

LIDDELL

GLENCORE

26 April 2022

LCO 22/002

The Secretary
Department of Planning and Environment
PO Box 3145
SINGLETON NSW 2330

Att: Ms Ann Hagerthy

RE: Liddell Coal Operations Pty. Limited – Development Consent 305-11-01 Independent Environmental Audit

Dear Ann,

Please find included the Liddell Coal Operations Pty Limited (LCO) Independent Environmental Audit Report (Audit Report) prepared by AECOM Australia Pty Ltd for the Secretary's review and acceptance. The audit period to which this audit applies is inclusive of the period 7 February 2019 to 11 February 2022.

The audit was conducted in accordance with Condition 4 of Schedule 5 of the LCO Development Consent (Development Application (DA)-305-11-01) as issued by the Department of Planning and Environment (DPE or the Department) and the Independent Audit Guideline - Post-approval requirements for State significant developments (DPE, October 2015).

DA305-11-01 Schedule 5 Condition 5 requires the audit report to be submitted within 6 weeks of completing the audit, or as otherwise agreed by the Secretary. LCO sought approval to extend the submission date till 26 April 2022 at the request of the auditor, with the Department granting approval for this on 3 March 2022.

There are several recommendations and opportunities for improvement (OFI) arising from the compliance audit. For reference these are summarised in Section 7 of the Audit Report and are reproduced in the Table attached to this letter, along with LCO's response to the matters identified.

Thank you for your consideration of this matter. If you require any further information, please contact me on 6570 9947.

Yours sincerely,



Ben de Somer
Environment and Community Manager
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Manager and Agent of the Liddell & Foybrook Joint Ventures

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Audit Recommendation	Liddell Response	Timeframe
<p>2022 IEA REC 001: LCO to develop and implement a tyre disposal checklist.</p>	<p>LCO has developed and implemented a tyre disposal checklist since the non-compliance was reported in the 2020-2021 Annual Return. The checklist has been utilised on two occasions in October 2021 and February 2022.</p>	<p>Complete</p>
<p>2022 IEA REC 002: It is recommended that LCO conduct a review of the groundwater investigation triggers, as already proposed by LCO in the September and December 2021 Groundwater Investigation Trigger Reports. In particular LCO should conduct a trigger assessment in the areas of predicted impact. Monitoring data should be reviewed against rainfall data to ensure that the exceedances are climatic driven and not due to mining activities.</p>	<p>In consideration of the status of mining operation (extent and progression towards mining completion), the climatic variability that has been observed to date and the outcomes of investigation trigger reports, LCO will undertake a review of the groundwater investigation triggers. LCO will compile relevant information and recommendations in consultation with DPE Water, DAWE and DPE. Agreed outcomes will be included in the next update of the Water Management Plan in accordance with DA305-11-01 Schedule 5 Condition 10(c) WMP.</p>	<p>30 August 2022</p>
<p>2022 IEA REC 003: LCO to action recommendations made by NRAR in 2021 with regards to groundwater investigations conducted on site. In particular the following to be addressed:</p> <ul style="list-style-type: none"> • statistical analysis of salt/metal concentrations in shallow groundwater and rainfall occurrence at all TARP exceedance monitoring sites from 2018 forward. • investigating and reporting on risks to ecological receptors of sustained elevated salinity/metals concentrations in shallow groundwater and devising practical mitigation strategies that could manage such risk. 	<p>LCO will complete the recommended assessment and include outcomes as part of the trigger review consultation discussed in 2022 IEA 22 REC 004 above.</p>	<p>30 August 2022</p>
Opportunities for Improvement (OFI)	Liddell Response	Timeframe
<p>2022 IEA OFI 001: It is suggested Table 11-1 of the future Annual Reviews (LCO Incidents and non-compliances) clearly identify which is an incident and which is a non-compliance.</p>	<p>Noted for future Annual Review reports.</p>	<p>31 March 2023</p>

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<p>2022 IEA OFI 002: It is suggested LCO included reference to SX38-D5 in Tale 4-5 of the AQMMP.</p>	<p>LCO will include this OFI in the next update of the Air Quality Management and Monitoring Plan in accordance with DA305-11-01 Schedule 5 Condition 10(c).</p>	<p>30 August 2022.</p>
<p>2022 IEA OFI 003: It is suggested LCO, in the next revision of the blast management plan, clearly state which EPL monitoring point each blast monitoring site is referring to. This will ensure monitoring points are consistent with LCO's management plans which do include this information.</p>	<p>LCO will include this OFI in the next update of the Blast Management Plan in accordance with DA305-11-01 Schedule 5 Condition 10(c).</p>	<p>30 August 2022.</p>
<p>2022 IEA OFI 004: It is suggested LCO better outline in the BMP and BOMP how biodiversity management and monitoring of the Mountain Block MOD 7 Area is being undertaken at this time.</p>	<p>LCO will include this OFI in the next update of the Biodiversity Management Plan and Biodiversity Offset Management Plan in accordance with DA305-11-01 Schedule 5 Condition 10(c).</p>	<p>30 August 2022</p>
<p>2022 IEA OFI 005: It is suggested LCO add to the BOMP a monitoring point in the MOD 7 offset area to enable monitoring against the offset objectives.</p>	<p>LCO will include this OFI in the next update of the Biodiversity Offset Management Plan in accordance with DA305-11-01 Schedule 5 Condition 10(c)</p>	<p>30 August 2022</p>
<p>2018 IEA OFI 006: It is suggested LCO continue trialling strategies for more frequent trapping to control feral cats on site.</p>	<p>Noted. LCO will report outcomes in future Annual Review reports.</p>	<p>31 March 2023</p>
<p>2018 IEA OFI 007: It is suggested LCO review the actions reported against topsoil availability to ensure they reflect current practices. For example, reference to Organic Growth Medium (OGM) should be removed if this is not being considered as an alternative to manage the risk of topsoil availability on site.</p>	<p>An incorrect reference was made to OGM as topsoil alternative was made in Table 8-4 MOP TARP Status within recent Annual Review reports. LCO has not utilised OGM since the relevant waste exemption was revoked by the EPA. LCO will amend reference in future Annual Review reports.</p>	<p>31 March 2023</p>