Girilambone township and 55 km northwest of Nyngan, in the Bogan Shire Council Local Government Area (LGA).

The Project is approved to extract copper-gold-silver ore at a maximum production rate of approximately 316,000 tonnes per annum. Within the region, Tritton Resources also own the North East Copper Mine and the Tritton Copper Mine, located approximately 2 km south and 24 km southeast of the Project, respectively. Ore from the Project is approved for transport via road trains along a private haul road and the Booramugga and Yarrandale Roads for processing at the Tritton Processing Facility, located at the Tritton Copper Mine.

At the time of Project approval, the Project was identified as a 'Regional Development' under Clause 3 of Schedule 4A of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). The Project's capital investment was identified as \$20 Million, which at the time of assessment met the threshold criteria for assessment as a Regional Development. As a result, the application for the Project's Development Approval (DA) was made to the Bogan Shire Council (Council) with determination of the application made by the Western Region Joint Regional Planning Panel (the Panel). Approval was originally granted by the Panel under section 80(1)(a) of the EP&A Act on 15 September 2016. The DA was subsequently modified by Bogan Shire Council under section 4.55(1A) of the EP&A Act on 7 October 2021, and again on 15 May 2025. We understand that development of the access to the Project commenced in October 2021 and the official commencement date of operations is 26 May 2023.

1.1 Purpose of this report

This report has been prepared by GHD to record details of the Independent Environmental Audit (IEA) undertaken as per the project requirements in accordance with the requirements of ISO 19011:2019 Guidelines for auditing management systems and the Department of Planning Housing and Infrastructure Independent Audit Post Approval Requirements (DPIE, 2020) – IAPAR 2020. This IEA covers the audit period of 26 May 2023 to 25 May 2025.

The audit will be the first independent environmental audit of the Project.

1.2 Audit Scope

Tritton Operations is required to undertake an Independent Environmental Audit (IEA) to meet Condition C8 and Condition C9 of Part C of the Project Approval DA 10/2015/004/003:

Independent Environmental Audit

C8. Within 2 years of the date of commissioning of the development, and every 3 years thereafter, unless Council directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit. This audit must:

- a) *Be conducted by a suitably qualified, experienced and independent person(s) whose appointment has been endorsed by Bogan Shire Council;*
- b) *Include consultation with the relevant agencies;*
- c) *Assess the environmental performance of the development, and its effects on the surrounding environment*
- d) *Assess whether the development is complying with the relevant standards, performance measures and statutory requirements;*
- e) ~~*Include a hazard audit of the development in accordance with the Department's Hazard Industry Planning Advisory Paper No. 5 – Hazard Audit Guidelines;*~~
- f) *Review the adequacy of any approval strategy, plan or program required under this consent; and*

- g) *Recommend measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under this consent.*

Note: This audit team must be led by a suitably qualified auditor, and include experts in any other fields specified by Bogan Shire Council.

C9. *Within 3 months of commissioning this audit, or as otherwise agreed by Bogan Shire Council, the Applicant shall submit a copy of the audit report to the Council, together with its response to any recommendations contained in the audit report.*

The audit will include an assessment of compliance with the requirements set out under the following licenses and approvals:

- Development Application No. 10/2015/2004/003 dated 15 May 2025
- Environment Protection Licence No. 4501
- Mining Lease ML1818 (July 2021)

GHD has prepared this report relying on information gathered from documentation provided by auditee or available in public records, audit discussions and as per site inspection observations. GHD was not permitted to go underground, so the site audit was limited to areas of surface disturbance.

1.3 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 this report.

GHD otherwise disclaims responsibility to any person 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. GHD disclaims liability arising from any of the assumptions being incorrect.

GHD has prepared this report based on information provided by Aeris Resources Limited, 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.

1.4 Audit team

The audit team comprised of the following members. Council approval of the audit team is included in Appendix A.

- Ben Luffman – Principal Auditor
- Marina Leung – Assistant Auditor

2. Audit process

The audit process followed the methodology presented in the audit proposal, consistent with AS/NZS ISO 19011:2019 and IAPAR 2020. 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 conditions of approval, the conditions of the mining lease and the EPL requirements. The scope of the audit is specified in Section 1.2.
- Stakeholder consultation was undertaken with identified regulatory authorities, agencies and the Community Consultative Committee (see Sections 2.2, 3 and Appendix B).
- Relevant documentation (as provided) was reviewed prior to the audit to make an initial determination of conformity of the system to the requirements of the conditions of consent, and to ensure the audit checklist contains 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.
- An inspection of the site was conducted to verify relevant compliance aspects of the audit. Audit interviews were conducted with Aeris personnel and additional documentary evidence was collected. Relevant evidence in the form of photographic evidence was also collected (refer Appendix C).
- Verifiable evidence was collected and recorded throughout the audit and evaluated against the conditions of consent to determine compliance status, as recorded in the Compliance Table (Appendix D, Appendix E and Appendix F).

2.1 Audit initiation

2.2 Stakeholder consultation

Stakeholder consultation was undertaken with the following entities listed in Table 2.1. A letter was sent 4 June 2025 to each of the agencies advising of the upcoming audit, GHD's role in conducting the audit and requesting comments on the project performance as it related to the agency and relevant requirements. Comments were sought by 19 June 2025. The letters and received responses are included in Appendix B. Comments received and audit responses are included in Section 3.

Table 2.1 Stakeholder consultation

#	Agency	Consultation Letter issued	Response received	Nature of response
1	Bogan Shire Council	4 June 2025	5 June 2025	Acknowledgement
2	Community Consultative Committee	4 June 2025	4 June 2025	Acknowledgement
3	Department of Planning Housing & Infrastructure	4 June 2025	4 & 5 June 2025	Acknowledgement
4	Department of Climate Change, Energy, the Environment and Water - Environment and Heritage	4 June 2025	1 July 2025 11 July	Water Group - Specific Request Heritage – General advice
5	Natural Resources Access Regulator	4 June 2025	6 June 2025	Redirected to DCCEE Water Group
6	NSW Environment Protection Authority	4 June 2025	4 June 2025	Acknowledgement
7	Department of Primary Industries NSW Resources Regulator	4 June 2025	4 July 2025	Specific Request

2.3 Document review

A number of documents were provided to the audit team in response to RFI-1 prior to the onsite component of the audit. Where possible, documents and data collected during the audit were reviewed prior to the site audit and audit meeting. Additional documents that were not available prior to or during the onsite component were provided following the audit. The auditees were cooperative and supportive to the audit process. All information obtained during the audit process was verified by the audit team as practically possible e.g. statements made by site personnel were verified by viewing documentation and/or visual observations made during the site inspection.

Generally, the documentation reviewed included, among other things:

- Annual Reviews
- Environmental Management Strategy
- Management Plans
- Environmental Impact Statement
- Correspondence relating to consultation and approval of plans
- Site procedures and management of site operations

2.4 Site audit

The site inspection and audit interviews were conducted on 24 June 2025.

2.4.1 Site meetings

The audit team attended the necessary site inductions, thereafter an opening meeting was held at the Murrawombie Mine Site office, which also serves as the Avoca Tank site office, on Yarrandale Rd, Girilambone NSW. The list of participants is below:

- Ben Luffman (GHD, Principal Auditor)
- Marina Leung (GHD, Assistant Auditor)
- Cordelia Smart (Aeris Resources Tritton Operations, Senior Environmental Advisor)
- Amrish Trivedi (Aeris Resources Tritton Operations, Environmental Superintendent)

Additionally, Graham Jackson (Aeris Resources Tritton Operations, Environmental Technician) was present with Cordelia Smart for the site visit.

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 the attendees throughout the day guided by the audit criteria which addressed the conditions of consent. 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.

The closing meeting discussed any outstanding matters, presented preliminary findings and outlined the process for finalising the audit report. A second request for information was decided upon given the outcomes of the site audit interviews.

Some site photographs of relevance are included in Appendix C.

2.5 Assessment and reporting

The assessment criteria used to determine compliance, are outlined in Table 2.2.

Table 2.2 *Compliance status descriptors*

Status	Description
Compliant	The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit.
Non-compliant	The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit.
Not triggered	A requirement has an activation or timing trigger that has not been met during the temporal scope of the audit being undertaken (may be a retrospective or future requirement), therefore an assessment of compliance is not relevant.
Not verified	Compliance status was not able to be verified by the auditor during the audit.

Note: As part of the Audit evaluation, the auditor may make observations, including identifying any opportunities for improvement in relation to any compliance requirement or any other aspect of the project. Any observations or notes are in addition to the compliance status descriptor assigned to each compliance requirement, limited to the descriptors listed in Table above.

3. Stakeholder consultation

Table 3.1 captures the agency comments and audit responses. Agencies not mentioned below, either did not respond or did not have any specific request, as indicated in Table 2.1.

Table 3.1 Stakeholder consultation

Agency comment	Audit response
NSW DCCEE	
NSW DCCEE Water Group requests that the audit address compliance with the following specific elements of the consent conditions and related legislative requirements in a manner consistent with the above audit scope: – The requirement to prepare and implement management plans that relate to water sources and their dependent ecosystems and users, and associated impact management and mitigation. These plans may include: • Water Management Plans and related sub-plans e.g., Site Water Balance, Erosion and Sediment Control Plan, Stormwater Management Plan, Surface. • Groundwater Management Plan. • Extraction Plans and related sub-plans e.g., Water Management Plan, Subsidence Management Plan. – The requirement to prepare and implement trigger action response plans for water source impacts which set clearly defined limits and actions. This is to be reported on within annual and exceedance-based reporting. – Water supply availability is clearly defined for the project. – Water take at the site via storage, diversion, interception or extraction is clearly documented and is authorised by a relevant Water Access Licence or exemption under the Water Management (General) Regulation 2018. – Water metering at the site is in accordance with the NSW Non-Urban Metering Framework where relevant. – Water Access Licence/s used to account for water take by the project nominate/s the work approval/s for the work/s at the location/s of water take. – Annual reporting clearly 1) documents water take, use and water source impacts; 2) compares results with previous years; and 3) identifies exceedances and how these are managed/mitigated.	Refer to Section 4.1.1.
NSW Resources Regulator	
The independent environmental audit should provide an assessment of compliance with the requirements of Schedule 8A Standard conditions of mining leases, Part 2 Standard conditions, as set out in the Mining Regulation 2016. The audit should note observations where rehabilitation procedures, practices and outcomes represent best industry practice. It would be appreciated if a copy of the final audit report could be sent to the Regulator at info@sys.resources.nsw.gov.au upon completion of the audit.	Refer to Section 4.4.

4. Audit findings

This section of the report presents audit findings, supported by detailed checklists included in Appendix D, Appendix E and Appendix F.

4.1 Management plans and overall environmental performance

4.1.1 Soil and water

The EIS (R.W.Corkery 2014) suggests the greatest water related risk is groundwater impact during the underground mining. Due to the limited works on the surface, surface water runoff and erosion was not considered a significant risk. The Water Management Plan (Aeris 2021) provides details about surface water and groundwater management but does not include all the information required by the consent conditions. Aeris reported that the Water Management Plan is currently being updated.

Reflective of the risk identified in the EIS (R.W. Corkery 2014) the Annual Reviews indicate there is minimal surface water controls or monitoring. Observations during the site audit confirmed, there is minimal surface water risk associated with the Project.

The Annual Reviews provide a summary of the groundwater quality monitoring and suggest the results indicate minimal impact from the mining operation. The standing water level is also reported to be stable.

Water usage was reported in the Annual Review 2024 to be minimal but the water meter used to monitor water use was damaged during a bushfire in 2023 and was not replaced until July 2024. It is therefore not possible to confirm if the operations are within the relevant water licence allocations.

4.1.2 Biodiversity

Biodiversity was one of the more significant issues in the EIS (R.W.Corkery 2014), mainly during the construction period when the clearing was required, which is outside the audit period. The conditions reflected the significance of biodiversity by requiring a number of associated management plans, including a Pest Animal Management Plan, Weed Management Plan and Fauna Management Plan.

The management plans have now been consolidated into the Biodiversity and Land Management Plan (Aeris 2025), which has been submitted to Bogan Shire Council but not approved. This provides all the information required by the consent and is considered to provide a solid basis for the management of biodiversity.

The Annual Reviews suggest there has been minimal clearing recently, so the main action has been weed control. No incidents have been recorded.

4.1.3 Heritage

The site contains a number of heritage items and the Heritage Management Plan (Aeris 2025), which has been submitted to Bogan Shire Council but not approved, outlines how they are to be protected and managed. This includes all the information required by the consent and is considered to provide a solid basis for the management of heritage issues.

Following a bushfire in 2023 an Aboriginal Heritage assessment was done to update the condition of the heritage sites and inform the updated Heritage Management Plan. None of the known items were impacted by the fire. Otherwise, impacts to heritage are minimised by implementing a surface disturbance permit system and unexpected finds procedure.

No other heritage items or actions have been recorded.

4.1.4 Noise and vibration

Noise and vibration were not considered to be a significant impact in the EIS (R.W.Corkery 2014) and this is reflected in the consent, which does not include a specific management plan. However, the recent review of management plans includes Noise and Vibration Management Plan (Aeris 2025), which has been submitted to Bogan Shire Council but not approved. The Noise and Vibration Management Plan controls appear to be sufficient, given the low risk. The Annual Reviews suggest there are minimal management controls and relies on noise monitoring and responding to complaints. As there have been no noise related complaints, this indicates the noise controls are effective.

The consent does include noise criteria and the Noise Monitoring Assessment (MAC 2024) indicates the operations have complied with the criteria. The Annual Reviews also indicate no noise related complaints have been recorded, which indicates noise is being adequately managed.

4.1.5 Waste management

The recent review of the management plans includes a Waste Management Plan (Aeris 2025) despite a Waste Management Plan not being required by the conditions.

The Annual Reviews don't include any information regarding waste management either. However, the waste records provided indicate that non production waste is managed appropriately, although records of disposal were not provided, it appears waste is segregated and collected by licenced contractors.

Other than the waste records, it is difficult to determine if waste is managed appropriately or how it is managed.

Recommendation – Record waste management activities and report them in the Annual Review.

4.1.6 Air quality

While air quality impacts were not considered to be significant in the EIS (R.W.Corkery 2014), there were some mitigation measures recommended. The consent also reflects the minimal impact indicated in the EIS (R.W.Corkery 2014) and does not include any specific requirements or management plan.

During the site audit, it was observed that the exposed area associated with the Project is minimal, but it is considered possible to generate dust from access road or processing and stockpiling of mined material.

The recent review of the management plans includes an Air Quality and Greenhouse Gas Management Plan (Aeris 2025). The Air Quality and Greenhouse Gas Management Plan (Aeris 2025) controls and monitoring appear reasonable and consistent with those outlined in the EIS.

The Annual Reviews provide a summary of the actions taken to manage dust and the monitoring, including three depositional dust gauges at Avoca Tank. This indicates the management of dust impacts has been effective and there have been no complaints or reportable incidents.

4.1.7 Bushfire management

The consent requires a Bushfire Management Plan, which is now part of the Natural Hazards Management Plan (Aeris 2025), which has been submitted to Bogan Shire Council but not approved. The Natural Hazards Management Plan (Aeris 2025) contains the information required by the consent and the controls appear adequate.

Regardless, there was a bushfire caused by the operations in 2023. The fire was uncontrolled and reportedly burnt 3444 ha. The incident report indicates the emergency services and neighbouring properties were notified. Based on the Natural Hazards Management Plan, the works should have occurred at the workshop but there are exceptions to this providing certain controls are put in place. It was not verified if these controls were implemented and the other controls in the Natural Hazards Management Plan were also not verified.

Despite the bushfire, based on the controls in the Natural Hazards Management Plan, incident report and Annual Review, it is considered bushfire is adequately managed.

4.1.8 Traffic and transport

Most of the traffic generated is within the Aeris larger site, so the impacts were generally considered low in the EIS (R.W.Corkery 2014). However, the conditions required a code to be prepared and implemented. The code is very simple but covers the main items.

The Annual Reviews don't comment on traffic and minimal traffic or truck movements were observed during the site audit. It is therefore difficult to comment on the adequacy of the code or traffic management, although there were no traffic related complaints reported, which indicates it is not an issue.

4.1.9 Community engagement

A Community and Stakeholder Engagement Plan (Aeris 2024) explains who to engage with, when and how. It also includes a complaints management process. One of the primary engagement methods is via the Community Consultative Committee (CCC), which consists of local land holders and Government agencies. This meets about quarterly, is facilitated by an independent chair and provides an opportunity for Aeris to explain recent operations and monitoring results. It also gives the community an opportunity to raise any concerns with the Project.

The Annual Review indicates Aeris is also a large employer in the local community and supports local businesses and community groups, with \$62,336 in funding provided to these groups in 2024.

Implementing the Community and Stakeholder Engagement Plan (Aeris 2024), holding the CCC meetings and continuing to support the local businesses and community groups is considered an effective approach to engaging the community. The lack of complaints reported in the Annual Review is an indication that the community are relatively satisfied with the Project.

One area that could be improved is the information on the website. It is difficult to find and/or does not exist. This makes it difficult for the community to get information about the operations, without requesting it. This missing information was noted as a non-compliance during the audit. It was explained during the audit that one of the reasons for the missing information on the website is, the local staff don't have authority to upload documents and it's a difficult process to have documents uploaded.

4.1.10 Complaints and incidents management

All the updated management plans have incident management procedures and the EMS (Aeris 2025) has additional detail. The EMS (Aeris 2025) includes a definition of an incident and who to report incidents to. Neither the plans or EMS (Aeris 2025) have a lot of detail about the process of how to manage, investigate or report on an incident. However, an incident report was provided for the bushfire event in 2023. The incident report was based on a standard form, so it's obvious some procedures are in place.

Recommendation: Revise the incident management process in the EMS to explain how an incident will be managed, investigated and reported, so it is consistent with the consent and EPL.

The EMS (Aeris 2025) also includes details on complaints management, as does the Community and Stakeholder Engagement Plan (Aeris 2023). However, the processes are not consistent and not compliant with the consent or EPL. To date, based on the Annual Reviews and complaints register, there have not been any complaints, so it's not possible to evaluate the effectiveness of the system. Regardless the complaints management process in both documents should be updated to be consistent.

Recommendation: Align the EMS (Aeris 2025) and Community and Stakeholder Engagement Plan (Aeris 2023) to make the complaints handling process in both documents compliant and consistent.

4.2 DA 10/2015/2004/003

The review of compliance with DA 10/2015/2004/003 is summarised in Table 4.1, with further detail provided in Appendix D. A summary of non-compliances is detailed in Table 4.2. A number of recommendations were also identified and there were also several conditions that were not verified due to insufficient information provided to confirm compliance.

Table 4.1 *Summary of compliance with DA 10/201/2004/003*

Compliance	Number
Compliant	47
Non-compliant	10
Not triggered	14
Not verified	9
Note	11

Table 4.2 *Summary of Non-compliances*

Condition	Non-compliance	Recommendation
B8	The Flora and Fauna Management Plan 2022 contains the development site, as per the BDAR and approved plans. This has been updated to the Biodiversity and Land Management Plan, which is draft until approved by Council. This plan does not include the development site, as per the BDAR and approved plans. However, it does include controls that refer to only disturbing areas as approved by the development consent.	Include the development site, as per the BDAR and approved plans, in the Biodiversity and Land Management Plan.
B23	The Water Management Plan provided refers to an Erosion and Sediment Control Plan in the Appendices. The Appendix is blank, but the cover page refers to "Murrumbidgee Erosion and Sediment Control Plan". It is unclear if this extends to the Avoca Tank Project. Some generic information regarding erosion and sediment controls are provided in Section 5. Due to the minimal surface disturbance, the erosion and sediment risk and associated controls would be minimal. The Plan includes groundwater monitoring and mitigation at Avoca Tank Project. The mitigation measures are very general in nature (Section 6.2.1) and could be further clarified. Given the groundwater is unsuitable for domestic or agricultural purposes, it is unclear why the ANZECC stock and irrigation guideline values are being applied. It may be helpful to define "background/baseline" results and what "significant deviations from previous results" mean. Avoca Tank Project does not appear to have any surface water monitoring or mitigation, possibly because there are no surface water storages on site. Consultation with DPI Water is not demonstrated in the Plan or any other supporting document. Aeris indicated the Water Management Plan is currently being updated to address the above deficiencies.	Revise the Water Management Plan in consultation with relevant regulators including DPI Water and consider whether an erosion and sediment control plan is required and review if the surface water monitoring strategy is adequate.
C1	An Environmental Management Strategy has been prepared and was submitted to Bogan Shire Council on 04 June 2025 and while the email from Council dated 05 June 2025 confirms receipt of the Strategy, to date it has not been approved.	Continue to liaise with Bogan Shire Council in regards to the status of the Environmental Management Strategy.
C2	While some information was missing from the previous plans, including the Water Management Plan, the updated and consolidated 2025 plans have a set structure that contains the required information.	Revise the Soil and Water Management Plan to include the information required in C2.

Condition	Non-compliance	Recommendation
C4	The letter dated 19/07/2023 indicate commencement on 26/05/23 but the Annual Review 2023 suggests mining was occurring in 2021. It has been assumed Council has accepted 26/05/2023 as the commencement date. The letter dated 19/07/2023 requests the timing of the Annual Reviews be changed to calendar year, with the first Annual Review being submitted by the end of March 2024 and subsequent Annual Reviews being submitted by the end of March each year. No evidence was provided to indicate this was accepted by Council but the 2023 and 2024 Annual Review periods were the calendar year. However, the 2023 Annual Review was not dated until 01/08/2024 and the 2024 Annual Review is dated 30 July 2024, so it is considered the Annual Reviews have not been submitted by the due date.	Confirm with Council the required submission date and submit the Annual Reviews by that date each year.
C4(b)	Section 3 provides details of the monitoring results, Section 5 details complaints. Monitoring results were compared to relevant criteria but not to the predictions from the EIS.	In future Annual Reviews, compare the monitoring data to the relevant predictions in the EIS.
C4(e)	Actual data was not compared to the predicted impacts.	In future Annual Reviews, compare the monitoring data to the relevant predictions in the EIS.
C5	Evidence has not been provided indicating the strategies, plans and programs were reviewed within 3 months of the annual review. The 2023 Bushfire and the modifications also trigger this condition. Aeris reported the Heritage Management Plan and the Biodiversity Management Plan are being updated in response to the fire but no evidence was provided. No evidence was provided that the strategies, plans and programs were reviewed within 3 months of these events. Evidence that Council was satisfied was also not provided.	Review strategies, plans and programs within 3 months of an annual review, incident, audit or modification, as per Condition C5.
C7	A bushfire incident was reported as a result of works on site. The fire was uncontrolled and reportedly burnt 3444 ha. The incident report indicates the emergency services and neighbouring properties were notified. There is no record of Bogan Shire Council or other relevant agencies being notified.	At the earliest opportunity, notify Bogan Shire Council and any other relevant agency of any incident that causes or threatens to cause material harm to the environment. Within 7 days, provide Bogan Shire Council and any other relevant agency a detailed report of the incident.
C10	The EIS, conditions of consent, complaints register and minutes of the CCC meetings are on the website but not all documents referred to in Condition A2 are provided, nor are all the approvals, approved strategies, plans, programs or annual reviews. It was mentioned during the interviews that Aeris Environmental staff do not have permission to update the website, so getting documents uploaded is not efficient.	Provide all documents required by Condition C10 on the website and keep them up to date.

Table 4.3 *Summary of recommendations*

Condition	Comment	Recommendation
B7	The email evidence provided demonstrates AARC Environmental Solutions Pty Ltd on behalf of the Avoca Tank Project was seeking the satisfaction of the consent authority regarding several environmental management plans, including the Flora and Fauna Management Plan, well before the commencement date. The evidence provided indicates Council provided comments on the plans, but no evidence was provided indicating Council were satisfied with the plan.	Continue to liaise with Council regarding the status of the Biodiversity Management Plan.
B10	Based on visual observations, the clearing appears to be consistent with that assessed in the BDAR.	Obtain a survey to confirm the extent of clearing is consistent with the areas assessed in the BDAR.
B17	Aeris reported the compliance report had been completed but the compliance report was not provided because it was not located during the audit.	Recover the Compliance Report and confirm it has been prepared and submitted to Council, in accordance with Condition B17.
B22	The proponent has provided two statements of approval and the NSW Water Register confirmed these are current, the water source was the Lachlan Fold Belt Groundwater Source and they were issued in 2012, which is prior to construction. The volume of water approved and the volume of water taken were not able to verify because the water meter was destroyed in a 2023 bushfire. The meter has been replaced but recent data is not available. The Annual Reviews suggest Aeris is licenced to extract 304ML and the water usage prior to the bushfire was well less than this.	Continue to monitor the groundwater use to confirm it is in accordance with the WAL.
B30	The Monthly Summary reports indicates the waste is segregated into different types of waste and the invoice indicates the waste is collected but it could not be confirmed where the waste is taken or if there is a purchasing policy in place to reduce waste.	Maintain records of where waste is taken for disposal, recycling, etc and ensure a purchasing policy is in place to minimise waste.
C1(a)	The only Environmental Management Strategy provided was the 2025 version, so it's not verified if the previous version was prepared, submitted and approved by Bogan Shire Council prior to commencement of construction works.	Recover the original Environmental Management Strategy and confirm it was prepared, submitted and approved by Council, prior to commencement of construction.
C1(f)	(i) Section 5.11.1 External Communication gives a broad overview of how external stakeholder communication is managed. (ii) Section 6.6 Complaints Management sets out how complaints will be recorded, investigated, managed and documented. (iii) Section 6.6.1 Dispute Resolution provides information on who will manage disputes, how and when to escalate to a higher authority. (iv) Section 6.2 describes incident reporting and Section 6.3 Non compliance Management. (v) Section 5.10. Emergency preparedness and Response includes relevant information and links to the Emergency Management Plan and the Pollution Incident Response Management Plan. The Bushfire Management Plan sites under the Emergency Plan. It was reported during the audit that the environmental team does not have direct access to upload documents on the website. This has caused delays with the relevant information being provided on the website.	Recommend streamlining the process to ensure timely reporting of complaints and upload of monitoring and management documents.

4.3 Environment Protection Licence 4501

The review of compliance with EPL 4501 is summarised in Table 4.4, with further detail provided in Appendix E. A summary of non-compliances is detailed in Table 4.5. A number of recommendations were also identified and there were also several conditions that were not verified due to insufficient information provided to confirm compliance.

Table 4.4 Summary of compliance with DA 10/201/2004/003

Compliance	Number
Compliant	28
Non-compliant	2
Not triggered	18
Not verified	1
Note	9

Table 4.5 Summary of non-compliances

Condition	Comment	Recommendation
G2.2	Contact details are provided in the PIRMP but the names are out of date. The phone numbers remain correct. No email addresses are provided, only the general enquiries email address. Potentially seek licence variation to allow use of a shared mailbox as a better solution.	Update the PIRMP to include all the contact details required by G2.2. Also consider providing the contact details in a more accessible location e.g. on the website and confirming with the EPA that a general number and email is acceptable.
G2.3	The contact details in the PIRMP are out of date and no evidence the EPA had been advised of the changes was provided.	Inform the EPA, in writing, of the latest contact person and associated contact details.

Table 4.6 Summary of recommendations

Condition	Comment	Recommendation
M4.2	Complaints register is provided on the website. While there have not been any complaints, the register indicates most of the required information would be collected. Information not included in the register include the method the complaints was made and the personal details of the complainant.	Update the complaints register, so it captures all the information required by M4.1.

4.4 Mining Lease ML1818

The review of compliance with Mining Lease 1818 is summarised in Table 4.7, with further detail provided in Appendix F. There were no non-compliances identified.

Table 4.7 Summary of compliance with DA 10/201/2004/003

Compliance	Number
Compliant	-
Non-compliant	1
Not triggered	3
Not verified	-
Note	2

Appendices

Appendix A

Audit team approval

23 May 2025

Avoca Tank – Independent Environmental Audit - Auditor Endorsement Request

Dear Sir/Madam,

Reference is made to condition C8 (a) noted in DA 10/2015/004/003 requiring an independent environmental audit be undertaken by a suitably qualified, experienced and independent person(s) whose appointment is required to be endorsed by Bogan Shire Council.

Council has reviewed the independent auditor nomination and from the information provided via email to Cathy Black – Director Development and Environmental Services on 21 May 2025 is satisfied that Ben Luffman and Marina Leung from GHD are suitably qualified, experienced and independent. Therefore Council endorse the appointments of Ben and Marina to undertake the Independent Environmental Audit.

In regards to the requested extension for the commencement of the audit to proceed, Council will grant a one week extension for commencement.

Should you require any further information please contact Council on 68359000 during business hours.

Yours sincerely,



Jackson Williams-Hedges
Manager Development and Environmental Services
Bogan Shire Council

Appendix B

Stakeholder consultation

From: [Garry West](#)
To: [Marina Leung](#)
Cc: [Ben Luffman](#)
Subject: Re: Mandatory Independent Environmental Audit 2025 – Aeris Resources ML 1818 Avoca Tank
Date: Wednesday, 4 June 2025 3:06:10 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Marina

Thank you for your advice regarding the proposed Independent Environmental Audit of the Avoca Tank Project. I note that Bogan Shire Council will be consulted. As they are also a member of the CCC I will not copy them.

Regards

Garry

Garry West
0418 215 059

From: Marina Leung <Marina.Leung@ghd.com>
Date: Wednesday, 4 June 2025 at 2:53 pm
To: Garry West <garry.west@gbwconsulting.com.au>
Cc: Ben Luffman <Ben.Luffman@ghd.com>
Subject: Mandatory Independent Environmental Audit 2025 – Aeris Resources ML 1818 Avoca Tank

Good afternoon Garry,

GHD has been engaged by Aeris Resources Limited to undertake an Independent Environmental Audit of the Avoca Tank Project. As per the development consent conditions, I am writing to seek your input into the audit as per the details in the attached letter. Could you please send your response by the time specified? Please let me know if there any issues with the letter or the timeframe.

Kind regards,

Marina

Marina Leung

(Ma-ree-na Ler-ng)

BEng (Hons) Environmental

Environmental Scientist – Contamination & Environmental Management

GHD

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Level 14, 133 Castlereagh Street, Sydney, NSW 2000 Australia

D +61 2 9239 7065 | **E** marina.leung@ghd.com

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From: info@sys.resources.nsw.gov.au on behalf of [NSW Resources](#)
To: [Marina Leung](#)
Subject: AREQ0064943 | Avoca Tank Mine | Enquiry (external) | Other Enquiry | 04 Jun 2025 15:01:23
Date: Friday, 4 July 2025 3:08:22 PM
Attachments: [image](#)
[image](#)
[image](#)
[image](#)
[GHD_Avoca Tank Tritton June 2025.pdf](#)

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Dear Ms Leung,

Please find attached the Regulator's response to your request for consultation on the independent environmental audit to be undertaken of the Avoca Tank Mine.

Regards,

Jenny Ehmsen

Principal Compliance Auditor

MAI - Enforcement | Resources Regulator

T 02 4931 6420 M 0438 735 010



The Department of Primary Industries and Regional Development acknowledges that it stands on Country which always was and always will be Aboriginal land. We acknowledge the Traditional Custodians of the land and waters, and we show our respect for Elders past, present and emerging. We are committed to providing places in which Aboriginal people are included socially, culturally and economically through thoughtful and collaborative approaches to our work.



Ref:MSG1664654_Wa7nfpV809gbnh6NVUC3

From: [Natural Resources Access Regulator](#)
To: waterlicensing.servicedesk@dpie.nsw.gov.au; [Marina Leung](#)
Subject: NRAR0015046 : Mandatory Independent Environmental Audit 2025 – Aeris Resources ML 1818 Avoca Tank
Date: Friday, 6 June 2025 1:25:37 PM
Attachments: [image](#)
[ATP Invitation to provide comments - NRAR.pdf](#)

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Good afternoon L&A

Please find request for feedback to audit for Aeris Resources ML 1818 Avoca Tank.

Sending this to you for your action.

Kind regard

Julie

Regulatory Support Team

Natural Resources Access Regulator (NRAR)

E nrar.enquiries@nrar.nsw.gov.au | W nrar.nsw.gov.au | P 1800 633 362

Postal Address: Locked Bag 5022, Parramatta NSW 2124

Working Days: Monday to Friday | 9:00am - 5:00pm



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I acknowledge the traditional custodians of the land and pay respects to Elders past and present.

I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

received from: Marina.Leung@ghd.com

To the responsible officer,

Attn: Ms Diana Smith

GHD has been engaged by Aeris Resources Limited to undertake an Independent Environmental Audit of the Avoca Tank Project. As per the development consent conditions, I am writing to seek your input into the audit as per the details in the attached letter. Could you please send your response by the time specified? Please let me know if there any issues with the letter or the timeframe.

Kind regards,

Marina

Marina Leung
(Ma-ree-na Ler-ng)
BEng (Hons) Environmental
Environmental Scientist – Contamination & Environmental Management

GHD

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Level 14, 133 Castlereagh Street, Sydney, NSW 2000 Australia
D +61 2 9239 7065 | E marina.leung@ghd.com<mailto:marina.leung@ghd.com>

[cid:image001.png@01DBD560.E4196D90]
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[cid:image002.png@01DBD560.E4196D90]<<https://www.linkedin.com/company/ghd/>>
[cid:image003.png@01DBD560.E4196D90]<<https://www.facebook.com/GHDGroup>>
[cid:image004.png@01DBD560.E4196D90]<<https://twitter.com/GHDspeaks>>
[cid:image005.png@01DBD560.E4196D90]
<<https://www.youtube.com/channel/UCwUGfe6zgaddIXqA7entlwQ>>

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From: [Marina Leung](#)
To: [DPE PSVC Compliance Mailbox](#)
Cc: [Ben Luffman](#)
Bcc: [12661372](#)
Subject: RE: Mandatory Independent Environmental Audit 2025 – Aeris Resources ML 1818 Avoca Tank
Date: Thursday, 5 June 2025 11:44:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)

Hi Alfarid,

Thanks for your response. Planning is not the consent authority for the Avoca Tank Project. It is the consent authority for nearby related mining operations such as the Tritton Mine (DA41/98 – Mod 8).

Because the operations at these two mines have some overlap (e.g.: ore from Avoca is taken to Tritton for processing), we are seeking DPHI's comments on related environmental performance.

I hope that helps you to direct the enquiry to the correct team. Please give me a call if you have any questions.

Kind regards,

Marina

Marina Leung

(Ma-ree-na Ler-ng)

BEng (Hons) Environmental

Environmental Scientist – Contamination & Environmental Management

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D +61 2 9239 7065 | **E** marina.leung@ghd.com

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From: Alfarid Hussain <Alfarid.Hussain@planning.nsw.gov.au> **On Behalf Of** DPE PSVC Compliance Mailbox

Sent: Thursday, 5 June 2025 11:30 AM

To: Marina Leung <Marina.Leung@ghd.com>; DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>

Cc: Ben Luffman <Ben.Luffman@ghd.com>

Subject: RE: Mandatory Independent Environmental Audit 2025 – Aeris Resources ML 1818 Avoca Tank

Hi Marina,

So I can direct you to the right team, can you please confirm the Approval number? I could not locate the project on our system using the project name you have outlined in your email.

Kind regards,

Alfarid Hussain

Compliance Officer
Development Assessment and Infrastructure
Department of Planning, Housing and Infrastructure

T 02 9274 6456 | M 0436 681 733 | E Alfarid.Hussain@planning.nsw.gov.au

dphi.nsw.gov.au

Locked Bag 5022|Parramatta NSW 2124

Working days Monday to Friday, 09:00am - 5:00pm



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all Aboriginal and Torres Strait Islander staff working with the NSW Government.

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From: Marina Leung <Marina.Leung@ghd.com>

Sent: Wednesday, 4 June 2025 3:16 PM

To: Carl Dumpleton <Carl.Dumpleton@planning.nsw.gov.au>; DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>

Cc: DPE CSE Information Planning Mailbox <information@planning.nsw.gov.au>; Ben Luffman <Ben.Luffman@ghd.com>

Subject: RE: Mandatory Independent Environmental Audit 2025 – Aeris Resources ML 1818 Avoca Tank

Thanks for this advice Carl, I appreciate it.

[@DPE PSVC Compliance Mailbox](#), to help direct this enquiry: this audit is against a Council consent, so DPHI isn't the ARA for the Avoca Tank Project (ATP). However, we would welcome any comments on environmental performance which may be relevant to ATP from your compliance officers responsible for the nearby Tritton Copper Mine, Murrawombie Copper Mine or North East Mine.

Kind regards,

Marina

Marina Leung

(Ma-ree-na Ler-ng)

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Environmental Scientist – Contamination & Environmental Management

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From: Carl Dumpleton <Carl.Dumpleton@planning.nsw.gov.au>

Sent: Wednesday, 4 June 2025 3:02 PM

To: Marina Leung <Marina.Leung@ghd.com>

Cc: DPE CSE Information Planning Mailbox <information@planning.nsw.gov.au>; Ben Luffman <Ben.Luffman@ghd.com>; DPE PSVC Compliance Mailbox <compliance@planning.nsw.gov.au>

Subject: RE: Mandatory Independent Environmental Audit 2025 – Aeris Resources ML 1818 Avoca Tank

Hi Marina,

This request needs to go to compliance@planning.nsw.gov.au mailbox.

I have cc'd it in, but still reach out.

Kind regards,

Carl Dumpleton

Team Leader

Resources and Energy Assessments

Development Assessments and Sustainability

Department of Planning, Housing and Infrastructure

T 02 9274 6283 **E** carl.dumpleton@planning.nsw.gov.au

dphi.nsw.gov.au

4 Parramatta Square, 12 Darcy St, Parramatta NSW 2150

Mail - Locked Bag 5022, Parramatta NSW 2150





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

Please consider the environment before printing this email.

From: Marina Leung <Marina.Leung@ghd.com>
Sent: Wednesday, 4 June 2025 2:50 PM
To: Carl Dumpleton <Carl.Dumpleton@planning.nsw.gov.au>
Cc: DPE CSE Information Planning Mailbox <information@planning.nsw.gov.au>; Ben Luffman <Ben.Luffman@ghd.com>
Subject: Mandatory Independent Environmental Audit 2025 – Aeris Resources ML 1818 Avoca Tank

To the responsible officer,

Attn: Mr Carl Dumpleton

GHD has been engaged by Aeris Resources Limited to undertake an Independent Environmental Audit of the Avoca Tank Project. As per the development consent conditions, I am writing to seek your input into the audit as per the details in the attached letter. Could you please send your response by the time specified? Please let me know if there any issues with the letter or the timeframe.

Kind regards,

Marina

Marina Leung
(Ma-ree-na Ler-ng)
BEng (Hons) Environmental
Environmental Scientist – Contamination & Environmental Management

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From: [Tempe Beaven \(Heritage NSW\)](#)
To: [Marina Leung](#)
Subject: Request #55205 has been updated: RE: Request #52939 has been updated: FW: Mandatory Independent Environmental Audit 2025 – Aeris Resources ML 1818 Avoca Tank [ref:!00D7F06iTix.!50...
Date: Friday, 11 July 2025 10:48:27 AM

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Your request has been updated. To add additional comments, reply to this email.

Hi Marina

Thank you for your email.

Regarding potential cultural sensitivities, if you would like to include a photo in the report it would be appropriate to consult with the Aboriginal community for that location, this might include the Registered Aboriginal Parties if there is a list for that project.

If Aboriginal objects, including culturally modified trees are discovered and have not been previously registered on AHIMS, they must be reported under the National Parks and Wildlife Act 1974 through registrations on AHIMS. If an object has been harmed from bushfire, an update of the condition of the object should be provided to AHIMS. Further information on AHIMS is on the Heritage NSW website: <https://www.environment.nsw.gov.au/topics/heritage/search-heritage-databases/aboriginal-heritage-information-management-system>

There is also the scarred tree manual that provides information on the identification and recording of scarred trees in NSW: <https://www.environment.nsw.gov.au/publications/aboriginal-scarred-trees-new-south-wales-field-manual>

Regards

Tempe Beaven

Heritage NSW

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

T: 02 9873 8500 E: heritagemailbox@environment.nsw.gov.au

<https://www.environment.nsw.gov.au/topics/heritage>

Locked Bag 5020 Parramatta, NSW 2124

Monday to Friday, 09:00am - 05:00pm

[Website](#) | [Facebook](#) | [Instagram](#) | [LinkedIn](#)

We acknowledge the traditional custodians of the lands and seas upon which we work, walk and live and pay respects to Elders past present and emerging.

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On 2025 M07 6 23:52:47 UTC, Marina Leung marina.leung@ghd.com wrote:

Hi Tanya,

Thanks for your response. Please find attached a copy of the DA.

GHD have already undertaken the site visit and audit interviews for this development. However, we are yet to report on our findings and would welcome a response by 11 July.

There are several heritage items at the Avoca Tank Project, including a scar tree and stockmen's camp among other things. I understand there was a bushfire incident that impacted this item and that the Heritage Management Plan was in the process of being updated in response. That might be an item of interest for your team.

I also was hoping to seek your advice regarding some photographs taken by GHD during the site visit. They were taken to capture the current state of the heritage items. Photographs are usually included in the final audit report. Are there any cultural sensitivities or considerations for the inclusion of these images? An alternative would be to make a statement that the items were sighted during the audit and not to include the photographs, if that would be more respectful.

Please let me know if you require any additional information.

Kind regards,

Marina

Marina Leung

(Ma-ree-na Ler-ng)

BEng (Hons) Environmental

Environmental Scientist – Contamination & Environmental Management

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From: Tanya Pelz (Heritage NSW) <support@zendesk.environment.nsw.gov.au>

Sent: Tuesday, 1 July 2025 1:16 PM

To: Marina Leung <marina.leung@ghd.com>

Subject: Request [#52939](#) has been updated: FW: Mandatory Independent Environmental Audit 2025 – Aeris Resources ML 1818 Avoca Tank [ref:!00D7F06iTix.!500Mn0tNa1V:ref]

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Your request has been updated. To add additional comments, reply to this email.

Dear Marina

We have received your email regarding the Independent Environmental Audit of the Avoca Tank Project.

Are you able to provide a copy of the development consent this audit relates to and any of the documentation referred to in the attached letter so that I can forward to the assessment team for their comments.

Kind regards

Tanya Pelz

Heritage NSW

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

T: 02 9873 8500 E: heritagemailbox@environment.nsw.gov.au

<https://www.environment.nsw.gov.au/topics/heritage>

Locked Bag 5020 Parramatta, NSW 2124

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On 5 June 2025 at 11:33:20 pm UTC, EPA Delivery Hub Mailbox

epa.deliveryhub@epa.nsw.gov.au wrote:

Good Morning Environment & Heritage,

The below email addressed to Environment & Heritage has come through to EPA.

Forwarding on for your review and any necessary attention.

Kind regards

Shannon

Shannon Rothery

Administration Support Officer
Operational Coordination Unit
NSW Environment Protection Authority

Please send all official electronic correspondence to 8: info@epa.nsw.gov.au

www.epa.nsw.gov.au @NSW_EPA

The EPA acknowledges the Traditional Custodians of the land, waters and sky where we work.
As part of the world's oldest surviving cultures we pay our respect to Aboriginal Elders past and present.

I work on Gadigal Country.

Report pollution and environmental incidents 131 555

From: Environment Line <info@environment.nsw.gov.au>
Sent: Friday, 6 June 2025 8:42 AM
To: EPA Delivery Hub Mailbox <EPA.DeliveryHub@epa.nsw.gov.au>
Subject: Mandatory Independent Environmental Audit 2025 – Aeris Resources ML 1818 Avoca Tank [ref:!00D7F06iTix.!500Mn0tNa1V:ref]

----- Forwarded Message -----

From: Marina Leung [marina.leung@ghd.com]
Sent: 04/06/2025 14:55
To: info@environment.nsw.gov.au
Cc: ben.luffman@ghd.com
Subject: Mandatory Independent Environmental Audit 2025 – Aeris Resources ML 1818 Avoca Tank

To the responsible officer,

Attn: Environment and Heritage

GHD has been engaged by Aeris Resources Limited to undertake an Independent Environmental Audit of the Avoca Tank Project. As per the development consent conditions, I am writing to seek your input into the audit as per the details in the attached letter. Could you please send your response by the time specified? Please let me know if there any issues with the letter or the timeframe.

Kind regards,

Marina

Marina Leung

(Ma-ree-na Ler-ng)

BEng (Hons) Environmental

Environmental Scientist – Contamination & Environmental Management

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Level 14, 133 Castlereagh Street, Sydney, NSW 2000 Australia

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ref:!00D7F06iTix.!500Mn0tNa1V:ref

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PDF

This email is a service from Heritage NSW. Delivered by [Zendesk](#)

From: [Cathy Black](#)
To: [Marina Leung](#)
Cc: [Bogan Shire Council](#); [Ben Luffman](#); [Jackson Williams-Hedges](#)
Subject: RE: Mandatory Independent Environmental Audit 2025 – Aeris Resources ML 1818 Avoca Tank
Date: Thursday, 5 June 2025 9:40:40 AM
Attachments: [image006.jpg](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)

Good morning Marina,

This email is to confirm receipt of email and that I will be the primary contact regarding the Avoca Tank Environmental Audit.

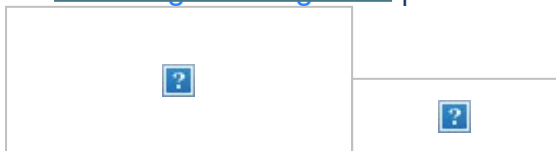
Comments will be provided within the required timeframe.

Kind regards

Cathy Black

Director Development and Environmental Services

Bogan Shire Council | PO Box 221 | 81 Cobar Street Nyngan, NSW, 2825
P: (02) 6835 9000 | F: (02) 68359011 | E: Cathy.Black@bogan.nsw.gov.au
W: www.bogan.nsw.gov.au |



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From: Marina Leung <Marina.Leung@ghd.com>
Sent: Wednesday, 4 June 2025 2:51 PM
To: Cathy Black <cathy.black@bogan.nsw.gov.au>
Cc: Bogan Shire Council <administrator@bogan.nsw.gov.au>; Ben Luffman <Ben.Luffman@ghd.com>
Subject: Mandatory Independent Environmental Audit 2025 – Aeris Resources ML 1818 Avoca Tank

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To the responsible officer,

Attn: Cathy Black

GHD has been engaged by Aeris Resources Limited to undertake an Independent Environmental Audit of the Avoca Tank Project. As per the development consent conditions, I am writing to seek your input into the audit as per the details in the attached letter. Could you please send your response by the time specified? Please let me know if there any issues with the letter or the timeframe.

Kind regards,

Marina

Marina Leung

(Ma-ree-na Ler-ng)

BEng (Hons) Environmental

Environmental Scientist – Contamination & Environmental Management

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Our ref: OUT25/8238

Ben Luffman
Senior Environmental Consultant, Lead Auditor
Email: ben.luffman@ghd.com

1 July 2025

Subject: Mandatory Environmental Audit – Aeris Resources ML 1818 Avoca Tank

Dear Mr Luffman

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

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

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

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

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

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

If you have any questions regarding this submission please send correspondence to waterlicensing.servicedesk@dpie.nsw.gov.au and cc estelle.avery@dpie.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Estelle Avery".

Estelle Avery
Senior Water Regulation Officer
Licensing and Approvals
Water Group

Appendix C

Site photographs



Photo 1 **Vent under construction**



Photo 2 **Flagged aboriginal heritage site**



Photo 3 **Vent**



Photo 4 **Vehicles parked in the yard**



Photo 5 **Access road and vent pad**



Photo 6 **Fire extinguisher in rear of site vehicle**

Appendix D

DA 10/2015/004/003 compliance

Table D.1 DA 10/2015/004/003 compliance table

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
Part A	Administrative Conditions				
	OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT				
A1	In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation or rehabilitation of the Development.	Compliant	While the audit has revealed some non-compliances, it is considered that most are of a minor nature or immaterial, and Aeris is implementing all reasonable and feasible measures to prevent and/or minimise any material harm to the environment.		
	TERMS OF CONSENT				
A2	The applicant shall carry out the Development generally in accordance with the:				
a)	Development application 10/2015/004/003	Compliant	It is considered the development has generally been undertaken in accordance with the development application.		
b)	Environmental Impact Statement prepared by R W Corkery and Co dated July 2014, Appendices 5-9 dated 2021	Compliant	It is considered the development has generally been undertaken in accordance with the EIS.	Environmental Impact Statement prepared by R W Corkery and Co dated July 2014, Appendices 5-9 dated 2021	
c)	Response to Submissions report prepared by R W Corkery and Co dated June 2016; and	Compliant	It is considered the development has generally been undertaken in accordance with the Response to Submissions.	Response to Submissions report prepared by R W Corkery and Co dated June 2016	
d)	The conditions of this consent.	Non-compliant	As detailed below, some non-compliances were recorded against the conditions.		Refer to actions below.
e)	Statement of Environmental Effects prepared by AARC dated 26 March 2021	Compliant	It is considered the development has generally been undertaken in accordance with the SEE.	Statement of Environmental Effects prepared by AARC dated 26 March 2021	
f)	Ecoplanning (2021) Biodiversity Development Assessment Report - MLA564, Girilambone NSW. Prepared for AARC Environmental Solutions Pty Ltd.	Compliant	The primary requirement of the BDAR was the retirement of credits which has been done by payment to the Biodiversity Conservation Fund.	Certificate dated 14/01/2025	

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
A3	If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this approval prevail to this approval prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.	Note			
A4	The Applicant shall comply with any reasonable requirement(s) of the Council arising from the Council's assessment of:				
a)	any reports, plans or correspondence that are submitted in accordance with this consent; and	Not Triggered	Aeris reported that Council has not required any additional action.	NA	
b)	the implementation of any actions of measures contained within these documents.	Not Triggered	Aeris reported that Council has not required any additional action.	NA	
A5	Material extracted from the Avoca Mine (other than waste rock) is to be transported to the Tritton Processing Facility for processing. On-site processing or processing at a third location is excluded from this consent.	Compliant	Records indicate material is transported to Tritton Processing Facility	Haulage_AT_to_Tritton spreadsheets for January, February, March, April, May 2025	
	STAGING				
A6	The Applicant may elect to construct and/or operate the Development in stages. Where staging is proposed, the Applicant shall submit a staging report to the Bogan Shire Council prior to the commencement of the first proposed stage. The Staging Report shall provide details of:	Not Triggered			
a)	how the Development would be staged, including general details of work activities associated with each stage and the general timing of when each stage would commence; and	Not Triggered			
b)	details of relevant conditions of consent, which would apply to each stage and how these shall be complied with across and between the stages of the Development.	Not Triggered			

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
	Where staging of the Development is proposed, these conditions of consent are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).	Note			
	The Applicant shall ensure that an updated Staging Report (or advice that no changes to the staging are proposed) is submitted to the Bogan Shire Council prior to the commencement of each stage, identifying any changes to the proposed staging or applicable conditions.	Not Triggered			
Note	<i>Note: These conditions do not relate to staged development within the meaning of section 83B.</i>	Note			
	STAGED SUBMISSION OF ANY STRATEGY, PLAN OR PROGRAM				
A7	With the approval of Bogan Shire Council, the Applicant may:				
a)	submit any strategy, plan or program required by this consent on a progressive basis; and	Not Triggered	Aeris reported that the strategies, plans or programs required by this consent have not been staged.		
b)	combine any strategy, plan or program required by this consent with any similar strategy, plan or program required for the development.	Compliant	The Aboriginal Heritage and Historic Heritage Plans have been combined and submitted to Council. All Plans have also been combined with Tritton, Murrawombie and North East.	2022, Tritton Resources Limited, TRL-HSET-MP-ENV-004: Flora and Fauna Management Plan- Tritton Mine (ML1544), Murrawombie Mine (ML1280), North East Mine (ML1383) and Avoca Tank Project (ML1818), Version 2. 2025, Tritton Resources Limited, Environmental Management Strategy (Version 0). 2021, Tritton Resources Limited, Historic Heritage Management Plan. 2025, Aeris Resources, Heritage Management Plan.	

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
Notes	<i>While any strategy, plan or program may be submitted on a progressive basis, the Applicant will need to ensure that the existing operations on site are covered by suitable strategies, plan or programs at all times; and</i>	Note			
	<i>If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.</i>	Note			
PART B - ENVIRONMENTAL PERFORMANCE CONDITIONS					
	AIR QUALITY AND GREENHOUSE GAS				
	ODOUR				
B1	The Applicant shall ensure the Development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).	Compliant	Community Complaints Register 2025 online - no complaints received from Jan to May 2025. No sewage system operating (closed) and odour sources associated mostly with processing are at Tritton, not ATP. Nearest sensitive receptor is the BushCafe at Girilambone.	https://www.aerisresources.com.au/assets/tritton-copper-operations/assets-tritton-copper-operations-community-consultative-committee-minutes/	
	BIODIVERSITY				
	BIODIVERSITY OFFSET PACKAGE				
B2	Prior to the commencement of impact to biodiversity values the class and number of ecosystem credits in Table B4 must be retired to offset the residual biodiversity impacts of the development.	Compliant	Commencement date was 26/05/2023 and the credits retired and the certificate dated 14/1/22 verify that payment has been made to the Biodiversity Conservation Fund. Credits as per the certificate match those in Table B4.	Letter dated 19/07/2023 informing Council of the commencement date, which was 26/05/2023. Email dated 20/01/2022. Certificate dated 14/01/2025.	

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation								
	<i>Table B4. Ecosystems credits required to be retired – like for like</i> <table><tr><th>Impacted plant community type</th><th>Number of ecosystem credits</th><th>IBRA subregion</th><th>Plant community type(s) that can be used to offset the impacts from development</th></tr><tr><td>PCT103 – Poplar Box – Gum Coolabah – White Cypress Pine shrubby woodland mainly on the Cobar Peneplain Bioregion</td><td>94</td><td>Canbelego Downs</td><td>Western Peneplain Woodlands including PCT 103, PCT 135, PCT 145</td></tr></table>			Impacted plant community type	Number of ecosystem credits	IBRA subregion	Plant community type(s) that can be used to offset the impacts from development	PCT103 – Poplar Box – Gum Coolabah – White Cypress Pine shrubby woodland mainly on the Cobar Peneplain Bioregion	94	Canbelego Downs	Western Peneplain Woodlands including PCT 103, PCT 135, PCT 145		
Impacted plant community type	Number of ecosystem credits	IBRA subregion	Plant community type(s) that can be used to offset the impacts from development										
PCT103 – Poplar Box – Gum Coolabah – White Cypress Pine shrubby woodland mainly on the Cobar Peneplain Bioregion	94	Canbelego Downs	Western Peneplain Woodlands including PCT 103, PCT 135, PCT 145										
B3	The requirement to retire credits in condition B2 may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the BAM Credit Calculator (BAM-C).	Compliant	Payment was made by Tritton Resources Pty Ltd on 14 January 2022.	2022, NSW Biodiversity Conservation Trust, <i>Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation.</i>									
B4	Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of condition B2 must be provided to the consent authority prior to the commencement of impact to biodiversity values.	Compliant	Bogan Shire Council was sent evidence of payment on 7/2/22, which was before commencement.	2022, 7 Feb, Dean Woods, Email to Cathy Black FW: <i>BCF301 - Section 6.33 Certificate.</i>									
B5	Prior to the commencement of impact to biodiversity values the class and number of species credits in Table B7 must be retired to offset the residual biodiversity impacts of the development.	Compliant	Commencement date was 26/05/2023 and the credits retired and the certificate dated 14/1/22 verify that payment has been made to the Biodiversity Conservation Fund. Credits as per the certificate match those in Table B7.	Letter dated 19/07/2023 informing Council of the commencement date, which was 26/05/2023. Email dated 20/01/2022. Certificate dated 14/01/2025.									

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation																		
	Table B7. Species credits required to be retired - like for like																						
	<table><tr><th>Impacted species credit species</th><th>Number of species credits</th><th>IBRA subregion</th></tr><tr><td>Bush Stone-Curlew</td><td>104</td><td>Anywhere in NSW</td></tr><tr><td>Major Mitchell's Cockatoo</td><td>54</td><td>Anywhere in NSW</td></tr><tr><td>Pine Donkey Orchid</td><td>80</td><td>Anywhere in NSW</td></tr><tr><td>Greenhood Orchid</td><td>107</td><td>Anywhere in NSW</td></tr><tr><td>Shrub Sida</td><td>107</td><td>Anywhere in NSW</td></tr></table>	Impacted species credit species	Number of species credits	IBRA subregion	Bush Stone-Curlew	104	Anywhere in NSW	Major Mitchell's Cockatoo	54	Anywhere in NSW	Pine Donkey Orchid	80	Anywhere in NSW	Greenhood Orchid	107	Anywhere in NSW	Shrub Sida	107	Anywhere in NSW				
Impacted species credit species	Number of species credits	IBRA subregion																					
Bush Stone-Curlew	104	Anywhere in NSW																					
Major Mitchell's Cockatoo	54	Anywhere in NSW																					
Pine Donkey Orchid	80	Anywhere in NSW																					
Greenhood Orchid	107	Anywhere in NSW																					
Shrub Sida	107	Anywhere in NSW																					
B6	Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of Table B7 requirements must be provided to the consent authority prior to the commencement of impact to biodiversity values.	Compliant	Payment was made by Tritton Resources Pty Ltd on 14 January 2022, which was before commencement.	2022, NSW Biodiversity Conservation Trust, <i>Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation</i>																			
B7	Prior to the commencement of impact to biodiversity values, a Biodiversity Management Plan must be prepared to the satisfaction of the consent authority. The Biodiversity Management Plan may form part of a Construction Environmental Management Plan.	Not Verified	The email evidence provided demonstrates AARC Environmental Solutions Pty Ltd on behalf of the Avoca Tank Project was seeking the satisfaction of the consent authority regarding several environmental management plans, including the Flora and Fauna Management Plan, well before the commencement date. The evidence provided indicates Council provided comments on the plans, but no evidence was provided indicating Council were satisfied with the plan.	2021, 16 Dec, Aiden Campbell, Email to Jackson Williams-Hedges and Jim Boyce, <i>Avoca Tank Environmental Management Plan submission</i> . 2022, Tritton Resources Limited, TRL-HSET-MP-ENV-004: Flora and Fauna Management Plan- Tritton Mine (ML1544), Murrawombie Mine (ML1280), North East Mine (ML1383) and Avoca Tank Project (ML1818), Version 2. Email from Council (Cathy Black) dated 07/03/2022. Letter dated 19/07/2023 informing Council of the commencement date, which was 26/05/2023.	Continue to liaise with Council regarding the status of the Biodiversity Management Plan																		

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
B8	The Biodiversity Management Plan must identify the development site as per the Biodiversity Development Assessment Report (BDAR) and approved plans.	Non-compliant	The Flora and Fauna Management Plan 2022 contains the development site, as per the BDAR and approved plans. This has been updated to the Biodiversity and Land Management Plan, which is draft until approved by Council. This plan does not include the development site, as per the BDAR and approved plans. However, it does include controls that refer to only disturbing areas as approved by the development consent.	2022, Tritton Resources Limited, TRL-HSET-MP-ENV-004: Flora and Fauna Management Plan- Tritton Mine (ML1544), Murrawombie Mine (ML1280), North East Mine (ML1383) and Avoca Tank Project (ML1818), Version 22025, Tritton Resources Limited, Biodiversity and Land Management PlanEcoplanning 2021. Biodiversity Development Assessment Report.	Include the development site, as per the BDAR and approved plans, in the Biodiversity and Land Management Plan
B9	The Biodiversity Management Plan must identify areas of land that are to be retained, as outlined in the BDAR.	Compliant	The BDAR does not identify areas to be retained but the plan in the Flora and Fauna Management Plan 2022 showing the disturbance area are consistent with the BDAR. The draft Biodiversity and Land Management Plan has measures to ensure the area disturbed is consistent with the development consent, which is consistent with the BDAR.	2022, Tritton Resources Limited, TRL-HSET-MP-ENV-004: Flora and Fauna Management Plan- Tritton Mine (ML1544), Murrawombie Mine (ML1280), North East Mine (ML1383) and Avoca Tank Project (ML1818), Version 2 2025, Tritton Resources Limited, Biodiversity and Land Management Plan Ecoplanning 2021. Biodiversity Development Assessment Report	
B10	Construction impacts must be restricted to the development site and must not encroach into areas of retained native vegetation and habitat. All material stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the BDAR.	Compliant	Based on visual observations, the clearing appears to be consistent with that assessed in the BDAR.	Observations	Obtain a survey to confirm the extent of clearing is consistent with the areas assessed in the BDAR.

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation												
B11	The Biodiversity Management Plan must identify all measures proposed in the BDAR to mitigate and manage impacts on Biodiversity outlined in Table B12, including performance measures for each commitment where appropriate.	Compliant	Both the Flora and Fauna Management Plan (2022) in Section 6.2.1 and draft Biodiversity and Land Management Plan (2025) in Section 8.1.4 contain measures similar to those in Table B11 (which is what is assumed to be referred to in the condition). They don't include specific erosion and sediment control measures; however, they are referred to in Table 1 of the draft Biodiversity and Land Management Plan (2025).	2022, Tritton Resources Limited, TRL-HSET-MP-ENV-004: Flora and Fauna Management Plan- Tritton Mine (ML1544), Murrawombie Mine (ML1280), North East Mine (ML1383) and Avoca Tank Project (ML1818), Version 2. 2025, Tritton Resources Limited, Biodiversity and Land Management Plan.													
	Table B11. Statement of commitments to mitigate and manage biodiversity impacts																
	<table><tr><th>Biodiversity Impact</th><th>Measure</th><th>Timing</th><th>Responsibility</th></tr><tr><td>Harm to non-threatened fauna species</td><td>Soft felling techniques will be employed during vegetation clearing. Techniques will be adaptive but may include: - Marking of habitat trees - Removal of ground layer and mid-storey around habitat trees - Tapping habitat trees with machinery prior to removal 'slow drop' of habitat trees, by gentle lowering with hollow intact. - Inspection of hollow and capture and release of any present fauna species. </td><td>During vegetation clearing</td><td>Environmental Advisor</td></tr><tr><td>Offsite impacts to vegetation</td><td>Implementation of appropriate erosion and sediment practices following best practice.</td><td>During construction</td><td>Environmental advisor</td></tr></table>			Biodiversity Impact	Measure	Timing	Responsibility	Harm to non-threatened fauna species	Soft felling techniques will be employed during vegetation clearing. Techniques will be adaptive but may include: - Marking of habitat trees - Removal of ground layer and mid-storey around habitat trees - Tapping habitat trees with machinery prior to removal 'slow drop' of habitat trees, by gentle lowering with hollow intact. - Inspection of hollow and capture and release of any present fauna species.	During vegetation clearing	Environmental Advisor	Offsite impacts to vegetation	Implementation of appropriate erosion and sediment practices following best practice.	During construction	Environmental advisor		
Biodiversity Impact	Measure	Timing	Responsibility														
Harm to non-threatened fauna species	Soft felling techniques will be employed during vegetation clearing. Techniques will be adaptive but may include: - Marking of habitat trees - Removal of ground layer and mid-storey around habitat trees - Tapping habitat trees with machinery prior to removal 'slow drop' of habitat trees, by gentle lowering with hollow intact. - Inspection of hollow and capture and release of any present fauna species.	During vegetation clearing	Environmental Advisor														
Offsite impacts to vegetation	Implementation of appropriate erosion and sediment practices following best practice.	During construction	Environmental advisor														
B12	(not found)																
	BUSHFIRE MANAGEMENT																
B13	The Applicant shall take all reasonable measures to prevent the ignition and/or spread of bushfires, in accordance with the Bushfire Management Plan, prepared to the satisfaction of Council.	Not Verified	A bushfire occurred on 4/03/2023 as a result of works on site. An incident report indicated appropriate notification was provided to the relevant organisations. Based on the Bushfire Management Plan, the works should have occurred at the workshop but there are exceptions to this providing certain controls are put in place. It was not verified if these controls were implemented and the other controls in the Bushfire Management Plan were also not verified.	2021, Tritton Resources Limited, <i>Bushfire Management Plan - Tritton Mine (ML1544), Murrawombie Mine (ML1280), and North East Mine (ML1383) and Avoca Tank Project (ML1818)</i> . Incident report - Reference No. 65909.													

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
B14	A bushfire management plan is to be prepared and provided to Council prior to the commencement of operations incorporating, but not being limited to the following:	Compliant	The Bushfire Management Plan was provided to Council and approved, prior to commencement.	2021, Tritton Resources Limited, <i>Bushfire Management Plan - Tritton Mine (ML1544), Murrawombie Mine (ML1280), and North East Mine (ML1383) and Avoca Tank Project (ML1818)</i> Letter from Council (Cathy Black) dated 7/03/2022 accepting the Bushfire Management Plan Letter dated 19/07/2023 informing Council of the commencement date, which was 26/05/2023.	
a)	A 15 metre cleared area around the buildings and infrastructure is to be implemented prior to the commissioning of the development and maintained in accordance with Appendix 5 of the Rural Fire Service publication <i>Planning for Bushfire Protection (2006)</i> (or such document as should replace this) for the life of the development.	Compliant	Section 4.7 Firefighting equipment and protection of the Bushfire Management Plan includes this requirement. While there are no buildings associated with Avoca Park, there is a ventilation shaft and this had a 15 m cleared area surrounding it.	2021, Tritton Resources Limited, <i>Bushfire Management Plan - Tritton Mine (ML1544), Murrawombie Mine (ML1280), and North East Mine (ML1383) and Avoca Tank Project (ML1818)</i> Observations	
b)	The controls identified in Section 4.12.3 of the EIS are to be implemented prior to the commissioning of the development and maintained for the life of the consent.	Compliant	Based on a combination of the Bushfire Management Plan, Incident report and observations, it is considered the EIS requirements are complied with, where relevant because: – The incident report indicated notification of the RFS and internally – No smoking is enforced across the site – A 15 m cleared area is maintained around infrastructure – Fire extinguishers were observed in vehicles	2021, Tritton Resources Limited, <i>Bushfire Management Plan - Tritton Mine (ML1544), Murrawombie Mine (ML1280), and North East Mine (ML1383) and Avoca Tank Project (ML1818)</i> 2023, Tritton Resources Limited, <i>Emergency Management Plan</i> Incident report - Reference No. 65909 Observations	

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
	HAZARDS AND RISK				
	SAFETY AND RISK MANAGEMENT				
B15	The Applicant shall prepare and implement an Emergency Plan for the development to the satisfaction of Bogan Shire Council. The plan shall be submitted to Council prior to commissioning of the development and shall be prepared in accordance with the Department of Planning and Environment's <i>Hazardous Industry Planning Advisory Paper No. 1 – Industry Emergency Planning Guidelines</i> .	Note			
B16	The Applicant shall prepare and implement a Safety Management System (SMS) for the development to the satisfaction of Bogan Shire Council. The SMS must be submitted to Council prior to commissioning of the development and shall be prepared in accordance with the Department of Planning and Environment's <i>Hazardous Industry Planning Advisory Paper No. 9 – Safety Management</i> . For the avoidance of doubt, the SMS may be provided as an update to an existing plan in current application. The SMS shall:	Note			
a)	clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures.	Note			
	COMPLIANCE REPORT				
B17	Within 3 months of commissioning of the Development, the Applicant shall prepare a compliance report to the satisfaction of the Bogan Shire Council. The report shall be prepared by a suitably qualified, experienced and independent expert whose appointment has been endorsed by the Bogan Shire Council and shall include:	Not Verified	Aeris reported the compliance report had been completed but the compliance report was not provided because it was not located during the audit.		Recover the Compliance Report and confirm it has been prepared and submitted to Council, in accordance with Condition B17
a)	dates of commencement of construction and commissioning;				
b)	actions taken (or proposed to be taken) to implement conditions B13 and B15; and				

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation								
c)	a signed statement that: (i) the Emergency Plan required under Condition B15 is effectively in place and that at least one emergency exercise has been conducted; (ii) the SMS required under condition B16 has been fully implemented and that records required by the system are being kept; (iii) the Emergency Plan and SMS have been prepared in accordance with the relevant Hazardous Industry Planning Advisory Paper; (iv) all recommendations of the QRA, Emergency Plan and SMS have been implemented and are being maintained; and (v) all safety management systems and their associated risk controls have been implemented and are being maintained.												
	NOISE												
B18	The Applicant shall construct and operate the Development in accordance with the hours listed in Table 6, except for emergency purposes.												
	<table><tr><td colspan="2">Table 6: Construction and operation hours of the development</td></tr><tr><td>Activity</td><td>Hours</td></tr><tr><td>Construction - vegetation clearing, topsoil stripping and rehabilitation operations</td><td>Daylight hours 7 days per week</td></tr><tr><td>Operation - site establishment, underground mining, ore transportation and maintenance</td><td>24 hours 7 days per week</td></tr></table>	Table 6: Construction and operation hours of the development		Activity	Hours	Construction - vegetation clearing, topsoil stripping and rehabilitation operations	Daylight hours 7 days per week	Operation - site establishment, underground mining, ore transportation and maintenance	24 hours 7 days per week	Not Verified	Aeris reported that the construction works occurred during daylight hours but was not able to provide any evidence to verify.		
Table 6: Construction and operation hours of the development													
Activity	Hours												
Construction - vegetation clearing, topsoil stripping and rehabilitation operations	Daylight hours 7 days per week												
Operation - site establishment, underground mining, ore transportation and maintenance	24 hours 7 days per week												
Note:	<i>Emergency purposes' refers to instances where the cessation of construction activities would have the potential to generate serious harm to the environment or serious safety issues. Should these activities be conducted outside of the hours permitted, a report must be provided to Council within 7 days of the event containing relevant information and/or data to demonstrate the specific emergency purposes and circumstances at the time.</i>	Note											
	IMPACT ASSESSMENT CRITERIA												
B19	The Applicant shall ensure that the noise generated by the Development (excluding drilling) does not exceed the noise impact assessment criteria set out in Table 7 at any residence on privately-owned land, or on more than 25 percent of any privately-owned land.	Compliant	The Noise Monitoring Assessment Report indicated the noise generated by the site is less than the relevant criteria. The complaints register also indicated there had been no complaints from 2022 to 2025 May.	2024, MarC Consulting, Noise Monitoring Assessment Report sighted at Audit. Noise Management Plan Complaints register.									

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation														
	Table 7 Impact assessment criteria dB(A) <table><tr><th rowspan="2">Location</th><th>Day</th><th>Evening</th><th colspan="2">Night</th></tr><tr><th>L_{Aeq}(15 minute)</th><th>L_{Aeq}(15 minute)</th><th>L_{Aeq}(15 minute)</th><th>L_{A1}(1 minute)</th></tr><tr><td>All privately owned land</td><td>35</td><td>35</td><td>35</td><td>35</td></tr></table>			Location	Day	Evening	Night		L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1} (1 minute)	All privately owned land	35	35	35	35		
Location	Day	Evening	Night																
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1} (1 minute)															
All privately owned land	35	35	35	35															
Note:	Noise generated by the development is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy.	Note																	
	SOIL AND WATER																		
	CONSTRUCTION SOIL AND WATER MANAGEMENT																		
B20	Soil and water management measures consistent with <i>Managing Urban Stormwater - Soils and Construction Vol.1 (Landcom, 2004)</i> shall be employed during the construction of the Development to minimise soil erosion and discharge of sediment and other pollutants to land and/or waters.	Not Verified	Construction of the ventilation shaft was completed in 2022, so no evidence was available to demonstrate compliance.																
	POLLUTION OF WATERS (Department of Primary Industry: Water General Terms of Approval Conditions)																		
B21	The Construction Certificate will not be issued over any part of the site requiring a Work Approval under the Water Management Act 2000 until a copy of the Work Approval has been provided to Council.	Not Triggered	Aeris advised that this is not applicable.																

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
B22	The proponent must obtain a Water Access Licence (WAL) in the Lachlan Fold Belt Groundwater Source with sufficient share component to account for the proposed groundwater take prior to commencing activities.	Not Verified	The proponent has provided two statements of approval and the NSW Water Register confirmed these are current, the water source was the Lachlan Fold Belt Groundwater Source and they were issued in 2012, which is prior to construction. The volume of water approved and the volume of water taken were not able to verify because the water meter was destroyed in a 2023 bushfire. The meter has been replaced but recent data is not available. The Annual Reviews suggest Aeris is licenced to extract 304ML and the water usage prior to the bushfire was well less than this.	2012 (as printed 2021), WaterNSW, 80WA716055 <i>Statement of Approval - Water Management Act 2000.</i> 2012 (as printed 2022), WaterNSW, 80WA716044 <i>Statement of Approval - Water Management Act 2000.</i> Water Access Licence Notification dated 30/01/2023. https://waterregister.watarnsw.com.au/water-register-frame Second Annual Review for the Avoca Tank Project January 2024 - December 2024. First Annual Review for the Avoca Tank Project - January 2023 - December 2023.	Continue to monitor the groundwater use to confirm it is in accordance with the WAL.

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
B23	The proponent must prepare a Water Management Plan in consultation with DPI Water. This plan is to address: a. Erosion and Sediment Control b. Groundwater Monitoring and Mitigation c. Surface Water Monitoring and Mitigation	Non-compliant	The Water Management Plan provided refers to an Erosion and Sediment Control Plan in the Appendices. The Appendix is blank, but the cover page refers to "Murrawombie Erosion and Sediment Control Plan". It is unclear if this extends to the Avoca Tank Project. Some generic information regarding erosion and sediment controls are provided in Section 5. Due to the minimal surface disturbance, the erosion and sediment risk and associated controls would be minimal. The Plan includes groundwater monitoring and mitigation at Avoca Tank Project. The mitigation measures are very general in nature (Section 6.2.1) and could be further clarified. Given the groundwater is unsuitable for domestic or agricultural purposes, it is unclear why the ANZECC stock and irrigation guideline values are being applied. It may be helpful to define "background/baseline" results and what "significant deviations from previous results" mean. Avoca Tank Project does not appear to have any surface water monitoring or mitigation, possibly because there are no surface water storages on site. Consultation with DPI Water is not demonstrated in the Plan or any other supporting document. Aeris indicated the Water Management Plan is currently being updated to address the above deficiencies.	2021, Tritton Resources Limited, <i>Water Management Plan Murrawombie Mine (ML1280), North East Mine (ML1383) and Avoca Tank Project (ML1818)</i>	Revise the Water Management Plan in consultation with relevant regulators including DPI Water and consider whether an erosion and sediment control plan is required and review if the surface water monitoring strategy is adequate.
	VISUAL				
B24	The Applicant shall:				
a)	implement all reasonable and feasible measures to minimise the visual and lighting impacts of the Development;				
b)	establish effective vegetative screens;				

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
c)	ensure no outdoor lights shine about the horizontal;				
d)	ensure that all external lighting associated with the development complies with Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting; and				
e)	Those measures outlined in Section 4.11.3 of the EIS are to be implemented to the satisfaction of Bogan Shire Council.				
	TRAFFIC AND TRANSPORT				
B25	The proponent is to prepare and implement a code of conduct relating to transport of materials on public roads as part of the considerations under Clause 16(1) of the <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i> .	Compliant	A Drivers Code of Conduct has been prepared. It is very simple and so it is assumed it is implemented because there was no mine related traffic observed on the road during the audit.	Form - Drivers Code of Conduct TRL-ENV-FRM-020	
B26	Sufficient parking is to be provided on site to accommodate proposed staffing levels, at a ratio of one parking space per two employees. All parking provided on site is to be designed and constructed to ensure compliance with Australian Standard 2890.	Not Triggered	The carpark proposed for the Avoca Tank project have not been constructed, so this condition is not triggered.	Observation Environmental Impact Statement prepared by R W Corkery and Co dated July 2014	
	WASTE MANAGEMENT				
B27	All waste materials removed from the site shall only be directed to a waste management facility or premises lawfully permitted to accept the materials.	Compliant	The Monthly Summary reports are for Tritton, which it is assumed includes Avoca Tank. This indicates the waste is segregated and the invoice shows it is picked up by a licenced contractor and disposed at a licenced facility.	2021-2025 Tritton Monthly Summary Reports. JR Richards Invoice dated May 2025. Sams Liquid Waste invoice dated 15/03/2025. EPL 20507 for Sams Liquid Waste licenced for Resource Recovery, Waste Processing, Waste Storage.	

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
B28	Waste generated outside of the site shall not be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the POEO Act, if such licence is required in relation to that waste.	Compliant	The POEO Licence does not allow for the receiving of waste generated offsite. Waste from offsite was not observed and Aeris reported waste is not received from offsite.	Observations	
B29	All liquid and/or non-liquid waste generated on site shall be assessed and classified in accordance with <i>Waste Classification Guidelines (Department of Environment, Climate Change and Water, 2009)</i> or any superseding document.	Compliant	The Monthly Summary reports indicates the waste is segregated into different types of waste, generally consistent with the Waste Classification Guidelines.	2021-2025 Tritton Monthly Summary Reports	
B30	Non-production waste management measures listed in Section 2.9 of the EIS are to be implemented for the life of the development in accordance with the <i>Protection of the Environment Operations (Waste) Regulation 2014</i> .	Not Verified	The Monthly Summary reports indicates the waste is segregated into different types of waste and the invoice indicates the waste is collected but it could not be confirmed where the waste is taken or if there is a purchasing policy in place to reduce waste.	2021-2025 Tritton Monthly Summary Reports JR Richards Invoice dated May 2025	Maintain records of where waste is taken for disposal, recycling, etc and ensure a purchasing policy is in place to minimise waste.
B31	Any soil contaminated as a result of the development is to be remediated in accordance with relevant guidelines (including guidelines under section 145C of the Act and the <i>Contaminated Land Management Act 1997</i>)	Not Triggered	Aeris reported that no contaminated soil was generated from Avoca Park.		
B32	Details of an effluent management system suitable to accommodate the required capacity of generated effluent from staff amenities to be submitted to and approved by Bogan Shire Council prior to the site commencing operations. This system is to be installed, maintained and decommissioned to Bogan Shire Council's satisfaction for the life of the development.	Not Triggered	Aeris reported that effluent management was not required for Avoca Park. The effluent management system installed for Tritton is used.		
	NSW RESOURCES AND ENERGY GENERAL TERMS OF APPROVAL				
B33	The applicant must rehabilitate the mine site in accordance with the conditions imposed on the mining lease(s) associated with the development under the Mining Act 1992.	Not Triggered	Links to ML1818. Not triggered. Rehabilitation has not commenced.		

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
	REHABILITATION/MINING OPERATIONS PLAN				
B34	The rehabilitation must be generally consistent with the proposed rehabilitation objectives described in the documents listed in condition A2(b) and A2(e)"	Not Triggered	Links to ML1818. Not triggered. Rehabilitation has not commenced		
	EXPLORATION ACTIVITIES				
B35	Exploration activities must be notified to, and approved by, DRE prior to commencement. Relevant due diligence assessment reports and environmental assessment reports must be provided and must address the following: –summary of the Proposed Activity; –description of the Site(s); –existing environment – including general description, surface and groundwater, threatened species, populations and ecological communities, aboriginal cultural heritage values, historic and natural heritage values; –impact assessment; –summary of impacts; –conclusions; and –Statement of Commitments.				
B36	Details of exploration activities must be documented in the Annual Environmental Management Report.				
-	ENVIRONMENTAL PROTECTION AUTHORITY GENERAL TERMS OF APPROVAL				
B37	see tab				
-	NSW DEPARTMENT OF PRIMARY INDUSTRY (WATER) GENERAL TERMS OF APPROVAL				
-	see tab				

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
PART C - ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING					
	ENVIRONMENTAL MANAGEMENT				
	ENVIRONMENTAL MANAGEMENT STRATEGY				
C1	The Applicant shall prepare and implement an Environmental Management Strategy for the development to the satisfaction of the Bogan Shire Council. This strategy must:	Non-compliant	An Environmental Management Strategy has been prepared and was submitted to Bogan Shire Council on 04 June 2025 and while the email from Council dated 05 June 2025 confirms receipt of the Strategy, to date it has not been approved.	2025, Tritton Resources Limited, Environmental Management Strategy (Version 0). Email dated 04/06/2025 submitting the Strategy to Council. Email dated 05/06/2025 from Council confirming receipt of the Strategy.	Continue to liaise with Bogan Shire Council in regards to the status of the Environmental Management Strategy.
a)	be submitted to the Bogan Shire Council for approval prior to the commencement of any construction works;	Not Verified	The only Environmental Management Strategy provided was the 2025 version, so it's not verified if the previous version was prepared, submitted and approved by Bogan Shire Council prior to commencement of construction works.		Recover the original Environmental Management Strategy and confirm it was prepared, submitted and approved by Council, prior to commencement of construction.
b)	be prepared by a suitably qualified and experienced expert;	Compliant	J Burton CV indicates he is suitably qualified and experienced to prepare the Environmental Management Strategy.	J Burton CV	
c)	provide the strategic framework for environmental management of the development	Compliant	Section 2 of the Strategy identifies the EMS framework.	2025, Tritton Resources Limited, Environmental Management Strategy (Version 0).	
d)	identify the statutory approvals that apply to the development	Compliant	Section 3 of the Strategy identifies the statutory approvals that apply to the development.	2025, Tritton Resources Limited, Environmental Management Strategy (Version 0).	

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
e)	describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;	Compliant	Section 5.2 Roles and Responsibilities of the Strategy describes the roles and responsibilities of key personnel.	2025, Tritton Resources Limited, Environmental Management Strategy (Version 0).	
f)	describe the procedures that would be implemented to:(i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;(ii) receive, handle, respond to, and record complaints;(iii) resolve any disputes that may arise;(iv) respond to any non-compliance;(v) respond to emergencies; and	Compliant	(i) Section 5.11.1 External Communication gives a broad overview of how external stakeholder communication is managed. (ii) Section 6.6 Complaints Management sets out how complaints will be recorded, investigated, managed and documented. (iii) Section 6.6.1 Dispute Resolution provides information on who will manage disputes, how and when to escalate to a higher authority. (iv) Section 6.2 describes incident reporting and Section 6.3 Non compliance Management.(v) Section 5.10. Emergency preparedness and Response includes relevant information and links to the Emergency Management Plan and the Pollution Incident Response Management Plan. The Bushfire Management Plan sits under the Emergency Plan. It was reported during the audit that the environmental team does not have direct access to upload documents on the website. This has caused delays with the relevant information being provided on the website.	2025, Tritton Resources Limited, Environmental Management Strategy (Version 0).	Recommend streamlining the process to ensure timely reporting of complaints and upload of monitoring and management documents.

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
g)	include the following environmental management plans:				
	(i) Aboriginal Heritage Management Plan	Compliant	The Historic Heritage Management Plan has recently been replaced by the Heritage Management Plan, which states it addresses the requirements for the Aboriginal Heritage Management Plan. While not included in the Strategy, it is still considered to be compliant. The Annual Reviews and induction presentation indicate the management plan is being implemented.	2021, Tritton Resources Limited, Historic Heritage Management Plan. 2025, Aeris Resources, Heritage Management Plan. 2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024. 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2023. Induction presentation.	
	(ii) Historic Heritage Management Plan	Compliant	The Historic Heritage Management Plan has recently been replaced by the Heritage Management Plan, which states it addresses the requirements for the Historic Heritage Management Plan. While not included in the Strategy, it is still considered to be compliant. The Annual Reviews and induction presentation indicate the management plan is being implemented.	2021, Tritton Resources Limited, Historic Heritage Management Plan. 2025, Aeris Resources, Heritage Management Plan. 2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024. 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2023. Induction presentation.	

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
	(iii) Hydrocarbon Management Plan	Compliant	A Hydrocarbon and Chemical Management Plan 2021 has been prepared. This has recently been updated by the Hydrocarbon and Chemical Management Plan 2025. While neither of these are included in the Strategy, it is still considered to be compliant. The Annual Reviews and induction presentation indicate the management plan is being implemented.	2021, Tritton resources Limited, Hydrocarbon and Chemical Management Plan. 2025, Aeris Resources, Hydrocarbon and Chemical Management Plan. 2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024. 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2023. Induction presentation.	
	(iv) Soil and Water Management Plan	Compliant	A Water Management Plan has been prepared and while not included in the Strategy, it is still considered to be compliant. The Annual Reviews and induction presentation indicate the management plan is being implemented.	2021, Tritton Resources Limited, Water Management Plan Murrawombie Mine (ML1280), North East Mine (ML1383) and Avoca Tank Project (ML1818) 2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2023 Induction presentation	
	(v) Pest Animal Management Plan	Compliant	Pest management is covered under sections 3.6 and 6.2 of the Flora and Fauna Management Plan. This has recently been updated by the Biodiversity and Land Management Plan, which includes Pest Management in Section 8.3. While neither of these are included in the Strategy, it is still considered to be compliant. The Annual Reviews and induction presentation indicate the management plan is being implemented.	2022, Tritton Resources Limited, Flora and Fauna Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), North East Mine (ML1383) and Avoca Tank Project (ML1818) - TRL-HSET-MP-ENV-004. 2025, Aeris Resources, Biodiversity and Land Management Plan.	

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
				2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024. 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2023. Induction presentation.	
	(vi) Weed Management Plan	Compliant	A Weed Management Plan has been prepared. This has recently been replaced by the Biodiversity and Land Management Plan, which includes Weed Management in Section 8.2. While neither of these are included in the Strategy, it is still considered to be compliant. The Annual Reviews and induction presentation indicate the management plan is being implemented.	2021, Tritton Resources Limited, Weed Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), North East Mine (ML1383) and Avoca Tank Project (ML1818). 2025, Aeris Resources, Biodiversity and Land Management Plan. 2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024. 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2023. Induction presentation.	

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
	(vii) Fauna Management Plan	Compliant	A Flora and Fauna Management Plan has been prepared. This has recently been updated by the Biodiversity and Land Management Plan, which includes Fauna Management in Section 8.1.4 and 8.1.7. While neither of these are included in the Strategy, it is still considered to be compliant. The Annual Reviews and induction presentation indicate the management plan is being implemented.	2022, Tritton Resources Limited, Flora and Fauna Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), North East Mine (ML1383) and Avoca Tank Project (ML1818) - TRL-HSET-MP-ENV-004. 2025, Aeris Resources, Biodiversity and Land Management Plan. 2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024. 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2023. Induction presentation.	
	(viii) Water Management Plan	Compliant	A Water Management Plan has been prepared and while not included in the Strategy, it is still considered to be compliant. The Annual Reviews and induction presentation indicate the management plan is being implemented.	2021, Tritton Resources Limited, Water Management Plan Murrawombie Mine (ML1280), North East Mine (ML1383) and Avoca Tank Project (ML1818) 2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2023 Induction presentation.	

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
	(ix) Bush Fire Management Plan	Compliant	A Bushfire Management Plan has been prepared. This has recently been updated by the Natural Hazards Management Plan, which includes bushfire management, such as APZ - Section 8.3.2. While neither of these are included in the Strategy, it is still considered to be compliant. The Annual Reviews and induction presentation indicate the management plan is being implemented.	2021, Tritton Resources Limited, Bushfire Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), and North East Mine (ML1383) and Avoca Tank Project (ML1818). 2025, Aeris Resources, Natural Hazards Management Plan. 2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024. 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2023. Induction presentation.	
	MANAGEMENT PLAN REQUIREMENTS				
C2	The Applicant shall ensure that the management plans required under this consent are prepared in accordance with the <i>Guidelines for the Preparation of Environmental Management Plans (Department of Planning and Infrastructure 2004)</i> and include:	Non-compliant	While some information was missing from the previous plans, including the Water Management Plan, the updated and consolidated 2025 plans have a set structure that contains the required information.	2021, Tritton Resources Limited, Historic Heritage Management Plan. 2025, Aeris Resources, Heritage Management Plan. 2021, Tritton Resources Limited, Bushfire Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), and North East Mine (ML1383) and Avoca Tank Project (ML1818). 2025, Aeris Resources, Natural Hazards Management Plan. 2021, Tritton Resources Limited, Water Management Plan Murrawombie Mine (ML1280), North East Mine (ML1383) and Avoca Tank Project (ML1818).	Revise the Soil and Water Management Plan to include the information required in C2
a)	detailed baseline data;				
b)	a description of: (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures/criteria; (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;				
c)	a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;				

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
d)	a program to monitor and report on the:			2022, Tritton Resources Limited, Flora and Fauna Management Plan Tritton Mine (ML1544), Murrawombie Mine (ML1280), North East Mine (ML1383) and Avoca Tank Project (ML1818) - TRL-HSET-MP-ENV-004. 2025, Aeris Resources, Biodiversity and Land Management Plan. 2021, Tritton resources Limited, Hydrocarbon and Chemical Management Plan. 2025, Aeris Resources, Hydrocarbon and Chemical Management Plan.	
e)	Impacts and environmental performance of the development;				
f)	effectiveness of any management measures (see c above);				
e)	a contingency plan to manage any unpredicted impacts and their consequences;				
f)	program to investigate and implement ways to improve the environmental performance of the development over time;				
e)	a protocol for managing and reporting any: (i) incidents; (ii) complaints; (iii) non-compliances with statutory requirements; and (iv) exceedances of the impact assessment criteria and/or performance criteria; and				
f)	a protocol for periodic review of the plan.				
C3	A procedure is to be included in the Historic Heritage Management Plan specifically dealing with the unexpected identification of historic heritage items or relics during works and how these would be managed. This must also identify any approvals under the Heritage Act 1977 that may be required.	Compliant	The unexpected finds protocol is included in the Plan.	2021, Tritton Resources Limited, Historic Heritage Management Plan 2025, Aeris Resources, Heritage Management Plan.	
	COMMISSIONING				
C3A	The Applicant shall advise the Bogan Shire Council in writing of the date of the commissioning of the development.	Compliant	Letter dated 19/07/2023 informing Council of the commencement date, which was 26/05/2023.	Letter dated 19/07/2023	

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
	ANNUAL REVIEW				
C4	By the end of July each year following development commissioning, or other timing as may be agreed by Bogan Shire Council, the Applicant shall review the environmental performance of the development to the satisfaction of the Council. This review must:	Non-compliant	The letter dated 19/07/2023 indicate commencement on 26/05/23 but the Annual Review 2023 suggest mining was occurring in 2021. It has been assumed Council has accepted 26/05/2023 as the commencement date. The letter dated 19/07/2023 requests the timing of the Annual Reviews be changed to calendar year, with the first Annual Review being submitted by the end of March 2024 and subsequent Annual Reviews being submitted by the end of March each year. No evidence was provided to indicate this was accepted by Council but the 2023 and 2024 Annual Review periods were the calendar year. However, the 2023 Annual Review was not dated until 01/08/2024 and the 2024 Annual Review is dated 30 July 2024, so it is considered the Annual Reviews have not been submitted by the due date.	Second Annual Review for the Avoca Tank Project January 2024 - December 2024 First Annual Review for the Avoca Tank Project - January 2023 - December 2023 Letter dated 19/07/2023 regarding Annual Review timing and commissioning	Confirm with Council the required submission date and submit the Annual Reviews by that date each year.
a)	describe the development that was carried out in the previous calendar year, and the development that is proposed to be carried out over the next year;	Compliant	Section 2 provides details of the activities carried out over the previous year and proposed to be carried out in the next year.		
b)	include a comprehensive review of the monitoring results and complaints records of the development over the previous calendar year, which includes a comparison of these results against the:	Non-compliant	Section 3 provides details of the monitoring results, Section 5 details complaints. Monitoring results were compared to relevant criteria but not to the predictions from the EIS.		In future Annual Reviews, compare the monitoring data to the relevant predictions in the EIS
	(i) the relevant statutory requirements, limits or performance measures/criteria;				
	(ii) the monitoring results of previous years; and				
	(iii) the relevant predictions in the EIS.				
c)	identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;	Compliant	Section 6 provides details of non-compliances and actions are being taken.		

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
d)	identify any trends in the monitoring data over the life of the development;	Compliant	Trends in monitoring data are mentioned in Section 3, where relevant.		
e)	identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and	Non-compliant	Actual data was not compared to the predicted impacts.		In future Annual Reviews, compare the monitoring data to the relevant predictions in the EIS
f)	describe what measures will be implemented over the next year to improve the environmental performance of the development.	Compliant	Proposed improvements are outlined in Section 3		
	REVISION OF STRATEGIES, PLANS AND PROGRAMS				
C5	Within 3 months of submission of an:				
a)	annual review under condition C4 above;	Non-compliant	Evidence has not been provided indicating the strategies, plans and programs were reviewed within 3 months of the annual review. The 2023 Bushfire and the modifications also trigger this condition. Aeris reported the Heritage Management Plan and the Biodiversity Management Plan are being updated in response to the fire but no evidence was provided. No evidence was provided that the strategies, plans and programs were reviewed within 3 months of these events. Evidence that Council was satisfied was also not provided.		Review strategies, plans and programs within 3 months of an annual review, incident, audit or modification, as per Condition C5
b)	incident report under condition C7 below;				
c)	audit under condition C8 below; or				
d)	any modification to the conditions of this consent,				
	the Applicant shall review, and if necessary, revise the strategies, plans and programs required under this consent to the satisfaction of the Bogan Shire Council.				
Note	<i>This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the development.</i>	Note			

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
	COMMUNITY CONSULTATIVE COMMITTEE				
C6	The Applicant shall establish and operate a Community Consultative Committee (CCC) that includes members of the Council, recognised environmental groups and the local community, where available and to the satisfaction of Bogan Shire Council. This CCC must be operated in general accordance with the Guidelines for Establishing and Operating Community Consultative Committees for Mining Developments (Department of Planning, 2007, or its latest version), Notes: - The CCC is an advisory committee. Council is responsible for ensuring that the Applicant complies with this consent.	Compliant	Meeting minutes provided show members include; Council, local community, landholders and Local Aboriginal Land Council. It is facilitated by an independent Chair and meets semi regularly. While no evidence was provided declaring Council was satisfied, it is considered their attendance indicates they are satisfied.		
	REPORTING				
	INCIDENT REPORTING				
C7	The Applicant shall notify, at the earliest opportunity, Bogan Shire Council and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the development, the Applicant shall notify Bogan Shire Council and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide Bogan Shire Council and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	Non-compliant	A bushfire incident was reported as a result of works on site. The fire was uncontrolled and reportedly burnt 3444 ha. The incident report indicates the emergency services and neighbouring properties were notified. There is no record of Bogan Shire Council or other relevant agencies being notified.	Bushfire Incident report on 4/03/2023	At the earliest opportunity, notify Bogan Shire Council and any other relevant agency of any incident that causes or threatens to cause material harm to the environment. Within 7 days, provide Bogan Shire Council and any other relevant agency a detailed report of the incident.

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
	AUDITING				
	INDEPENDENT ENVIRONMENTAL AUDIT				
C8	Within 2 years of the date of commissioning of the development, and every 3 years thereafter, unless Council directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit. This audit must: a) be conducted by a suitably qualified, experienced and independent person(s) whose appointment has been endorsed by Bogan Shire Council; b) include consultation with the relevant agencies; c) assess the environmental performance of the development, and its effects on the surrounding environment d) assess whether the development is complying with the relevant standards, performance measures and statutory requirements; e) include a hazard audit of the development in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 5 – Hazard Audit Guidelines; f) review the adequacy of any approved strategy, plan or program required under this consent; and g) recommend measures or actions to improve the environmental performance of the development, and/or any strategy, plan or program required under this consent. Note: This audit team must be led by a suitably qualified auditor, and include experts in any other fields specified by Bogan Shire Council.	Compliant	This audit was is the first Independent Environmental Audit for the operation. It was conducted by suitably qualified auditors, who were endorsed by Bogan Shire Council. It includes consultation with relevant agencies, assesses the environmental performance of the development. Assesses whether the development is complying with the relevant requirements and reviews the adequacy of the approved strategies and plans. It also provide recommendations for improvements the environmental performance of the development.	This audit Letter dated 23/05/2025 endorsing the nominated auditors	
C9	Within 3 months of commissioning this audit, or as otherwise agreed by Bogan Shire Council, the Applicant shall submit a copy of the audit report to the Council, together with its response to any recommendations contained in the audit report.	Not Triggered	This will be complete, following completion of the audit		

Condition No.	Condition text	Compliance	Comment	Objective evidence	Recommendation
	ACCESS TO INFORMATION				
C10	The Applicant shall: a) make the following information publicly available on its website: (i) the documents referred to in Condition A2; (ii) all current statutory approvals for the development; (iii) all approved strategies, plans or programs required under the conditions of this consent; (iv) a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; (v) a complaints register, updated on a monthly basis; (vi) minutes of CCC meetings; (vii) the annual reviews of the development; (viii) any independent environmental audit, and the Applicant's response to the recommendations in any audit; (ix) any other matter required by the Bogan Shire Council; and b) keep this information up to date, to the satisfaction of Bogan Shire Council.	Non-compliant	The EIS, conditions of consent, complaints register and minutes of the CCC meetings are on the website but not all documents referred to in Condition A2 are provided, nor are all the approvals, approved strategies, plans, programs or annual reviews. It was mentioned during the interviews that AERIS Environmental staff do not have permission to update the website, so getting documents uploaded is not efficient.	https://www.aerisresources.com.au/assets/tritton-copper-operations/assets-tritton-copper-operations-community-consultative-committee-minutes/ https://www.aerisresources.com.au/assets/tritton-copper-operations/environmental-report/	Provide all documents required by Condition C10 on the website and keep them up to date.

Appendix E

EPL compliance

Table E.1 EPL compliance table

Condition No.	Condition	Compliance	Comment	Objective evidence	Recommendation							
Administrative Conditions												
A1	What the licence authorises and regulates											
A1.1	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.	Compliant										
	<table><tr><th>Scheduled Activity</th><th>Fee Based Activity</th><th>Scale</th></tr><tr><td>Mining for minerals</td><td>Mining for minerals</td><td>> 500000 - 2000000 T annual production capacity</td></tr></table>	Scheduled Activity	Fee Based Activity	Scale	Mining for minerals	Mining for minerals	> 500000 - 2000000 T annual production capacity	Compliant	The Annual Reviews indicate the production volume is within this range but this applies to Avoca and the Tritton mine	2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2023		
Scheduled Activity	Fee Based Activity	Scale										
Mining for minerals	Mining for minerals	> 500000 - 2000000 T annual production capacity										
A2	Premises or plant to which this licence applies	Note										
A2.1	The licence applies to the following premises:											
	<table><tr><th>Premises Details</th></tr><tr><td>TRITTON COPPER MINE</td></tr><tr><td>BOORAMUGGA ROAD</td></tr><tr><td>GIRILAMBONE</td></tr><tr><td>NSW 2831</td></tr><tr><td></td></tr><tr><td>ML1383; ML1280; MPL295; ML1818 - REFER TO PREMISES MAP DOCUMENT LOCATED AT DOC24/960818</td></tr></table>	Premises Details	TRITTON COPPER MINE	BOORAMUGGA ROAD	GIRILAMBONE	NSW 2831		ML1383; ML1280; MPL295; ML1818 - REFER TO PREMISES MAP DOCUMENT LOCATED AT DOC24/960818	Note			
Premises Details												
TRITTON COPPER MINE												
BOORAMUGGA ROAD												
GIRILAMBONE												
NSW 2831												
ML1383; ML1280; MPL295; ML1818 - REFER TO PREMISES MAP DOCUMENT LOCATED AT DOC24/960818												

Condition No.	Condition	Compliance	Comment	Objective evidence	Recommendation
A3	Other activities				
A3.1	This licence applies to all other activities carried on at the premises, including:				
	Ancillary Activity Chemical Storage Facilities Electricity Generating Works Mineral Processing or Metallurgical Works Petroleum Works Sewage Treatment Systems	Note			
A4	Information supplied to the EPA				
A4.1	Works and 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 applications 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 licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.	Compliant	It is considered the development has generally been undertaken in accordance with the licence application		
2	Discharges to Air and Water and Applications to Land.				
P1	Location of monitoring/discharge points and areas.				
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.	Note	NA		

Condition No.	Condition	Compliance	Comment	Objective evidence	Recommendation
P1.2	The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point. See Table.	Note	The Annual Reviews indicate the relevant groundwater wells AT001, AT002 and AT003 are monitored.	2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024. 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2023.	
L1	Pollution of waters				
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.	Compliant	Based on site observations and the Annual Reviews, which indicate appropriate management and no recorded water related incidents since 2022, the operation is considered to comply with Section 120.	2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024. 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2023.	
O1	Activities must be carried out in a competent manner				
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	Based on site observations and the Annual Reviews, it appears the operations are managed appropriately.	2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024. 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2023.	
O2	Maintenance of plant and equipment.				
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	Compliant	Plant Work Orders indicate machinery is regularly maintained	Plant Work Orders Plant Work Order history summary	

Condition No.	Condition	Compliance	Comment	Objective evidence	Recommendation
O3	Dust				
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	Compliant	Dust monitoring results, control measures and lack of complaints reported in the Annual Reviews, indicate dust is managed appropriately.	2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024. 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2023.	
O3.2	Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.	Compliant	Dust monitoring results, control measures and lack of complaints reported in the Annual Reviews, indicate dust is managed appropriately.	2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024. 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2024.	
O3.3	Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.	Not Triggered	NA - minimal truck movement at Avoca, as underground. Truck movements go from North East mine to Tritton.		
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	As indicated below, monitoring results are recorded and retained, as required.	2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024. 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2024.	
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Compliant	Monitoring records were provided during the audit and are summarised in the Annual Reviews. Aeris reported that they would provide the records to an EPA officer but they have not been requested to date.	2025, Second Annual Review for the Avoca Tank Project January 2024 - December 2024. 2024, First Annual Review for the Avoca Tank Project - January 2023 - December 2024.	

Condition No.	Condition	Compliance	Comment	Objective evidence	Recommendation
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Compliant	The Ground Water Sampling Field Record Form includes the required information.	Ground Water Sampling Field Record Form - TRL-ENV-FRM-012.	
M2	Requirement to monitor concentration of pollutants discharged				
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. See Table	Compliant	A selection of the groundwater monitoring records were reviewed and while most the information was provided for EPA ID No. 28, 29 and 30 (which are those locations relevant to Avoca Tank), some information was not e.g. June 2023 analytical results were not provided for EPA ID No. 30 but they were on the Avoca Tanks Groundwater data spreadsheet.	Monthly Environmental Monitoring Report - January 2025. Monthly Environmental Monitoring Report - April 2024. Monthly Environmental Monitoring Report - June 2023. Avoca Tank Groundwater data excel spreadsheet.	
M2.2	Water and/ or Land Monitoring Requirements See Table	Note			
M3	Testing methods - concentration limits				
M3.1	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area 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.	Note			
M4	Recording of pollution complaints				

Condition No.	Condition	Compliance	Comment	Objective evidence	Recommendation
M4.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	Compliant	Complaints register is provided on the website.	https://www.aerisresources.com.au/assets/tritton-copper-operations/assets-tritton-copper-operations-community-consultative-committee-minutes/	
M4.2	The record must include details of the following: a) the date and time 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 complaint, including any follow-up contact with the complainant; and f) if no action was taken by the licensee, the reasons why no action was taken.	Not Verified	Complaints register is provided on the website. While there have not been any complaints, the register indicates most of the required information would be collected. Information not included in the register include the method the complaints was made and the personal details of the complainant.	https://www.aerisresources.com.au/assets/tritton-copper-operations/assets-tritton-copper-operations-community-consultative-committee-minutes/	Update the complaints register, so it captures all the information required by M4.1.
M4.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Compliant	Four calendar years on website.	https://www.aerisresources.com.au/assets/tritton-copper-operations/assets-tritton-copper-operations-community-consultative-committee-minutes/	
M4.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Not Triggered	Not triggered. - consultation manager system available.		
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 the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	Compliant	Tritton Community Complaints Contact Number provided on the website 1800 935 999.	https://www.aerisresources.com.au/assets/tritton-copper-operations/assets-tritton-copper-operations-community-consultative-committee-minutes/	

Condition No.	Condition	Compliance	Comment	Objective evidence	Recommendation
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	Tritton Community Complaints Contact Number provided on the website 1800 935 999.	https://www.aerisresources.com.au/assets/tritton-copper-operations/assets-tritton-copper-operations-community-consultative-committee-minutes/	
M5.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Note			
6	Reporting Conditions				
R1	Annual return documents				
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. At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.	Compliant	Annual returns in the approved form provided.	Annual Return 2021-2022 Annual Return 2022-2023 Annual Return 2023-2024	
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	Not Triggered			

Condition No.	Condition	Compliance	Comment	Objective evidence	Recommendation
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	NA		
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.	Not Triggered	NA		
R1.5	The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or 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	The dates on the EPA public register for the submission of annual returns fall within 60 days of the licence anniversary (31 July).	Annual Return 2021-2022 Annual Return 2022-2023 Annual Return 2023-2024	
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	Annual Returns since 2021 were provided and they are maintained on the EPA econnect website.	Annual Return 2021-2022 Annual Return 2022-2023 Annual Return 2023-2025	
R1.7	Within the Annual Return, the Statements 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	Annual Returns provided were all signed.	Annual Return 2021-2022 Annual Return 2022-2023 Annual Return 2023-2025	

Condition No.	Condition	Compliance	Comment	Objective evidence	Recommendation
Note	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: An application to transfer a licence must be made in the approved form for this purpose.	Note			
R2	Notification of environmental harm				
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Not Triggered	Aeris advised no incidents of environmental harm were reported		
R2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.	Not Triggered	Aeris advised no incidents of environmental harm were reported		
Note	The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.	Not Triggered	Aeris advised no incidents of environmental harm were reported		
R3	Written report				
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 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.	Not Triggered	Aeris reported the EPA have not requested a report		
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	Aeris reported the EPA have not requested a report		

Condition No.	Condition	Compliance	Comment	Objective evidence	Recommendation
R3.3	The request may require a report which includes any or all of the following information: 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; 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; and g) any other relevant matters.	Not Triggered	Aeris reported the EPA have not requested a report		
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	Aeris reported the EPA have not requested a report		
R3.5	The licensee must report any deaths or injury (including drowning and bogging) on or associated with the leach pads or impoundments associated with the processing of copper to the Dubbo Office of the EPA within on working day of the event. Any telephone report must be confirmed by letter or facsimile within five working days.	Not Triggered	Aeris reported there have been no deaths or injury on or associated with the leach pads or impoundments		
General Conditions					
G1	Copy of licence kept at the premises or plant	Compliant	EPL sighted during audit	Observation	

Condition No.	Condition	Compliance	Comment	Objective evidence	Recommendation
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	Compliant	A copy is kept at Murrawombie (site office for the entire EPL)	Observation	
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	Compliant	A copy of the licence is kept at the site office	Observation	
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	Compliant	A copy of the licence is kept at the site office	Observation	
G2	Contact number for incidents and responsible employees	Compliant	The website provides a number for complaints and enquiries	https://www.aerisresources.com.au/assets/tritton-copper-operations/environmental-report/	
G2.1	The licensee must operate 24-hour telephone contact lines for the purposes of enabling the EPA to directly contact one or more representatives of the licensee who can: The licensee must operate 24-hour telephone contact lines for the purposes of enabling the EPA to directly contact one or more representatives of the licensee who can: (a) respond at all times to incidents relating to the premises; and (b) to contact the licensee's senior employees or agents authorised at all times to: (i) speak on behalf of the licensee; and (ii) provide any information or document required under the licence.	Compliant	The website provides a number for complaints and enquiries	https://www.aerisresources.com.au/assets/tritton-copper-operations/environmental-report/	

Condition No.	Condition	Compliance	Comment	Objective evidence	Recommendation
G2.2	he contact details required by Condition G2.1 above must include: a) the full name and title of the authorised representatives; and b) the direct telephone number, mobile number and email address for contacting each authorised representative.	Non-compliant	Contact details are provided in the PIRMP but the names are out of date. The phone numbers remain correct. No email addresses are provided, only the general enquiries email address. Potentially seek licence variation to allow use of a shared mailbox as a better solution.	Pollution Incident Response Management Plan (Aeris 2021).	Update the PIRMP to include all the contact details required by G2.2. Also consider providing the contact details in a more accessible location e.g. on the website and confirming with the EPA that a general number and email is acceptable.
G2.3	The licensee must inform the EPA in writing of the appointment of any subsequent contact persons, or changes to the person's contact details as soon as practicable and in any event within fourteen days of the appointment or change.	Non-compliant	The contact details in the PIRMP are out of date and no evidence the EPA had been advised of the changes was provided.	Pollution Incident Response Management Plan (Aeris 2021).	Inform the EPA, in writing, of the latest contact person and associated contact details.
G3	Signage				
G3.1	Each monitoring and discharge point must be clearly marked by a sign that indicates the EPA point identification number.	Compliant	A photo of each groundwater monitoring bore with EPA point identification number was provided.	Photographs of monitoring bores.	
2	Pollution Studies and Reduction Programs				
U1	Pond A Water Management Plan	Compliant			
U1.1	The Licensee must engage a suitably qualified and experienced person(s) to prepare a "Pond A - Water Management Plan:" (the Plan). The Plan must include: 1. a water balance for the containment water management system that must include, but not be limited to: i) all water inputs (e.g. direct rainfall, runoff, groundwater inflows, transfers, overflows) and outputs from the pits (e.g. evaporation, reuse, transfers, discharges, seepage) with a focus on water levels in Pond A;	Not Triggered	This does not apply to Avoca Tank.		

Condition No.	Condition	Compliance	Comment	Objective evidence	Recommendation
	ii) data from accurate local metering e.g. transfers, pond water levels and evaporation; iii) an assessment of the frequency of Pond A filling to a similarly high level under different possible near-term climate patterns and water management options; iv) as estimate of the timeframe over which the storage could be emptied and water levels managed to facilitate repair works; v) as assessment of potential losses from the dam that may be occurring above expected losses from evaporation or transfer and a basis for detecting these losses; vi) confirmation that the sizing of the contaminated water storage and management system is consistent with the consented requirements of a nil discharge site and containment of runoff from a 100-year, 72-hour storm event; vii) modelling based on a suitable, long-term dataset from a nearby meteorological station and (where possible) accounts for climate change influences; and viii) justifications for key model assumptions. 2. a Trigger Action Response Plan (TARP) that: i) defines an interim "safe" operating water level and demonstrates how that water level will be maintained; and ii) includes specific criteria and management actions for: * managing any further seepage events * interim water level management measures to keep the dam below a defined "safe" operating level * pond dewatering and repair options				
U1.2	The Licensee must submit the Pond A Water Management Plan required by Condition U1.1 by 28 March 2024 to the EPA at info@epa.nsw.gov.au	Not Triggered	This does not apply to Avoca Tank.		

Condition No.	Condition	Compliance	Comment	Objective evidence	Recommendation
U1.3	The Licensee must regularly monitor (until Pond A emptied) the water levels in Pond A and report monthly to the EPA on observations to ensure continuous seepage is not the contributing factor to the reduction in water levels.	Not Triggered	This does not apply to Avoca Tank.		
U1.4	The Licensee must conduct monthly groundwater quality monitoring both on and off-site in order to detect any changes in quality which may suggest seepage entering the groundwater. The monthly sampling must including groundwater monitoring bore GIP310, EPA Bore ID 2 (GIP224) and EPA Bore ID 18 (GIP294).	Not Triggered	This does not apply to Avoca Tank.		
U1.5	The Licensee must submit the monthly monitoring and sampling required by Condition U1.3 and U1.4 to the EPA at info@epa.nsw.gov.au	Not Triggered	This does not apply to Avoca Tank.		

Appendix F

Mining Lease 1818 compliance

Table F.1 *Mining lease 1818 compliance table*

Condition no	Condition	Compliance	Audit Finding	Objective Evidence	Recommendation
1	Notice to Landholders				
(a)	Within 90 days from the date of grant/renewal of this mining lease, the lease holder must serve on each landholder a notice in writing to notify that this mining lease has been granted/renewed and whether the lease includes the surface. A plan identifying each landholder and individual land parcel subject to the lease area, and a description of the lease area must accompany the notice.	Not Triggered	Tritton own all the land within the Mining Lease, so there is no need to provide notice.	Map of mining lease Map of Tritton owned land	
(b)	If there are ten or more landholders, 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 mining lease has been granted/renewed; state whether the lease includes the surface and must contain a plan and description of the lease area. If a notice is made under condition 1(b), compliance with condition 1(a) is not required.	Not Triggered	Tritton own all the land within the Mining Lease, so there is no need to provide notice.	Map of mining lease Map of Tritton owned land	
2	Security				
	The lease holder is required to provide and maintain a security deposit to secure funding for the fulfilment of obligations under the mining lease, including obligations under the mining lease that may arise in the future. The amount of the security deposit to be provided has been assessed by the Minister at \$10,000.	Compliant	The transaction records indicate the deposit has been paid but the total amount paid exceeds \$10,000.	Evidence of security deposit transactions dated 15 May 2024, 20 May 2024 and 1 July 2024	

Condition no	Condition	Compliance	Audit Finding	Objective Evidence	Recommendation
3	Cooperation Agreement				
	The lease holder must make every reasonable attempt, and be able to demonstrate its attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). The cooperation agreement should address but not be limited to issues such as: – access arrangements – operational interaction procedures – dispute resolution – information exchange – well location – timing of drilling – potential resource extraction conflicts; and – rehabilitation issues	Not Triggered	Tritton own all the land within the Mining Lease, so there is no need to provide notice.	Map of mining lease Map of Tritton owned land	
4	Assessable Prospecting Operations				
(a)	The lease holder must not carry out any assessable prospecting operation on land over which this lease has been granted unless: (i) it is carried out in accordance with any necessary development consent; or (ii) if development consent is not required, the prior written approval of the Minister has been obtained.		NA		
(b)	The lease holder must comply with the approval granted to the holder.	Note	Note		
(c)	The Minister may require the lease holder to provide such information as required to assist the Minister consider an application for approval.		NA		
(d)	An approval granted under this condition may be granted subject to terms.	Note	Note		

Condition no	Condition	Compliance	Audit Finding	Objective Evidence	Recommendation
	Exploration Reporting				
Note	<i>Note: Exploration Reports (Geological and Geophysical)</i> <i>The lease holder must lodge reports to the satisfaction of the Secretary in accordance with section 163C of the Mining Act 1992 and in accordance with clauses 59, 60 and 61 of the Mining Regulation 2016.</i> <i>Reports must be prepared in accordance with Exploration Reporting: A guide for reporting on exploration and prospecting in New South Wales.</i>	Note			
	Special Conditions				
	NIL		NA		



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