

Warkworth Mining Limited

EPBC 2002/629 and EPBC 2009/5081

Annual Compliance Report 1 February 2020 to 31 January 2021

Date of Submission: 3 May 2021

Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents.

I declare that all the information presented in this compliance report is technically accurate.



Signed _____

Full name Gary Mulhearn

Position Manager Environment and Community

Organisation Warkworth Mining Limited (ABN 42 001 385 842)

Date 30/04/2021

Document Title	Version	Date effective	Comment
Annual Compliance Report (EPBC2002/629 and EPBC2009/5081)	1	May 2021	Submitted to Department of the Environment and Energy

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1. Introduction

1.1 Objective

This annual Compliance Report has been prepared in accordance with the *Annual Compliance Report Guidelines* (Commonwealth of Australia 2014) to satisfy Condition 4 of the EPBC 2002/629 Approval and Condition 15 of the EPBC 2009/5081 Approval, for the period 1 February 2020 to 31 January 2021 (reporting period). Both Approvals are held by Warkworth Mining Limited (WML) which is operated by Coal & Allied (NSW) Pty Ltd, a wholly owned subsidiary of Yancoal Australia Limited (YAL).

1.2 Background

WML holds development consent SSD-6464 to construct and operate an open cut coal mine, located approximately 15 kilometres southwest of Singleton in the Hunter Valley, NSW. The Commonwealth Minister for the Environment, under provisions of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), has issued two approvals to WML to construct, operate and extend the open cut coal mine, the first in February 2004 (EPBC 2002/629) and the second in August 2012 (EPBC 2009/5081).

The EPBC 2002/629 approval (as varied) requires WML to offset the impact upon Matters of National Environmental Significance (MNES) by protecting and managing no less than 1,586 hectares (ha) of habitat for the Regent Honeyeater (*Anthochaera phrygia*) and Swift Parrot (*Lathamus discolor*).

The EPBC 2009/5081 approval (as varied) requires WML to offset the MNES by protecting and managing a total of no less than 2,626 ha, of habitat for the Regent Honeyeater (*Anthochaera phrygia*) and Swift Parrot (*Lathamus discolor*). There are also conditions relating to water management and rehabilitation on the mine site.

The Offset Areas for each of the EPBC approvals are presented in **Table 1**.

Table 1 Location and size of the EPBC Offset Areas

Locality	Biodiversity Area	Offset Area (ha)	EPBC2002/629	EPBC2009/5081 Phase 1	EPBC2009/5081 Phase 2
Local	Southern (Putty Road Offset Area)	94		94	
	Southern	892			892
	Southern Total	986		94	892
	Northern	341			341
Regional	North Rothbury	41			41
	Goulburn River	1,066	1,066		
	Bowditch	520	520		
	Bowditch	82			82
	Putty	383			383
	Seven Oaks	519			519
	Condon View	345			345
Total		4,282	1,586	94	2,602

2. Condition Compliance

2.1 EPBC 2002/629

EPBC2002/629 Condition
Condition
Number

Compliance status Evidence/Comments (Goulburn River BA, Bowditch BA)

1	<p>By no later than 31 July 2020, the person taking action must register the Biodiversity Management Areas identified in the map at Attachment A under a legally secured offset mechanism. The mechanism must provide enduring protection of no less than</p> <p>a) 1,586 ha of suitable habitat for <i>Anthochaera phrygia</i> (regent honeyeater) and <i>Lathamus discolor</i> (swift parrot).</p> <p>Evidence of registration must be provided to the Department within 30 days of registration of the legally binding covenant.</p>	Pending	<p>A request was sent to DoEE on 7 December 2017 to extend the due date for a legally binding conservation covenant over the biodiversity areas beyond 17 February 2018. The request was sought on the basis of aligning the timeframe with the NSW Project Approval SSD 6464. DoEE advised by email on 28 February 2018, that given the request was submitted well in advance of 17 February 2018, that no non-compliance would be recorded. After additional consultation and correspondence with DoEE and the NSW Office of Environment and Heritage (OEH), further information was sent to DoEE on 11 September 2018 which noted that WML has been working with the OEH to secure the offsets as Biodiversity Stewardship Agreement (BSA's) pursuant to the Biodiversity Conservation Act 2016. As this Act commenced in August 2017, many of the systems, processes and transitional arrangements are being developed by OEH and the newly created Biodiversity Conservation Trust (BCT). WML had consulted with OEH and developed a timeline to step through the process to register the BSA's, and an extension request was sent to DoEE based on the proposed timeline.</p> <p>Approval from DoEE was received on 14/10/2018, with reference to the 7 December 2017 extension request, for the variation to condition 1 to extend the timeframe by which legally binding covenants must be registered over the offset sites to 31 July 2020.</p> <p>Due to ongoing difficulties in reaching agreement with the NSW Biodiversity and Conservation Division (BCD) on whether the proposed offsets properties meet the species and ecosystem credit retirement requirements of the MTW State Approvals a further extension has been sought. MTW sent a letter (dated 24 July 2020) to Department of Agriculture, Water and the Environment (DAWE) requesting an extension of the timeframe to secure the offset areas until 31 July 2021. DAWE responded on 3 August 2020 acknowledging that MTW had contacted DAWE to remedy the potential breach of conditions of approval and that due to the high volume of approval requests it would take some time to respond to this request. DAWE responded to MTW on 7 October 2021 that the proposed timeframe for completion of the legally binding conservation mechanism process was too short and recommended that MTW review the schedule for completion. This request is still being progressed as MTW has not been able to reach agreement with NSW Department of Planning, Industry and Environment (DPIE) and BCD on the mechanism/timing for retiring credits and securing the offsets.</p>
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2	To offset the impacts to the regent honeyeater and swift parrot, the person taking the action must submit to the Minister for approval an Offset Management Plan (OMP) for all of the Biodiversity Management Areas by no later than 13 April 2014. The OMP must include, but not be limited to, the following information:	Compliant	Regional Offset Management Plan (ROMP) submitted to the Environment Assessment Branch of Department of Environment (DoE) for Minister approval 14 April 2014 (13 April 2014 was a Sunday). Regional OMP approved by Minister 06 August 2014. The Independent Audit completed in 2015 indicated that separate Offset Management Plans for Bowditch and Goulburn River BAs would be preferable. In addition separate plans are required for the legally binding mechanism. Therefore in February 2017 individual plans were submitted to the Department for approval. In response to comments received from the Department of Environment and Energy (DoEE), a further three versions of the individual plans were submitted during 2017. The final revision, submitted to DoEE in December 2017, was approved on 16 February 2018.
2a	a textual description and map to clearly define the location and boundaries of all of the Biodiversity Management Areas. This must be accompanied with the offset attributes and a shapefile	Compliant	Section 2.1 MP Location and Description
2b	details of management actions to protect and enhance the extent and condition of habitat values of the offset areas including but not limited to rehabilitation, weed control, fire management, erosion and sediment control, management of livestock and restrictions on access of no less than 1,586 hectares of habitat for the regent honeyeater and swift parrot	Compliant	Section 3 Objectives, Key Performance Indicators and Completion Criteria and Section 4 Conservation Management Actions of the MP.
2c	the timing, responsibilities and performance criteria for management actions	Compliant	Section 4 Conservation Management Actions of the MP.
2d	a monitoring plan including the undertaking of ecological surveys by a qualified ecologist to assess the success of the management actions against identified milestones and objectives	Compliant	Section 5 Monitoring of the MP.
2e	a process to report, to the department, the management actions undertaken in the offset areas and the outcome of those actions, including identifying any need for improved management	Compliant	Section 1.3 Function of the MP.
2f	a description of the potential risks to successful management and rehabilitation in the offset areas, and a description of the contingency measures that would be implemented to mitigate these risks	Compliant	Section 4 Conservation Management Actions of the MP.
2g	details of parties responsible for management, monitoring and implementing the plan, including their position or status as a separate contractor.	Compliant	Section 1.3.2 Key Stakeholders and Roles.

	The approved OMP must be implemented. The person taking the action must publish the approved OMP on their website within 1 month of the OMP being approved by the Minister. The approved OMP must remain published until the expiry of the approval or until such time as agreed in writing by the Minister.	Compliant	<p>The <i>Regional Offset Management Plan Annual Report 2020 (Attachment A)</i> provides a summary of the management and monitoring activities completed in 2020.</p> <p>Approved Regional Offset Management Plan was originally published on Rio Tinto Coal Australia website on 5 September 2014 and is now published on the Yancoal Australia Insite website at the link below.</p> <p>https://insite.yancoal.com.au/asset/download/150/ff0efb/warkworth-regionaloffsetmanagementplan-062014-1.pdf</p> <p>The Regional Offset Management Plan has now been superseded by individual management plans for the relevant Biodiversity Areas. The Goulburn River and Bowditch Management Plans are published on the Yancoal Australia Insite website at the link below:</p> <p>https://insite.yancoal.com.au/document-library/management-plans-mtw</p>
	<p>Note: For clarity, the Biodiversity Management Areas in condition 1 and identified on the map in Attachment A can accommodate offset requirements for more than one species habitat within the one area, if a qualified ecologist verifies that suitable habitat is present and includes specific habitat requirements for the relevant species.</p>		
3	The Compliance Report (referred to in condition 4) due in 2015, and Compliance Reports due in each subsequent fifth year until the expiry of the approval, must be audited by an independent auditor. Prior to the commencement of each audit, the independent auditor and the audit criteria must be approved by the Department.	Complaint	<p>The 2015 Compliance Report was audited in 2015 by an independent auditor (Peter Horn), approved by DoE on 24 July 2015.</p> <p>The Independent Audit report was sent to DoE on 20 October 2015.</p> <p>The 2019 Compliance Report was audited by an independent auditor (Hansen Bailey), approved by DPIE on 27 – 30 April 2020.</p> <p>The Independent Audit Report was sent to DoE on 17 July 2020.</p> <p>The next audit is due in 2025.</p>
4	Within three months of every 12 month anniversary of the Commencement of Construction, the person taking the action must publish a report (the Compliance Report) on their website addressing compliance with each of the conditions of this approval, including implementation of any plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the department at the same time as the Compliance Report is published. The person taking the action must also notify any non-compliance with this approval to the department in writing within 2 business days of becoming aware of the non-compliance. The person taking the action must continue to annually publish the Compliance Report until such time as agreed in writing by the Minister.	Compliant	This report Commencement of Construction June 2004.

5	If the person taking the action wishes to carry out any activity otherwise than in accordance with the plans, as specified in the conditions, the person taking the action must submit to the department for the Minister's written approval a revised version of that plan. The varied activity shall not commence until the Minister has approved the revised plan in writing. If the Minister approves the revised plan that plan must be implemented in place of the plan originally approved.	Compliant	Individual management plans were submitted to the Department for approval in February 2017 and subsequent revisions were submitted in December 2017. The final revisions were approved on 16 February 2018.
6	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and communities or listed migratory species to do so, the Minister may require that the person taking the action make specified revisions to a management plan specified in the conditions and submit the revised plan for the Minister's written approval. The revised approved plan must be implemented. Unless the Minister has approved the revised plan the person taking the action must continue to implement the originally approved plan, as specified in the conditions.	Compliant	Comments on the individual management plans were received from DoEE on 13/04/2017 and 22/06/2017. Agreed changes were made to the revised management plans submitted in December 2017.

2.2 EPBC 2009/5081

EPBC2009/5081 Condition Number	Condition	Compliance status	Evidence/Comments (Southern BA, Northern BA, Putty BA, Condon View BA, Seven Oaks BA, Bowditch BA, North Rothbury BA)
1	<p>To offset the impact on the foraging habitat for <i>Anthochaera Phrygia</i> (regent honeyeater) and <i>Lathamus discolor</i> (swift parrot), the person taking the action must register a legally binding conservation mechanism over 94ha of land, as illustrated in the map at Attachment A as the Phase 1 Offset. The conservation mechanism must provide enduring protection for the Phase 1 Offset (Putty Road) and must be registered by 31 July 2020.</p> <p>Evidence of registration must be provided to the Department within 30 days of registration of the legally binding conservation mechanism.</p>	Pending	<p>A request was sent to DoEE on 7 December 2017 to extend the due date for a legally binding conservation covenant over the biodiversity areas beyond 17 February 2018. The request was sought on the basis of aligning the timeframe with the NSW Project Approval SSD 6464. DoEE advised by email on 28 February 2018, that given the request was submitted well in advance of 17 February 2018, that no non-compliance would be recorded. After additional consultation and correspondence with DoEE and the NSW Office of Environment and Heritage (OEH), further information was sent to DoEE on 11 September 2018 which noted that WML has been working with the OEH to secure the offsets as Biodiversity Stewardship Agreement (BSA's) pursuant to the Biodiversity Conservation Act 2016. As this Act commenced in August 2017, many of the systems, processes and transitional arrangements are being developed by OEH and the newly created Biodiversity Conservation Trust (BCT). WML had consulted with OEH and developed a timeline to step through the process to register the BSA's, and an extension request was sent to DoEE based on the proposed timeline.</p> <p>Approval from DoEE was received on 14/10/2018, with reference to the 7 December 2017 extension request, for the variation to condition 1 to extend the timeframe by which legally binding covenants must be registered over the offset sites to 31 July 2020.</p> <p>Due to ongoing difficulties in reaching agreement with the NSW Biodiversity and Conservation Division (BCD) on whether the proposed offsets properties meet the species and ecosystem credit retirement requirements of the MTW State Approvals a further extension has been sought. MTW sent a letter (dated 24</p>

July 2020) to Department of Agriculture, Water and the Environment (DAWE) requesting an extension of the timeframe to secure the offset areas until 31 July 2021. DAWE responded on 3 August 2020 acknowledging that MTW had contacted DAWE to remedy the potential breach of conditions of approval and that due to the high volume of approval requests it would take some time to respond to this request. DAWE responded to MTW on 7 October 2021 that the proposed timeframe for completion of the legally binding conservation mechanism process was too short and recommended that MTW review the schedule for completion. This request is still being progressed as MTW has not been able to reach agreement with NSW Department of Planning, Industry and Environment (DPIE) and BCD on the mechanism/timing for retiring credits and securing the offsets.

2	<p>To offset the impacts on the foraging habitat of the regent honeyeater and swift parrot, the person taking the action must submit to the Minister for approval an Offset Management Plan (OMP) for the Phase 1 Offset identified in Attachment A by no later than 13 April 2014.</p> <p>The OMP must include, but not be limited to the following:</p>	Compliant	<p>Draft Putty Road Offset - Offset Management Plan (OMP) submitted to Department of Environment and Energy (DoEE) 14 April 2014 (13 April was a Sunday). DoEE approval of Putty Road Offset OMP dated 4 July 2014. In February 2017 a Southern BA Offset Management Plan was submitted to the Department for approval, as it contains the Phase 1 Offset (Putty Road Offset Area) and the Phase 2 Offset. This plan is to be used as part of the legally binding mechanism to secure both the Phase 1 and 2 Offsets. A revised version of the Southern BA Management Plan was submitted to DoEE in December 2017 to address comments provided by DoEE on the February 2017 version. The Southern BA Management Plan was approved by DoEE on 16 February 2018</p>
2a	a textual description and map to clearly define the location and boundaries of all of the offset areas. This must be accompanied with the offset attributes and a shapefile	Compliant	Section 2.1 Location and description of the MP
2b	details of management actions to protect and enhance the extent and condition of habitat values of the offset areas including but not limited to rehabilitation, weed control, fire management, erosion and sediment control, management of livestock and restrictions on access to habitat for the regent honeyeater and swift parrot	Compliant	Section 3 Objectives, Key Performance Indicators and Completion Criteria and Section 4 Conservation Management Actions of the MP.

2c	the timing, responsibilities and performance criteria for management actions	Compliant	Section 4 Conservation Management Actions of the MP.
2d	a monitoring plan including the undertaking of ecological surveys by a qualified ecologist to assess the success of the management actions against identified milestones and objectives	Compliant	Section 5 Monitoring of the MP.
2e	a process to report, to the department, the management actions undertaken in the offset areas and the outcome of those actions, including identifying any need for improved management	Compliant	Section 1.3.2 Key Stakeholders and Roles.
2f	a description of the potential risks to successful management and rehabilitation in the offset areas, and a description of the contingency measures that would be implemented to mitigate these risks	Compliant	Section 4 Conservation Management Actions and Section 6 Risk Assessment of the MP.
2g	details of parties responsible for management, monitoring and implementing the plan, including their position or status as a separate contractor.	Compliant	Section 1.3.2 Key Stakeholders and Roles.
	The approved OMP must be implemented. Note: Offset areas can accommodate offset requirements for more than one species habitat within the one area, if a qualified ecologist verifies that suitable habitat is present and includes specific habitat requirements for the relevant species.	Compliant	Implementation of the conservation management strategies and monitoring as described in the Putty Road OMP and the broader Local OMP is supported by their Annual Reports. The Local OMP describes the management of the area surrounding the Putty Road Offset, this area is referred to as the Southern Biodiversity Area. The <i>Local Offset Management Plan Annual Report 2020 (Attachment B)</i> provides a summary of the management and monitoring activities completed in 2020.
3	Prior to Commencement of Construction of Phase 2 of the action, the person taking the action must submit to the Minister details of at least 2,532 hectares of suitable habitat for the Regent Honeyeater and Swift Parrot (Phase 2 Offset) to offset impacts on foraging habitat for these two species.	Compliant	Submission of the Phase 2 offsets details was on the 12 January 2016. Approval of Phase 2 offsets was 17 February 2016.

	<p>The details of offset sites must include offset attributes and shapefiles and ecological assessment reports. If the offset sites are different to those offset sites previously approved under the approval granted on 9 August 2012, the new offset sites must be submitted to the Minister for approval.</p>	
4	<p>To offset the impacts on the foraging habitat of the Regent Honeyeater and Swift Parrot, the person taking the action must register a legally binding conservation mechanism on all Phase 2 offsets by 31 July 2020.</p> <p>Evidence of registration must be provided to the Department within 30 days of registration of the legally binding conservation mechanism.</p>	<p>Pending</p> <p>A request was sent to DoEE on 7 December 2017 to extend the due date for a legally binding conservation covenant over the biodiversity areas beyond 17 February 2018. The request was sought on the basis of aligning the timeframe with the NSW Project Approval SSD 6464. DoEE advised by email on 28 February 2018, that given the request was submitted well in advance of 17 February 2018, that no non-compliance would be recorded. After additional consultation and correspondence with DoEE and the NSW Office of Environment and Heritage (OEH), further information was sent to DoEE on 11 September 2018 which noted that WML has been working with the OEH to secure the offsets as Biodiversity Stewardship Agreement (BSA's) pursuant to the Biodiversity Conservation Act 2016. As this Act commenced in August 2017, many of the systems, processes and transitional arrangements are being developed by OEH and the newly created Biodiversity Conservation Trust (BCT). WML had consulted with OEH and developed a timeline to step through the process to register the BSA's, and an extension request was sent to DoEE based on the proposed timeline.</p> <p>Approval from DoEE was received on 14/10/2018, with reference to the 7 December 2017 extension request, for the variation to condition 4 to extend the timeframe by which legally binding covenants must be registered over the offset sites to 31 July 2020.</p> <p>Due to ongoing difficulties in reaching agreement with the NSW Biodiversity and Conservation Division (BCD) on whether the proposed offsets properties meet the species and ecosystem credit retirement requirements of the MTW State Approvals a further extension has been sought. MTW sent a letter (dated 24 July 2020) to</p>

Department of Agriculture, Water and the Environment (DAWE) requesting an extension of the timeframe to secure the offset areas until 31 July 2021. DAWE responded on 3 August 2020 acknowledging that MTW had contacted DAWE to remedy the potential breach of conditions of approval and that due to the high volume of approval requests it would take some time to respond to this request. DAWE responded to MTW on 7 October 2021 that the proposed timeframe for completion of the legally binding conservation mechanism process was too short and recommended that MTW review the schedule for completion. This request is still being progressed as MTW has not been able to reach agreement with NSW Department of Planning, Industry and Environment (DPIE) and BCD on the mechanism/timing for retiring credits and securing the offsets

5	The approved OMP, as described in condition 2, must be revised by the person taking the action to include, but not be limited to, those activities as described in condition 2a-g for the Phase 2 Offset. The revised OMP must be submitted for approval by the Minister within 12 months of the submission of details/approval of Phase 2 Offset.	Compliant	<p>The OMP is to be revised to include the approved Phase 2 offsets on or before 17 February 2017.</p> <p>Plans were submitted for approval on 15 February 2017 for the Southern, Northern, North Rothbury, Seven Oaks, Condon View and Putty BAs.</p> <p>The Southern and Northern BA Plans were reviewed and submitted 30 July 2020.</p>
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Re-establishment of Woodland in Biodiversity Management and Offset Areas

6	<p>Within 12 months of the Commencement of Construction of Phase 1, the person taking the action must submit to the Minister for approval a Re-establishment Plan (REP) for the Phase 1 Offset area. The REP must include, but not be limited to the following:</p> <ol style="list-style-type: none"> details of the areas to be re-established (re-establishment areas) including location and maps; documentation including mapping of current environmental values relevant to MNES of the re-establishment areas; where revegetation through planting seedlings and/or seeds is intended, details of appropriate species and ratios of species relevant to historically 	Compliant	<p>Draft Putty Road Offset REP submitted to DoE 2 February 2015.</p> <p>Comments were received on the 18 July 2016.</p> <p>WML sought approval to address these comments in the Southern BA Management Plan, which was submitted on 15 February 2017. This plan includes a compliance table to show that all elements of this condition are met.</p> <p>The <i>Local Offset Management Plan Annual Report 2020 (Attachment B)</i> provides a summary of the management and monitoring activities completed in 2020.</p>
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- occurring listed migratory and listed threatened species' habitat;
- d. the source and provenance of the seeds and/or seedlings which will be used;
 - e. measures to address threats to MNES including but not limited to grazing pressure and damage by livestock and adverse impacts from feral animals and weeds;
 - f. measures to provide fire management regimes appropriate for the MNES;
 - g. measures to manage the MNES in accordance with the recommendations of the approved recovery plan for the migratory and threatened species;
 - h. monitoring measures including ecological surveys to measure the establishment and ongoing success of the revegetation based on a comparison with high quality habitat for the MNES;
 - i. performance measures and reporting requirements against identified objectives, including trigger levels for contingency measures to be taken to ensure performance measures and objectives are met; and
 - j. identify persons responsible and arrangements for implementing the REP and for reporting on performance.

The approved REP must be implemented.

7	The approved REP, as described in condition 6, must be revised by the person taking the action to include at least those activities as described in conditions 6a-j for the Phase 2 Offset. The revised REP must be submitted for approval by the Minister within 12 months of the Commencement of Construction of Phase 2 of the action. The approved revised REP must be implemented.	Compliant	The REP is to be revised to include the approved Phase 2 offsets on or before 16 February 2017. The Management Plans submitted for the Southern, Northern, North Rothbury, Seven Oaks, Condon View and Putty BAs on 15 February 2017 for approval. These plans contained the requirements of the REP and include a compliance table to show that all elements of this condition are met.
8	As a precautionary approach, the person taking the action must within 6 months of the date of this approval, or such other timeframe as	Compliant	Water Management Plan (WMP) approved by NSW regulator 10 September 2014. A copy of the WMP was sent to DoEE on 15 September 2014.

specified in writing by the Minister, provide to the Minister any NSW Government approved water management plans which apply to the approved action.

No request has been received by DoEE to provide further copies of the WMP.

The Water Management Plan was revised and submitted to NSW Department of Planning and Environment (DPE) on 2/12/2015 following the WML and MTO Continuation Approvals. It was subsequently approved on 29/1/2016. A minor revision to update monitoring programmes was completed on 21/3/2016. A major revision was submitted to DPE on 16/5/2017, following the incorporation of stream and riparian health monitoring in Wollombi Brook and Loders Creek. The plan was approved 26 June 2017. The WMP was revised and submitted to DPE on 30 November 2017 to reflect the change to Yancoal ownership. The plan was approved 12 February 2018. The WMP was revised and submitted to DPE on 27 July 2018 following the Annual Review submission. Changes were made on 18 September 2018 in response to DP&E feedback and the revised plan was approved 20 September 2018.

The WMP was reviewed and submitted to DP&E on the 30 April 2020 to include revised water management classifications following regulatory feedback and updates to HRSTS content. The revised plan was approved 13 May 2020.

The latest version of the WMP can be found at <https://insite.yancoal.com.au/document-library/management-plans-mtw>

9	<p>The person taking the action must within 6 months of the date of this approval, or such other timeframe as specified by the Minister, provide to the Minister a report on:</p> <ul style="list-style-type: none"> a. any updated modelling of surface and groundwater impacts that have been undertaken in preparing the water management plans b. how the water management plans have addressed groundwater and surface water impacts on nationally listed threatened species and ecological communities 	Compliant	These conditions are addressed in the WMP (refer Condition 8).
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10	If, after receiving the water management plans described in condition 8 and the report in condition 9, the Minister is not satisfied the water management plans adequately address impacts on listed threatened species and ecological communities, the Minister may require in writing that the person taking the action provide additional information within a specified timeframe.	Not triggered	
11	<p>The person taking the action must, within 12 months of the Commencement of Construction of Phase 1, and within 12 months of the Commencement of Construction of Phase 2, submit to the Minister for approval a Mine Site Rehabilitation Plan (MSRP) for the progressive rehabilitation and revegetation of no less than 32ha woodland of mined areas for Phase 1 and 2,303ha of woodland habitat on mined areas for Phase 2.</p> <p>The MSRP must include, at a minimum, the following information:</p> <ul style="list-style-type: none"> a. the desired outcomes/objectives of implementing the MSRP b. details of the vegetation communities to be rehabilitated and the timing of progressive rehabilitation c. a process to progressively report to the department the rehabilitation management actions undertaken and the outcome of those actions, and the mechanisms to be used to identify the need for improved management d. a description of the potential risks to successful management and rehabilitation on the project site, and a description of the contingency measures that would be implemented to mitigate these risks e. details of parties responsible for reviewing and implementing the plan f. details of long term management and protection of the mine site <p>The approved MSRP must be implemented.</p>	Compliant	<p>The Mine Site Rehabilitation Plan (MSRP) is contained within the Mining Operations Plans; a copy was submitted to DoEE 2 February 2015.</p> <p>Feedback was received from DoEE on the 18 July 2016.</p> <p>RTCA sought and received approval to address these comments in the next revision of the Mining operations Plan. The revised Mining Operations Plan was submitted to DoEE for approval on 23 May 2019. Approval from DoEE was received on 11 March 2020.</p>
12	The person taking the action must submit to the Minister for approval a Mine Closure Plan (MCP)	Not triggered	

at least 6 months prior to the closure of the mine. The approved MCP must be implemented. Note: The person taking the action may develop a single mine rehabilitation plan to align with the requirements of this approval and those of the NSW Government.

13	All survey data collected for the project must be collected and recorded so as to conform to data standards notified from time to time by the department. When requested by the department, the person taking the action must provide to the department all species and ecological survey data and related survey information from ecological surveys undertaken for MNES. This survey data must be provided within 30 business days of request, or in a timeframe agreed to by the department in writing. The department may use the survey data for other purposes.	Compliant	All survey data is retained by WML, the offset data is stored within the Biodiversity Offset Portal. Access to the portal was provided to DoEE in 2015. No requests for survey data have been received.
14	Within 14 days after the Commencement of Construction of Phases 1 and 2, the person taking the action must advise the department in writing of the actual date of Commencement of Construction.	Compliant	Phase 1 construction commenced on 3 February 2014 and WML notified DoEE in writing on 13 February 2014. Phase 2 construction commenced on 16 February 2016 and WML notified DoEE in writing on 16 February 2016.
15	Within 3 months of every 12 month anniversary of the Commencement of Construction of Phase 1, the person taking the action must publish a report (the Compliance Report) on their website addressing compliance with each of the conditions of this approval, including implementation of any plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the department at the same time as the Compliance Report is published. The person taking the action must also notify any non-compliance with this approval to the department in writing within 2 business days of becoming aware of the noncompliance. The person taking the action must continue to annually publish the Compliance Report until such time as agreed in writing by the Minister.	Compliant	Compliance report due before 3 May each year (based on date of commencement of construction 3 February 2014). 2020 Compliance Report published on Yancoal Australia Insite website 3 May 2021.

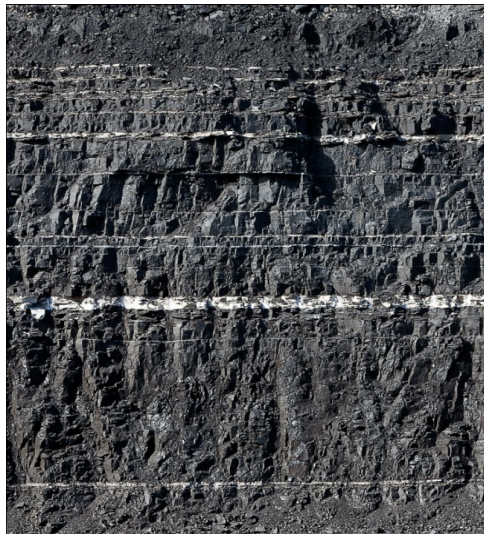
16	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	Not triggered	
17	Where the conditions require the person taking the action to submit a plan for the Minister's approval, the person taking the action must maintain a register recording: <ul style="list-style-type: none"> a. the date on which each plan was approved by the Minister b. if a plan has not been approved by the Minister, the date on which it was, or is expected to be, submitted to the Minister. c. the dates on which reports on the outcomes of reviews have been approved by the Minister d. the dates on which the subsequent reviews are due The register must be submitted to the department at the time as the Compliance Report, as described at condition 15.	Compliant	Compliance Register submitted with this report (Attachment C)
18	If the person taking the action wishes to carry out any activity otherwise than in accordance with the plans, as specified in the conditions, the person taking the action must submit to the department for the Minister's written approval a revised version of that plan. The varied activity shall not commence until the Minister has approved the revised plan in writing. If the Minister approves the revised plan that plan must be implemented in place of the plan originally approved.	Not triggered	
19	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and communities or listed migratory species to do so, the Minister may require that the person taking the action make specified revisions to a management plan	Not triggered	

	<p>specified in the conditions and submit the revised plan for the Minister's written approval.</p> <p>The revised approved plan must be implemented. Unless the Minister has approved the revised plan the person taking the action must continue to implement the originally approved plan, as specified in the conditions.</p>		
20	<p>If, at any time after 5 years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.</p>	Not triggered	The action has commenced as per the Commencement of Construction (3 February 2014)
21	<p>The person taking the action must maintain accurate records substantiating all activities and outcomes associated with or relevant to the above conditions of approval, including measures taken to implement the management plans required by this approval, and make them available upon request to the department.</p> <p>Such records may be subject to audit by the department or an independent auditor appointed and/or approved by the department, and used to verify compliance with the conditions of approval. Summaries of audits will be posted on the department's website. The results of audits may also be publicised through the general media.</p>	Compliant	Records of activities and outcomes are maintained by WML.
22	<p>Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all plans referred to in these conditions of approval on their website. Each plan must be published on the website within 1 month of being approved. The person taking the action must notify the department within 5 business days of publishing the plan on their website and the plan must remain on the website for the period this approval has effect.</p>	Compliant	All approved plans have been published on the Yancoal Australia Insite website.

3. New environmental risks and potential threats to Matters of National and State Environmental Significance

No new environmental risks have been identified during the reporting period.

ATTACHMENT A: Regional Offset Management Plan Annual Report 2020



Regional Biodiversity Areas

Annual Report 2020

3 May 2021

Annual report for the period from January to December 2020, for activities described in the Management Plans for all regional Warkworth Mining Limited offsets including:

- Goulburn River Biodiversity Area
- Seven Oaks Biodiversity Area
- Bowditch Biodiversity Area
- Putty Biodiversity Area
- Condon View Biodiversity Area
- North Rothbury Biodiversity Area

Note that a portion of Condon View Biodiversity Area is an offset for Hunter Valley Operations to satisfy conditions of the Commonwealth approval EPBC 2016-760.

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INTRODUCTION

This annual report is a requirement of the Management Plans for all regional Warkworth Mining Limited offsets for the 2020 reporting period from 1 January through to 31 December 2020.

The annual report provides a summary of the key management activities completed across the biodiversity offsets located within the Goulburn River, Seven Oaks, Bowditch, Putty, Condon View and North Rothbury Biodiversity Areas (BAs).

The management plans describe the conservation management strategies and monitoring to achieve and measure improvement and protection of the offsets biodiversity values. It is a compliance requirement of the Commonwealth and NSW environmental approvals to implement the management plans.

The Regional Offset Management Plan (ROMP) was prepared to satisfy the consent requirements for the New South Wales (NSW) Hunter Valley Operations (HVO) South Project Approval (PA 06_0261) and the Warkworth Mine Commonwealth EPBC 2002/629 Approval. In November 2015, the NSW Warkworth Continuation Project Approval (SSD-6464) was granted providing both NSW and Commonwealth approval for the same disturbance area. Phase 2 of the EPBC2009/5081 action also commenced on 16 February 2016. In response to the granting of these new approvals, new Management Plans for the Bowditch and Goulburn River BA have been prepared to satisfy the Commonwealth approval EPBC2009/5081 and the NSW consent (SSD-6464), replacing the ROMP. On 10 October 2016 HVO was granted approval (EPBC2016/7604), The Condon View BA provides 168ha of suitable direct offset to be compliant with this approval. Management Plans have also been prepared and submitted for the new regional BAs: Seven Oaks, Putty, Condon View and North Rothbury.

The Biodiversity Offset Portal contains all the supporting documentation for this report, including photo point monitoring. Access to the portal is restricted, relevant regulators have been provided with login details; please contact Mount Thorley Warkworth should you require assistance.

2 LOCATION AND LANDHOLDER DETAILS

The locations of the regional BAs are shown in **Figure 1**, further details are provided in **Table 1**. The land is owned by Warkworth Mining Limited (WML). The Goulburn River and Condon View BAs are owned by Warkworth Mining Limited and have a portion of the total area designated as an offset for Hunter Valley Operations (HVO). Details of the Warkworth Offset and HVO Offset areas are in **Table 2 and Figure 1, 2 and 3**.

Table 1 Regional Biodiversity Areas

Biodiversity Area	Local Government Area	Land Owner	Area (ha)	Offset Area (ha)	Location
Goulburn River	Upper Hunter / Mid-Western	Warkworth Mining Limited	1,539	1,206	'The Rivers' 30km west of Merriwa, via Dulhunty Road, Comialla Road and Golden Hwy.
Bowditch	Muswellbrook	Warkworth Mining Limited	607	602	3km north of Sandy Hollow, 3450 Wybong Road, via Golden Hwy.
Seven Oaks	Mid-Western	Warkworth Mining Limited	521	519	35km west of Merriwa via Ulan Road, Summer Hill Road, Durridgerie Road and Smedes Road.
Condon View	Singleton	Warkworth Mining Limited	553	345	5km west of Putty via Box Tree Clearing Trail off Putty Valley Road.
Putty	Singleton	Warkworth Mining Limited	386	383	5km south of Putty via Box Gap Road.
North Rothbury	Cessnock	Warkworth Mining Limited	41	41	1km south of North Rothbury via Wine Country Drive.

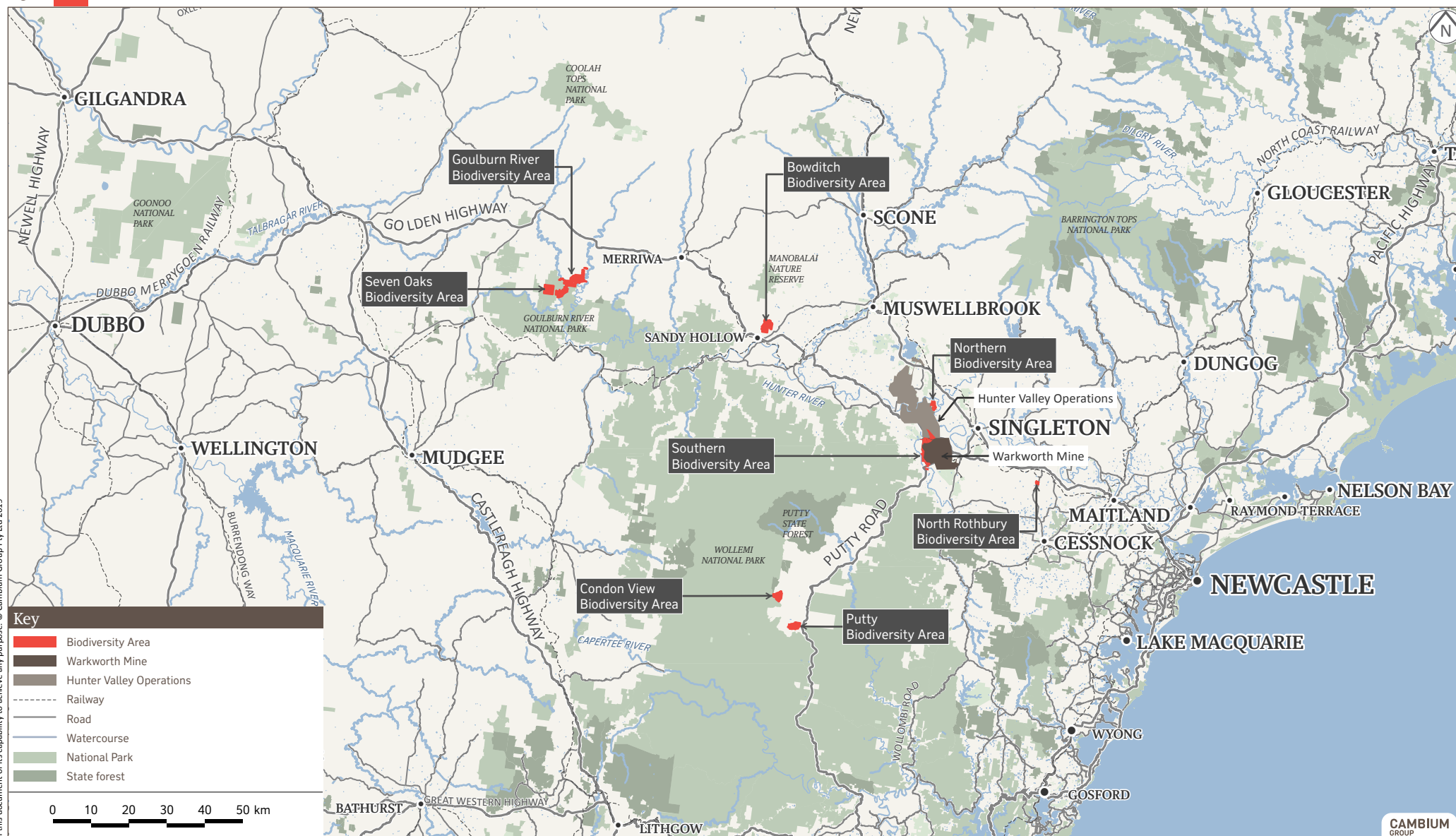
Table 2 Goulburn River and Condon View Biodiversity Areas

Biodiversity Area	Land Owner	Area (ha)	Warkworth Offset Area (ha)	HVO Offset Area (ha)
Goulburn River	Warkworth Mining Limited	1,539	1,066	140
Condon View	Warkworth Mining Limited	553	345	168

Location of the Warkworth Mining Limited Biodiversity Areas

Annual Compliance Report

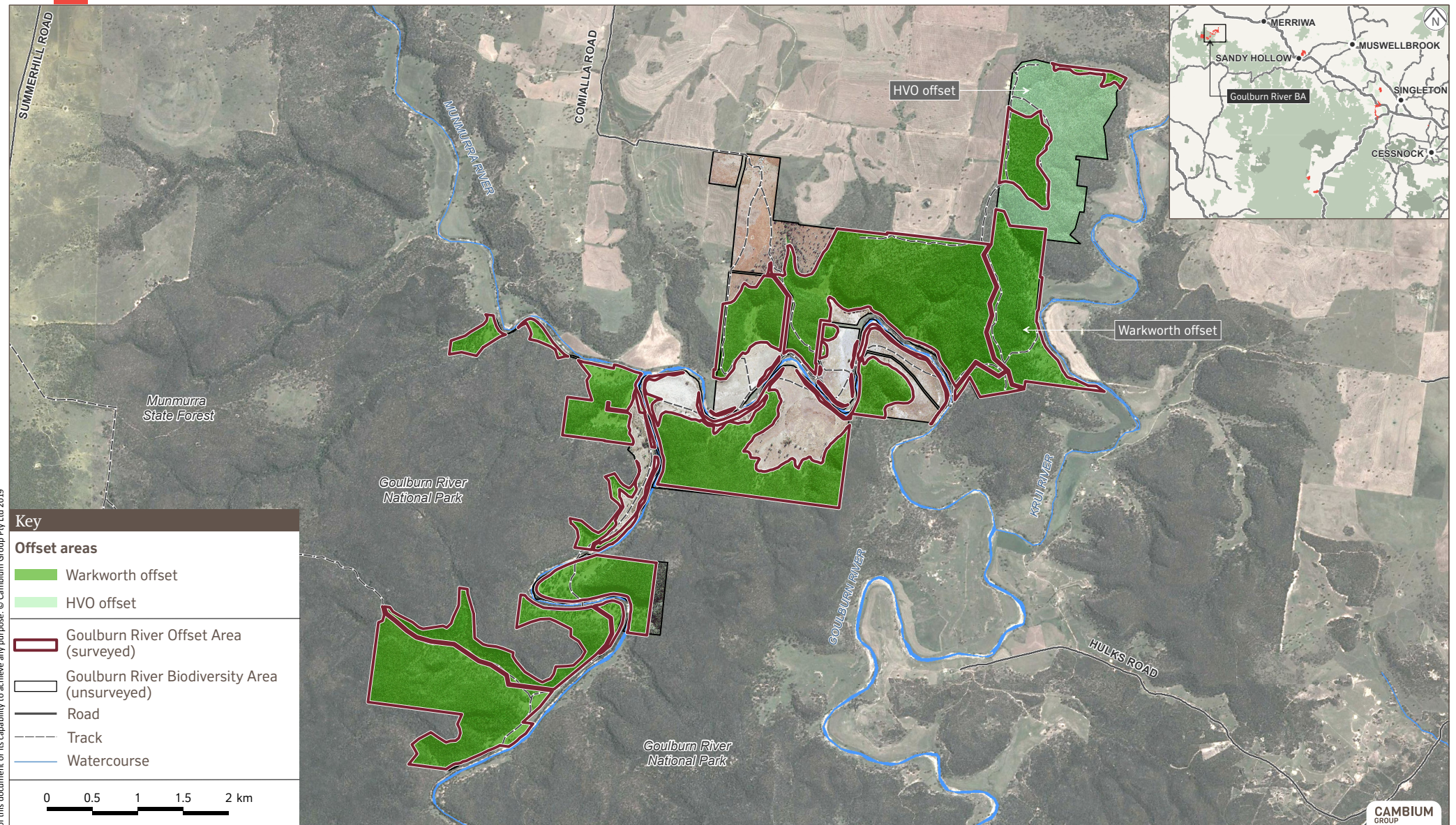
Figure 1



Offset areas at the Goulburn River Biodiversity Area

Annual Compliance Report

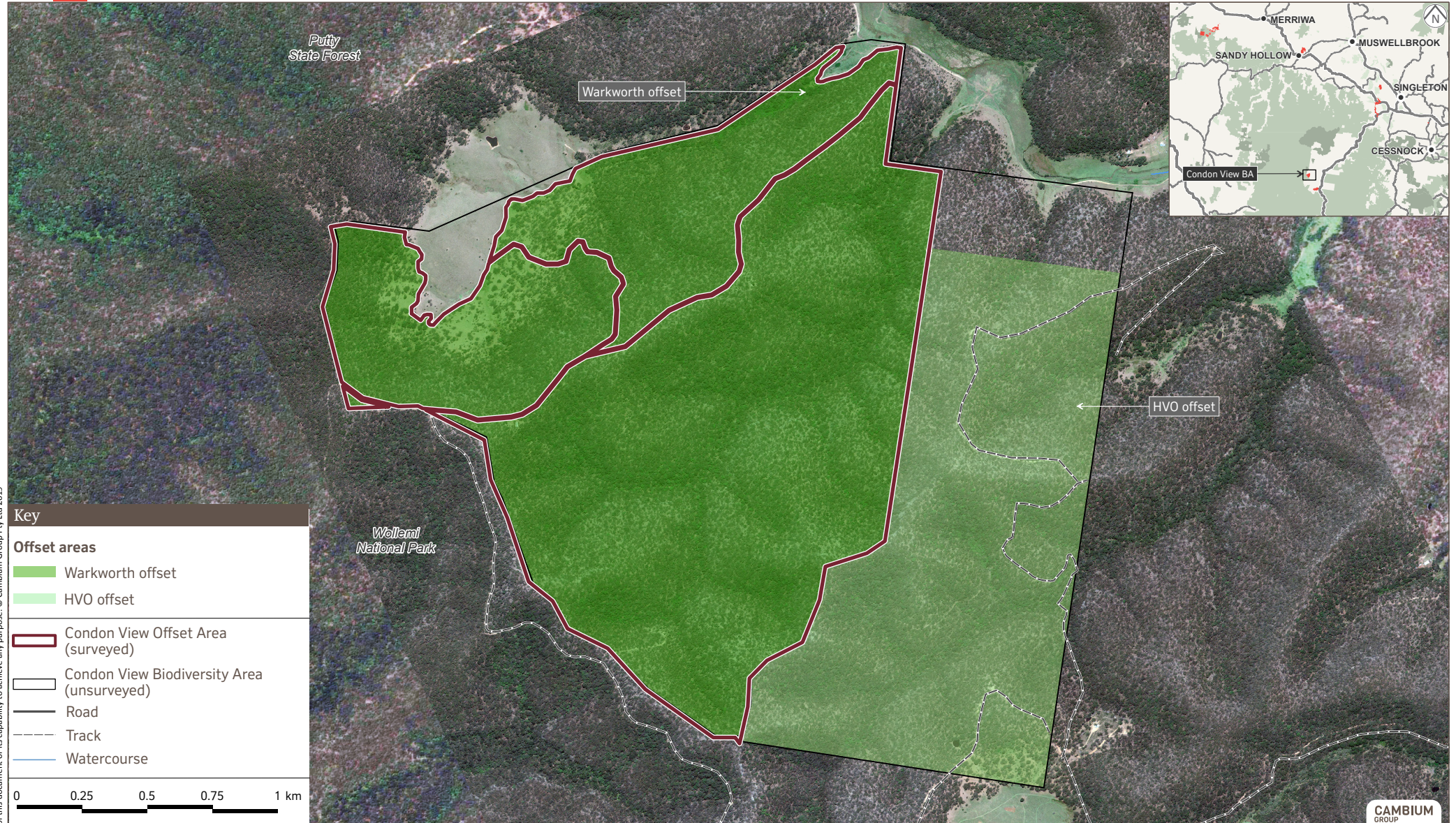
Figure 2



Offset areas at the Condon View Biodiversity Area

Annual Compliance Report

Figure 3



3 SUMMARY OF ACTIVITIES – 2020

Table 3 provides a summary of the activities undertaken during the reporting period (year 4) and the progress in attaining the Performance Criteria for the key Conservation Management Strategies in the management plans.

3.1 Summary of climatic conditions

Figure 4 shows the monthly actual rainfall compared to the long-term average for the regional Biodiversity Areas for the reporting period. In 2020, rainfall was well above average for most months. The Putty region received 1,100mm which was 506mm above the long-term average. North Rothbury received 959mm, 354mm above the long-term average. Sandy Hollow received 690mm which was 274mm above the long-term average and the Merriwa region received 916mm, 451mm above the long-term average.

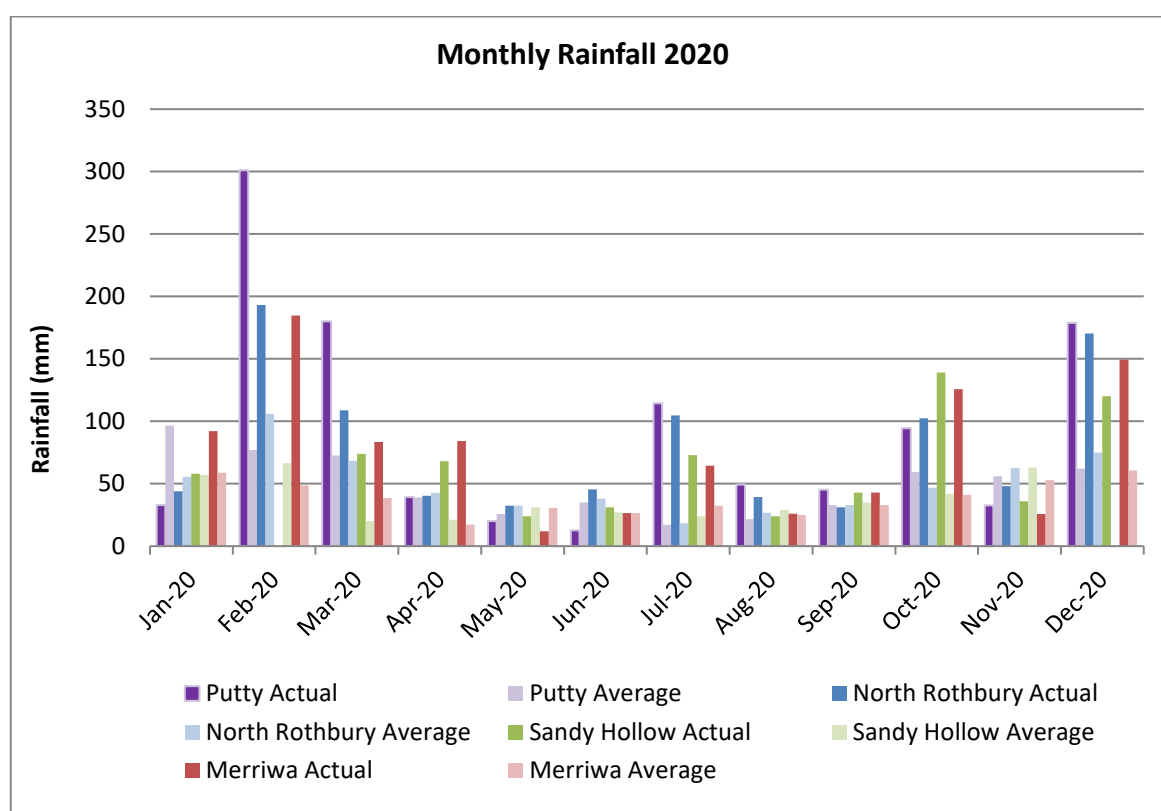


FIGURE 4 MONTHLY RAINFALL - 2020

Table 3 Summary of progress against Performance Criteria

Conservation Actions	Year 1 to Year 4 (2020 is Year 4)	Year 5 to Year 10	Completion Criteria	Actions 2021
ACTIVE RESTORATION				
Goulburn River BA Yellow Box – Grey Box – Red Gum grassy woodland (21.5ha) and River Oak riparian woodland (24.2ha)				
Performance Criteria	Collection of seed. Plant propagation. Tubestock planted. Completed survival assessment.		Planting achieves above 70% survival.	
Activity / Progress	Seed collection was undertaken at the Goulburn River BA in 2020. In 2019 17,000 tube stock was planted into 21.5ha of Yellow Box-Red Gum grassy woodland and 24.2ha of River Oak riparian woodland. The site preparation for these sites included ripping by dozer and weed control. To mimic nature the tree species were planted at a spacing of 5 -30m. All plants were watered, fertilised and protected with a tree guard. In 2020 maintenance of planting areas was undertaken and included infill planting of 12,000 tubestock. Survival assessments undertaken.			Collect seed and propagate plants. Undertake survival assessments. Undertake infill planting of 21.5ha of Yellow Box – Grey Box – Red Gum grassy woodland and 24.2ha of River Oak riparian woodland in the Goulburn River BA.
All Regional BAs				
Performance Criteria	Review monitoring data to identify areas that require re-planting. If re-planting is identified, develop a re-establishment plan and implement within 12 months			
Activity / Progress	No re-planting identified from ecological monitoring results/recommendations. Ecological monitoring undertaken in 2020.			

Conservation Actions	Year 1 to Year 4 (2020 is Year 4)	Year 5 to Year 10	Completion Criteria	Actions 2021
PASSIVE RESTORATION				
Weed control and monitoring				
<i>Performance Criteria</i>	<p>At least two weed control events each year for species listed in Table 14 of Management Plans and other weeds recorded from monitoring activities.</p> <p>Complete Rapid Condition Assessment and Property Inspections.</p>	<p>At least one weed control event each year for species listed in Table 14 of Management Plans and other weeds recorded from monitoring activities.</p> <p>Complete Rapid Condition Assessment and Property Inspections.</p>	<p>Ecological monitoring data indicates a trajectory for reduction in exotic plant cover over three consecutive assessments.</p>	
Activity / Progress	<p>Weed contractor engaged to undertake weed control activities across all Regional BAs throughout the year to control noxious species and stop weeds spreading into previously un-infested areas.</p> <p>In 2020 weed control targeted the following species: Blackberry (<i>Rubus fruticosus</i>), Blue heliotrope (<i>Heliotropium amplexicaule</i>), Bridal creeper (<i>Asparagus asparagoides</i>), Caltrop (<i>Tribulus terrestris</i>), Cat heads (<i>Emex australis</i>), Common Thorn-Apple (<i>Datura stramonium</i>), Farmers friends (<i>Bidens pilosa</i>), Fireweed (<i>Scenecio madagascariensis</i>), Green cestrum (<i>Cestrum parqui</i>), Lantana (<i>Lantana camara</i>), Lamb's tongue (<i>Verbascum thapsus</i>), Lavender scallops (<i>Bryophyllum fedtschenkoi</i>), Mallow (<i>Malva parviflora</i>), Mexican Poppy (<i>Argemone ochroleuca</i>), Mustard weed (<i>Sisymbrium officinale</i>), Narrow leaf cotton bush (<i>Gomphocarpus fruticosus</i>), Noogoora burr (<i>Xanthium occidentale</i>), Paddy's lucene (<i>Sida rhombifolia</i>), Paterson's curse (<i>Echium plantagineum</i>), Prickly pear (<i>Opuntia stricta</i>), Scotch thistle (<i>Onopordum acanthium</i>), St John's wort (<i>Hypericum perforatum</i>), Stinking roger (<i>Tangetes minuta</i>), Tiger pear (<i>Optunia aurantiaca</i>), Tree of heaven (<i>Ailanthus altissima</i>), and Variegated thistle (<i>Silybum marianum</i>).</p> <p>Rapid Condition Assessment and Property Inspections were completed in 2020.</p> <p>Ecological monitoring undertaken in 2020.</p>			<p>Control noxious species and stop weeds spreading into previously un-infested areas.</p> <p>Undertake Rapid Condition Assessment.</p> <p>Undertake Property Inspections.</p>

Conservation Actions	Year 1 to Year 4 (2020 is Year 4)	Year 5 to Year 10	Completion Criteria	Actions 2021
Pest control and monitoring				
<i>Performance Criteria</i>	<p><i>At least two control events each year for species listed in Management Plans, and any other species recorded from monitoring activities.</i></p> <p><i>All actions recorded in the Annual Report.</i></p> <p><i>Active participation in programme coordinated by HLLS, this may include local control actions.</i></p> <p><i>Complete Rapid Condition Assessment and Property Inspections.</i></p>	<p><i>At least one control event each year for species listed in Management Plans, and any other species recorded from monitoring activities.</i></p> <p><i>All actions recorded in the Annual Report.</i></p> <p><i>Active participation in programme coordinated by HLLS, this may include local control actions.</i></p> <p><i>Complete Rapid Condition Assessment and Property Inspections.</i></p>	<p><i>No observed vertebrate pest or damage.</i></p> <p><i>Ecological monitoring demonstrates a trajectory to benchmark values for all attributes measured over three consecutive assessments (the average of all plots).</i></p>	
Activity / Progress	<p>In 2020 vertebrate pest contractors were engaged to undertake programmes across all Regional BAs.</p> <p>Two 1080 ground baiting programmes targeting wild dogs and foxes were undertaken in autumn and spring and was undertaken in conjunction with neighbouring landholders and HLLS where possible.</p> <p>A Noisy Miner ground shoot was undertaken at the Goulburn River BA in August to assist the survivability of the Regent Honeyeater: 212 Noisy Miners controlled under Licence to Harm Protected Animals (Biodiversity Conservation Act 2016). This is the fourth consecutive year of the programme making this the longest running and most successful noisy miner management programme in the country.</p> <p>Participation in HLLS Wild Dog Association programme.</p> <p>Shooting for other vertebrate pests was undertaken across the BAs.</p> <p>Rapid Condition Assessment and Property Inspections were completed in 2020.</p> <p>Ecological monitoring undertaken in 2020.</p>			<p>Participate in HLLS Aerial Baiting/shooting programmes.</p> <p>Participate in HLLS Wild Dog Association programme.</p> <p>Undertake shooting, baiting and trapping programmes.</p> <p>Undertake a control programme for noisy miners in the Regent Honeyeater breeding area at GRBA</p> <p>Undertake Rapid Condition Assessment.</p> <p>Undertake Property Inspections.</p>

Conservation Actions	Year 1 to Year 4 (2020 is Year 4)	Year 5 to Year 10	Completion Criteria	Actions 2021
Grazing				
Performance Criteria	<i>Grazing is conducted in accordance with the Management Plan.</i> <i>Boundary fences maintained.</i> <i>Complete Rapid Condition Assessment and Property Inspections.</i>			
Activity / Progress	Cattle excluded from all BAs. Rapid Condition Assessment and Property Inspections were completed in 2020. Boundary fences repaired at North Rothbury, Putty, Conon View and Bowditch BA. A new 1.4km section of boundary fence was installed at Goulburn River BA. Rapid Condition Assessment and Property Inspections were completed in 2020.			Undertake Rapid Condition Assessment. Undertake Property Inspections.
Regional BA Bushfire Management Plan (BFMP) and monitoring				
Performance Criteria	<i>Actions implemented.</i> <i>Review and revise if required.</i> <i>Complete Rapid Condition Assessment and Property Inspections</i>	<i>Actions implemented.</i> <i>Review and revise if required.</i> <i>Complete Rapid Condition Assessment and Property Inspections.</i> <i>Completed ecological fire management plan.</i>	<i>All required actions of BFMP have been implemented.</i> <i>BFMP has been reviewed annually and revised if required.</i>	
Activity / Progress	BFMP reviewed. In 2020 fire contractors were engaged to undertake overall fuel load assessments on all Regional BAs to identify current exposure to bushfire fuel hazard. A Hazard Reduction Burn for North Rothbury BA was approved however weather conditions were outside the prescribed limits, so the burn has been rescheduled for 2021. Slashing of fire breaks was undertaken at the Goulburn River BA. Rapid Condition Assessment and Property Inspections were completed in 2020. Ecological monitoring undertaken in 2020.			Review BFMP. Implement a bushfire fuel hazard reduction programme. Undertake annual fuel load assessments on all Regional BAs. Undertake the Hazard Reduction Burn at North Rothbury BA. Undertake Rapid Condition Assessment. Undertake Property Inspections.

Conservation Actions	Year 1 to Year 4 (2020 is Year 4)	Year 5 to Year 10	Completion Criteria	Actions 2021
Erosion monitoring inspections and reports				
Performance Criteria	Complete Rapid Condition Assessment and Property Inspections			
Activity / Progress	No significant erosion issues identified during monitoring.			Undertake Rapid Condition Assessment. Undertake Property Inspections.
Dam conversion and rehabilitation and monitoring				
Performance Criteria	Prepare dam conversion plan. Dam conversion complete and rehabilitation has stabilised the site. Property inspections undertaken in 2020.	Observed natural flow regime and no erosion. Property inspections.	All works completed.	
Activity / Progress	Property inspections undertaken in 2020. Ecological monitoring undertaken in 2020.			Prepare a dam conversion plan. Undertake Property Inspections.
Natural Regeneration and monitoring				
Performance Criteria	Annual weed control, vertebrate pest and fire management actions implemented as per management plans. Complete Rapid Condition Assessment and Property Inspections.		Ecological monitoring demonstrates a trajectory to benchmark values for all attributes measured over three consecutive assessments (the average of all plots).	
Activity / Progress	Rapid Condition Assessment and Property Inspections undertaken in 2020. Ecological monitoring undertaken in 2020. Actions implemented as per management plans – see above.			Implement actions as per Management plans. Undertake Rapid Condition Assessment. Undertake Property Inspections.

Conservation Actions	Year 1 to Year 4 (2020 is Year 4)	Year 5 to Year 10	Completion Criteria	Actions 2021
Controlled Activities				
Performance Criteria	<p><i>No reported incidents of prohibited actions undertaken Yancoal, contractors, consultants or other agents of Yancoal.</i></p> <p><i>Any clearing of vegetation reported in Annual Report.</i></p> <p><i>Signage and locks (where required) maintained.</i></p> <p><i>Complete risk assessment for any recreation activities.</i></p> <p><i>All occupants of residents compliant with requirements of the MP.</i></p> <p><i>No Cultural Heritage sites knowingly disturbed and any protective barricading maintained.</i></p> <p><i>Damaged and unwanted fences removed.</i></p> <p><i>All Property Inspections completed.</i></p>			
Activity / Progress	<p>No reported incidents of prohibited actions undertaken in 2020.</p> <p>Regular property inspections were undertaken in 2020.</p>			Undertake Property Inspections.

4 MONITORING ACTIVITIES

The following table provides a summary of the monitoring activities undertaken as detailed in the management plans. Monitoring reports and results are available on the Biodiversity Offset Portal.

Table 4 Monitoring Activity Summary

Monitoring	2020	Date/s	Completed by
Bird Assemblage	X	July – August 2020, next due July – August 2022	ANU Enterprise
Habitat Restoration	X	November 2020, next due September – November 2022	SLR Consulting
Rapid Condition Assessment	X	November 2020 next due September – November 2021	Advisor – Land Management
Property Inspection	X	April/November 2020, next due April/November 2021	Rural and Environmental Management

4.1 Bird assemblages monitoring

Bird assemblage monitoring is undertaken every two years as part of the ecological monitoring requirements to assess changes in the condition and extent of the woodland habitats within the BAs and the ongoing usage of these habitats by woodland birds. Previous bird monitoring methodology (2014 – 2018) included two-hectare, 20-minute area searches with one visit to each monitoring site. In 2020 two-hectare, 20-minute area searches were undertaken with each site visited three times between June and September 2020, to cover the period when swift parrots and regent honeyeaters are most likely to be present on site. The maximum count of all bird species detected visually or audibly during the survey period and within the boundaries of each survey site were recorded. Data from the 2020 monitoring program demonstrates that three visits to each monitoring site is sufficient to record the majority of bird species regularly occupying the monitoring sites.

A total 124 species of birds were recorded throughout the eight Biodiversity Areas. Bird species richness has increased by eight species on 2016 data and by two species on 2018 data. Three regent honeyeaters- two males and a female were detected at Putty BA. This is the first confirmed record of regent honeyeater utilising habitat within the Putty BA. A single male regent honeyeater was also detected on the Goulburn River BA, though not during formal bird monitoring surveys and not within an established monitoring site. No swift parrots were detected occupying any of the Biodiversity Areas. Overall bird activity was likely affected by lagged effects of drought, namely a lack of eucalypt blossom and vegetation dieback.

The following are the recommendations and discussion summaries for the Regional Biodiversity Areas.

Seven Oaks BA

After three visits a total of 67 bird species were detected during both standardised surveys and occupying the property. Five threatened species were detected, and 19 species were detected for the first time in 2020.

There was low abundance of blossom and lerp across the property and evidence of feral pigs, with diggings present in and around six of the monitoring sites.

Management recommendations include pest management for feral pigs and small-scale restoration plantings of regent honeyeater feed trees.

Goulburn River BA

After three visits a total of 71 bird species were detected during standardised surveys and 123 bird species were detected occupying the property in 2020 during time on the property (including for noisy miner cull surveys). Three threatened species were detected, and seven species were detected for the first time in 2020.

Blossom was restricted to isolated patches and there was evidence of substantial pig activity on the property. Ongoing noisy miner management continues to suppress noisy miner numbers on the Goulburn River BA. Management recommendations include replanting the riparian zone and pest management for feral pigs and noisy miners.

Putty BA

A total of 58 bird species were detected during standardised surveys and 70 bird species were detected occupying the property. Five threatened species were detected, and 13 species were detected for the first time in 2020.

Putty BA represented the property with the greatest abundance of eucalypt blossom in 2020. The dominant flowering eucalypt was white stringybark, which attracted good numbers of nectarivores. There was minimal visible evidence of feral / pest species presence on the property. Management recommendations include small scale restoration plantings of regent honeyeater feed trees on the cleared flats.

Condon View BA

A total of 50 bird species were detected during standardised surveys and 58 species were detected occupying the property. Five threatened species were detected, and 14 species were detected for the first time in 2020.

There was minimal evidence of feral species impact on Condon View BA.

North Rothbury BA

Species richness appears to have declined at North Rothbury BA. A total of 21 species were detected at monitoring sites after a single survey, which represents a decline of 10 and 18 species on the results from 2016 and 2018, respectively.

Noisy miner colonies occupied two of the four monitoring sites; at these densities it is likely that noisy miners are having a significantly negative impact on small bird numbers. Despite high noisy miner numbers, three threatened species were detected on North Rothbury BA and six species were detected for the first time in 2020.

Management recommendations include noisy miner culls.

Bowditch BA

A total of 56 bird species were detected during standardised surveys and 63 species were detected occupying the property. Two threatened species were detected, and four species were detected for the first time in 2020. Management recommendations include pest management for deer and noisy miners and small-scale restoration plantings of regent honeyeater feed trees on cleared flats.

4.2 Habitat restoration monitoring

This habitat restoration study completes the fourth monitoring event and third post baseline for Goulburn River and Bowditch BAs and the third monitoring event and second post baseline for all the other Regional BAs.

The habitat restoration monitoring programme assesses the changes in key attributes within the BA through time as grassland communities are restored to woodland.

Monitoring was undertaken across all BAs in Spring 2020 and demonstrated that exotic cover had increased across all properties except the North Rothbury and Bowditch BAs.

The conclusion and recommendations from the 2020 habitat restoration monitoring report were:

Goulburn River BA

The results from the regenerating woodland areas suggests that the native vegetation is in good condition, with most key attributes meeting or close to benchmark. Exotic cover within woodland areas has increased and the results for the cleared grasslands indicate native vegetation is in poor condition. High river levels at the time of monitoring made some monitoring sites at the Goulburn River BA inaccessible and these have not been included in the 2020 monitoring programme.

Seven Oaks BA

Overall, some attributes are within benchmark and some are below benchmark, a result similar to the 2018 monitoring with the exception that mean exotic species cover has increased above benchmark.

Bowditch BA

The overall condition of vegetation indicates a high potential for successful regeneration, as most key attributes recorded are close to or within benchmark values. Strong native vegetation growth was evident within the mid-storey and groundcover strata. An increase in exotic plant cover was recorded.

Putty BA

The overall condition of vegetation at Putty appears to show high native cover within the ground and mid-storey strata, whereas canopy coverage and tree regeneration has decreased substantially. A greater abundance of exotic species was recorded within the monitoring plots. Difficulties in locating monitoring plot PM5, such that a new plot had to be established, may have contributed to the results showing an increase in mean exotic cover and decrease in trees and canopy coverage across the Putty BA since 2018. The previously disturbed areas of the Putty BA continue to show potential for successful regeneration and overall restoration.

Condon View BA

Results for woodland sites at Condon View show improvements across most key attributes and a trend towards benchmark values. Exotic coverage, however, has increased substantially. The current results from the derived grasslands show a positive improvement in native species richness, although there has also been an increase in exotic coverage. Results for native overstorey cover and mid-storey cover indicate poor regeneration progress.

North Rothbury BA

Most of the key attributes recorded at North Rothbury are close to or within benchmark, indicating that native vegetation continues to show high potential for regeneration across the site.

5 PROGRESS IN ATTAINING CONSERVATION OBJECTIVES AGAINST KEY PERFORMANCE INDICATORS

The primary conservation objectives for the Regional BAs are to:

- enhance landscape connectivity within the surrounding landscape;

- improve fauna movement and flora dispersal opportunities within the surrounding landscape;
- increased condition and area of suitable habitats for threatened fauna species within protected reserves, specifically for the Regent Honeyeater and Swift Parrot;
- provide refuge and habitat for local fauna populations and transient species, particularly threatened species; and
- enhance network of protected vegetation within the Hunter Valley.

Table 3 details the progress in attainment of the long-term conservation objectives. The baseline data presented is from the first monitoring completed in 2014. The Rapid Condition Assessment (RCA) monitoring results indicate that the vegetation and habitat health is being maintained in comparison to the baseline data **Table 6– Table 11**.

6 ADAPTIVE MANAGEMENT

No new environmental risks have been identified during the reporting period.

Table 5 Goulburn River BA: Biodiversity Values and KPIs

Biodiversity Value	Nested Conservation Value(s)	Description and baseline metric	KPI	Progress comment
Woodland (MZ2, MZ3, MZ4, MZ5 and MZ7)		Total area: 1,169ha RCA Average Health rating 17.5/20	Maintain or increase area, connectivity and habitat condition over 10 years	RCA Average health rating 2015 – 17/20 2016 – 17.1/20
	Fauna Habitat	Moderate potential habitat for Swift Parrot and Regent Honeyeater	improved habitat condition over 10 years	2017 – 17.1/20 2018 – 18.1/20 2019 – 18.4/20 2020 – *17.5/20 Area and health maintained *Some sites were inaccessible due to high water levels in the Goulburn River.

Table 6 Bowditch BA: Biodiversity Values and KPIs

Biodiversity Value	Nested Conservation Value(s)	Description and baseline metric	KPI	Progress comment
Woodland (MZ1, MZ2 and MZ4)		Total area: 602ha RCA Average Health rating 17.8/20	Observed and measured increase or maintained RCA scores over 10 years	RCA Average Health rating 2015 – 18/20 2016 – 18.4/20
	Fauna Habitat	Moderate potential habitat for Swift Parrot and Regent Honeyeater	Maintain or increase the condition and extent of habitat and bird usage over 10 years	2017 – 17.1/20 2018 – 17.7/20 2019 – 17.7/20 2020 – 18.1/20 Area and health maintained

Table 7 Seven Oaks BA: Biodiversity Values and KPIs

Biodiversity Value	Nested Conservation Value(s)	Description and baseline metric	KPI	Progress comment
Woodland (MZ3, MZ4 and MZ5)		Total area: 519ha RCA Average Health rating 17.7/20	Observe an increase in area, connectivity and habitat condition over 10 years	RCA Average Health rating 2016 – 18/20 2017 – 17.3/20
	Fauna Habitat	Moderate potential habitat for Swift Parrot and Regent Honeyeater	Maintain or increase the condition and extent of habitat and bird usage over 10 years	2018 – 17.6/20 2019 – 17.6/20 2020 – 18.2/20 Area and health maintained

Table 8 Condon View BA: Biodiversity Values and KPIs

Biodiversity Value	Nested Conservation Value(s)	Description and baseline metric	KPI	Progress comment
Woodland (MZ2 and MZ4)		Total area: 515ha RCA Average Health rating 18.9/20	Maintain or increase area, connectivity and habitat condition over 10 years	RCA Average Health rating 2016 – 20/20 2017 – 18.2/20
	Fauna Habitat	Moderate potential habitat for Swift Parrot and Regent Honeyeater	Maintain or increase the condition and extent of habitat and bird usage over 10 years	2018 – 18.6/20 2019 – 18.6/20 2020 – 19/20 Area and health maintained

Table 9 Putty BA: Biodiversity Values and KPIs

Biodiversity Value	Nested Conservation Value(s)	Description and baseline metric	KPI	Progress comment
Woodland (MZ2, MZ3 and MZ4)		Total area: 383ha RCA Average Health rating 16.9/20	Observe an increase in area, connectivity and habitat condition over 10 years	RCA Average Health rating 2016 – 17.3/20 2017 – 17.6/20
	Fauna Habitat	Moderate potential habitat for Swift Parrot and Regent Honeyeater	Maintain or increase the condition and extent of habitat and bird usage over 10 years	2018 – 17.8/20 2019 – 15.6/20 2020 – 16.2/20 (Bushfire in July and December 2019 reduced the health rating)

Table 10 North Rothbury BA: Biodiversity Values and KPIs

Biodiversity Value	Nested Conservation Value(s)	Description and baseline metric	KPI	Progress comment
Woodland (MZ1 and MZ2)		Total area: 41ha RCA Average Health rating 18.6/20	Observe an increase in area, connectivity and habitat condition over 10 years	RCA Average Health rating 2016 – 18/20 2017 – 18.2/20
	Fauna Habitat	Moderate potential habitat for Swift Parrot and Regent Honeyeater	Maintain or increase the condition and extent of habitat and bird usage over 10 years	2018 – 19/20 2019 – 18.7/20 2020 – 19/20 Area and health maintained

ATTACHMENT B: Local Offset Management Plan Annual Report 2020



Local Biodiversity Areas

Annual Report 2020

3 May 2021

Annual report for the period from January to December 2020, for activities described in the Management Plans for all Local Warkworth Mining Limited offsets including:

- Southern Biodiversity Area (including the Putty Road Offset Area)
- Northern Biodiversity Area

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1 INTRODUCTION

This annual report is a requirement of the management plans for all Local Warkworth Mining Limited offsets for the 2020 reporting period (1 January 2020 to 31 December 2020).

The report provides a summary of the key management activities completed across the biodiversity offset located within the Southern (includes the Putty Road Offset Area) and Northern Biodiversity Areas (BAs).

The management plans describe the conservation management strategies and monitoring to achieve and measure improvement and protection of the offsets biodiversity values. It is a compliance requirement of the Commonwealth and NSW environmental approvals to implement the management plans.

The Local OMP (November 2014) was prepared to satisfy the consent requirements for the New South Wales (NSW) Warkworth Mine Development Approval (DA 300-9-2002i) and replaces the former *Flora and Fauna Management Plan* and *Warkworth Sands Woodland (WSW) Offset Area OMP*. In November 2015 the NSW Warkworth Continuation Project Approval (SSD-6464) was granted providing both NSW and Commonwealth approval for the same disturbance area. Phase 2 of the EPBC2009/5081 action also commenced on 16 February 2016. In response to the granting of these new approvals, new Management Plans for the Southern and Northern BA have been prepared to satisfy the Commonwealth approval EPBC2009/5081 and the NSW consent (SSD-6464), replacing both the Local and Putty Road OMPs.

The Biodiversity Offset Portal contains the supporting documentation for this report, including photo point monitoring. Access to the portal is restricted, relevant regulators have been provided with login details; please contact Mount Thorley Warkworth should you require assistance.

2 LOCATION AND LANDHOLDER DETAILS

The locations of the local BAs are shown in **Figure 1**, **Figure 2** and **Figure 3**, details are provided in **Table 1**.

Table 1 Local Biodiversity Areas

Biodiversity Area	Land Owner	Area (ha)	Offset Area (ha)	Location
Northern BA	Coal & Allied Operations Pty Ltd	344	341	Approximately 7km north of the Warkworth Mining Lease and in close proximity to the Hunter Valley Operations. Accessed via Comleroi Road.
Southern BA (including the Putty Road Offset)	Coal & Allied Operations Pty Ltd Miller Pohang Coal Company Pty Ltd Warkworth Mining Limited	1,023	986	Immediately west and north of Warkworth Mine. Intersected by Putty Road in the south, and Wallaby Scrub Road and the Golden Highway in the north.

Location of the Warkworth Mining Limited Biodiversity Areas

Annual Compliance Report

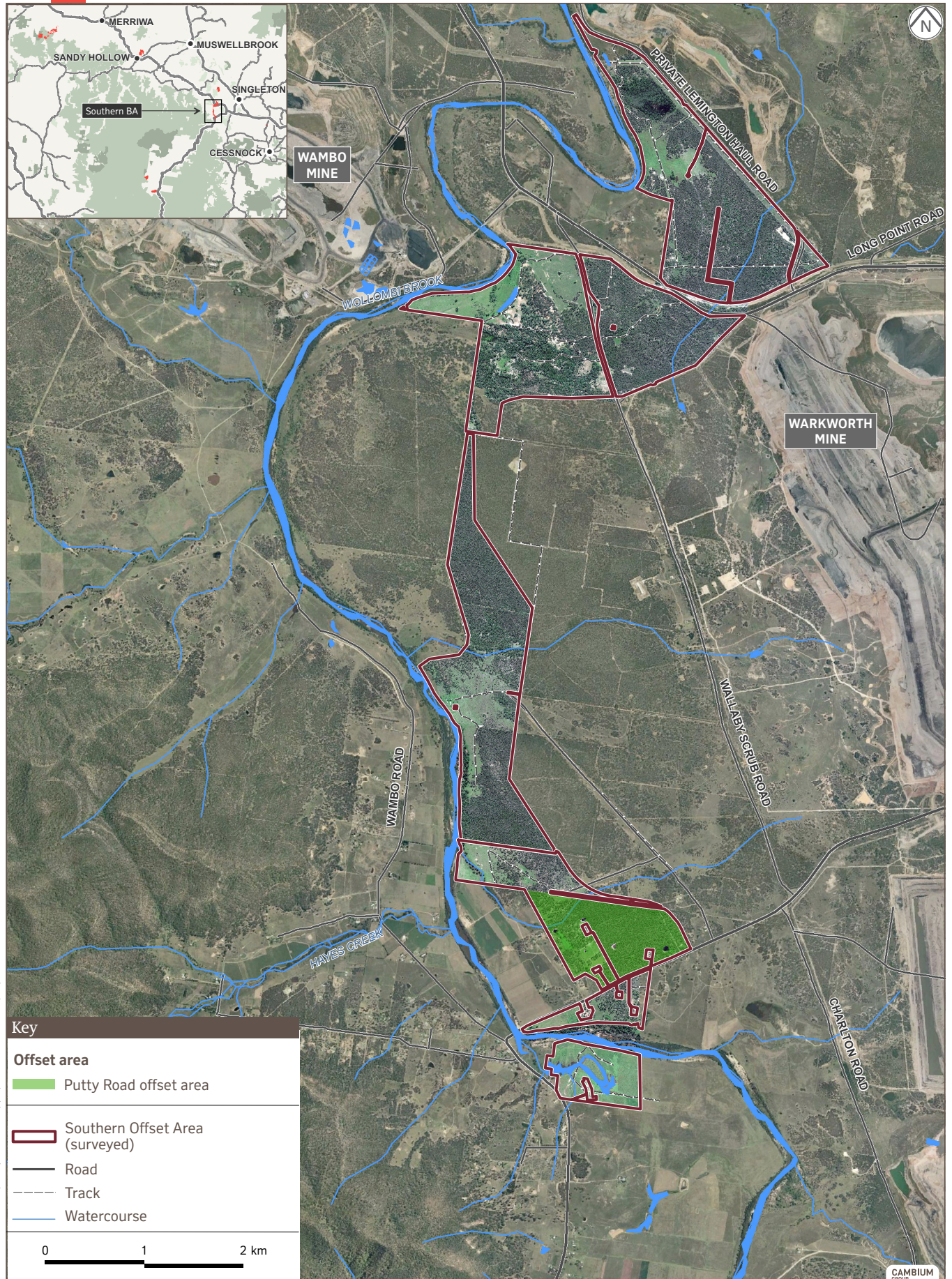
Figure 1



Southern Biodiversity Area - Putty Road offset area

Annual Compliance Report

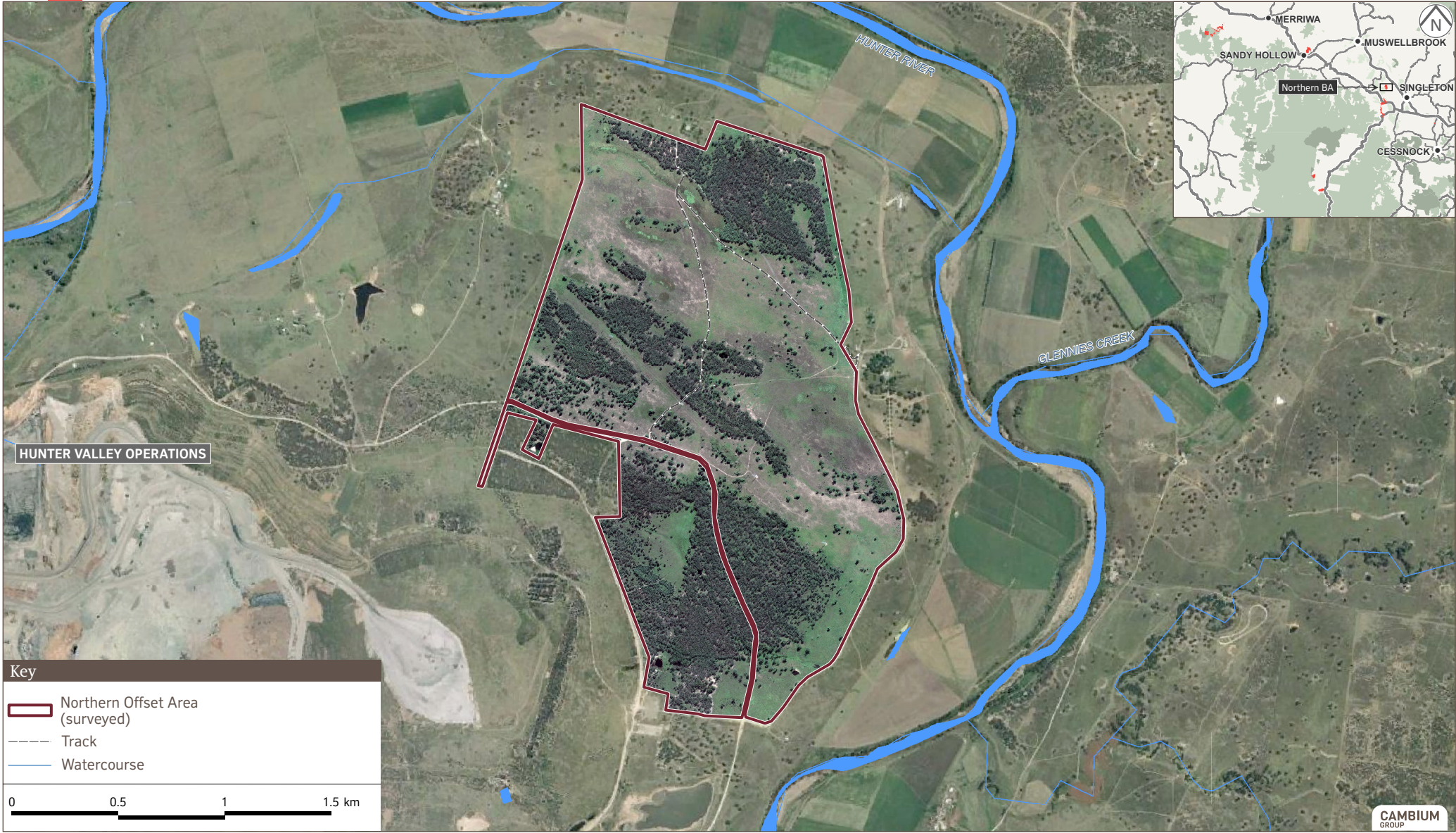
Figure 2



Northern Biodiversity Area
Annual Compliance Report



Figure 3



3 SUMMARY OF ACTIVITIES – 2020

Table 2 provides a summary of the activities undertaken during the reporting period (year 4) and the progress in attaining the Performance Criteria for the key Conservation Management Strategies in the management plans.

3.1 Summary of climatic conditions

Figure 4 and **Figure 5** show the monthly actual rainfall compared to the long-term average for the Northern BA and Southern BA for the reporting period. In 2020 rainfall was well above average for February, March, July, October and December with minimal rainfall in May. The Southern BA received 898mm of rainfall which was 367mm above the long-term average and the Northern BA received 970mm which was 454mm above the long-term average. The high rainfall was a significant factor in the survival of the Central Hunter Grey Box – Ironbark Woodland River Oak Forest and Warkworth Sands Woodland tube stock planted from May to December 2020.

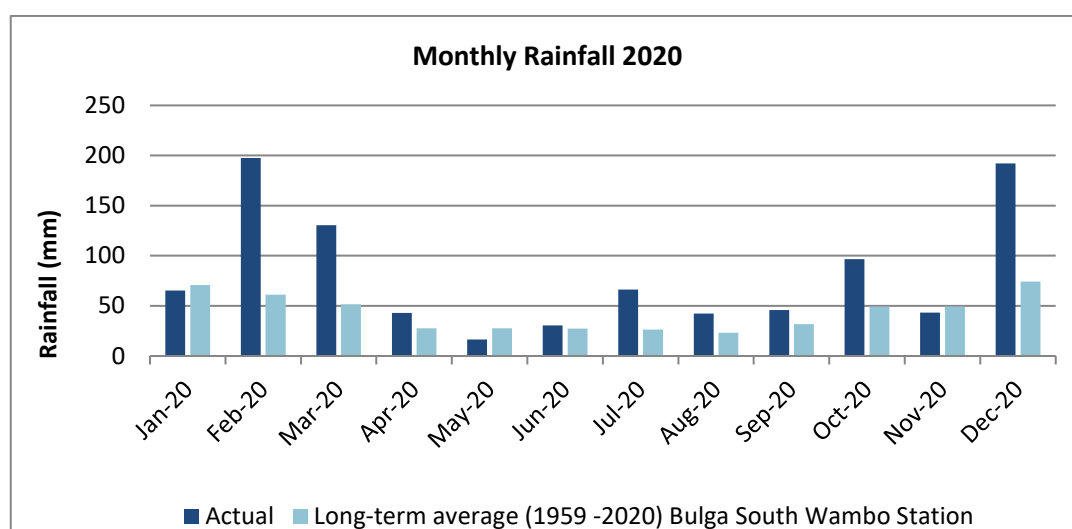


FIGURE 4 MONTHLY RAINFALL – NORTHERN BA

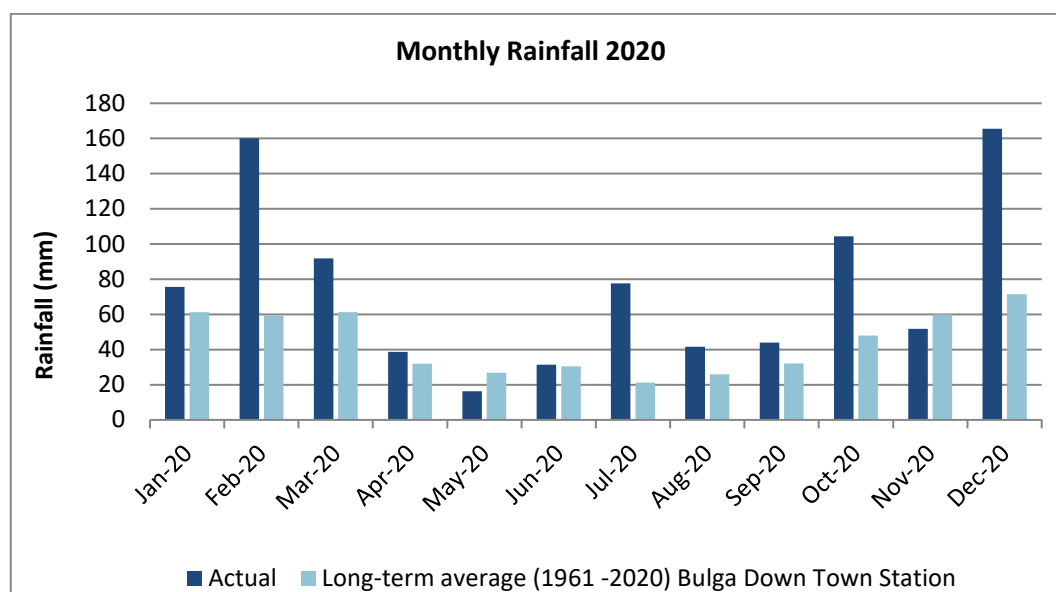


FIGURE 5 MONTHLY RAINFALL –SOUTHERN BA

Table 2 Summary of progress against Performance Criteria

Conservation Actions	Year 1 to Year 5 (2020 is Year 4)	Year 6 to Year 10	Completion Criteria	Actions 2021
ACTIVE RESTORATION				
Southern BA WSW planting (40ha)				
Performance Criteria	Collection of seed. Plant propagation. Tubestock planted. Completed survival assessment.	Ecological monitoring completed	Ecological monitoring demonstrates a trajectory toward the reference site or the benchmark values for HU872 for all attributes measured over the three consecutive assessments (the average of all plots).	
Activity / Progress	Seed collection and plant propagation was undertaken. In 2017 1ha of WSW tubestock was planted in the Southern BA. In 2018 14 ha of WSW Tubestock planted in the Southern BA including replanting the sand quarry and old orchard areas. In 2019 maintenance of planting areas was undertaken and included infill planting of over 9,000 tubestock. In 2020 maintenance of planting areas was undertaken and included infill planting of over 2,000 tubestock. Survival Assessments were completed for all planting areas Ecological monitoring was undertaken in 2020.			Collect seed and propagate plants. Undertake survival assessments. Undertake infill planting to restore Warkworth Sands Woodland in the Southern BA.
Southern BA CHGBIW planting (240ha)				
Performance Criteria	Collection of seed. Plant propagation. Tubestock planted. Completed survival assessment.	Ecological monitoring completed.	Ecological monitoring demonstrates a trajectory toward the reference site or the NSW Biometric HU817 for all attributes measured over three consecutive assessments (the average of all plots).	

Conservation Actions	Year 1 to Year 5 (2020 is Year 4)	Year 6 to Year 10	Completion Criteria	Actions 2021
Activity / Progress	<p>Seed collection and plant propagation was undertaken.</p> <p>Restoration activities included tubestock planting of Central Hunter Grey Box – Ironbark Woodland in the Southern BA.</p> <p>In 2017, 89 ha of the Southern BA was planted with over 13,000 tubestock planted into rip lines.</p> <p>In 2018 118 ha of the Southern BA was planted with over 20,000 tubestock planted into rip lines.</p> <p>In 2019 maintenance of planting areas was undertaken and included infill planting of over 10,000 tubestock.</p> <p>In 2020 maintenance of planting areas was undertaken and included infill planting of over 3,800 tubestock.</p> <p>The site preparation for these sites included ripping by dozer and weed control. To mimic nature the tree species were planted at a spacing of 5 -10m and shrubs species planted in clumps as commonly found with understory species within this vegetation type. All plants were watered, fertilised and protected with a tree guard.</p> <p>Survival Assessments were completed for all planting areas.</p> <p>Ecological monitoring was undertaken in 2020.</p>			<p>Collect seed and propagate plants.</p> <p>Undertake survival assessments.</p> <p>Undertake infill planting of Central Hunter Grey Box – Ironbark Woodland in the Southern BA.</p>
Southern BA ROF planting (26ha)				
Performance Criteria	Collection of seed. Plant propagation. Tubestock planted. Completed survival assessment.		Survival assessment greater than 70%	

Conservation Actions	Year 1 to Year 5 (2020 is Year 4)	Year 6 to Year 10	Completion Criteria	Actions 2021
Activity / Progress	<p>Seed collection and plant propagation was undertaken.</p> <p>Restoration activities included planting River Oak Forest in the Southern BA.</p> <p>In 2018, 11ha of the Southern BA was planted with over 2,000 tubestock planted into rip lines.</p> <p>In 2019 maintenance of planting areas was undertaken and included infill planting of over 800 tubestock.</p> <p>In 2020 maintenance of planting areas was undertaken and included infill planting of 3,200 tubestock.</p> <p>The site preparation for this site included ripping by dozer and weed control. To mimic nature the tree species were planted at a spacing of 5 -10m and shrubs species planted in clumps as commonly found with understory species within this vegetation type. All plants were watered, fertilised and protected with a tree guard.</p> <p>Survival Assessments were completed for all planting areas.</p> <p>Ecological monitoring was undertaken in 2020.</p>			<p>Collect seed and propagate plants.</p> <p>Undertake survival assessments.</p> <p>Undertake infill planting of 11ha of River Oak Forest in the Southern BA.</p>
Northern BA WSW planting (195ha)				
Performance Criteria	<p>Collection of seed. Plant propagation. Tubestock planted.</p> <p>Completed survival assessment.</p>	<p>Ecological monitoring completed.</p>	<p>Ecological monitoring demonstrates a trajectory toward the reference site or the benchmark values for HU872 for all attributes measured over three consecutive assessments (the average of all plots).</p>	

Conservation Actions	Year 1 to Year 5 (2020 is Year 4)	Year 6 to Year 10	Completion Criteria	Actions 2021
Activity / Progress	<p>Seed collection and plant propagation was undertaken.</p> <p>Restoration activities included planting Warkworth Sands Woodland in the Northern BA.</p> <p>In 2014 work commenced to restore over 80 hectares of Warkworth Sands Woodland, this involved the planting of seedlings and the relocation of sand salvaged ahead of mining activities.</p> <p>In 2017, 10,800 tubestock were planted into 44 50x50m patches. Topsoil from ahead of mining operations at MTW was salvaged and hauled to the Biodiversity Area prior to planting commencing. In total Ten patches received 50mm of topsoil over the whole patch, two received 50mm of topsoil over half the patch, 12 received 25mm of topsoil over the patch and ten received no topsoil. Holes were dug for tubestock, either by hand or auger and all plants were watered, fertilised and protected with a tree guard.</p> <p>In 2018 maintenance of planting areas was undertaken and included infill planting of over 8,000 tubestock.</p> <p>In 2019 maintenance of planting areas was undertaken and included infill planting of over 3,000 tubestock.</p> <p>In 2020 planting progressed at the Northern BA with 9,112m³ of WSW sand stripped ahead of mining at MTW and hauled to the Northern Biodiversity Area. 5,480m³ of this WSW sand was spread into strips and seeded with native grasses to increase the groundcover diversity then planted with 4,500 tubestock</p> <p>Survival Assessments were completed for all planting areas</p> <p>Ecological monitoring was undertaken in 2020.</p>			<p>Collect seed and propagate plants.</p> <p>Undertake survival assessments</p> <p>Spread topsoil from ahead of mining operations at MTW into the 2021 Northern BA planting strips.</p> <p>Undertake planting of 4ha of Warkworth Sands Woodland in the Northern BA</p>

Conservation Actions	Year 1 to Year 5 (2020 is Year 4)	Year 6 to Year 10	Completion Criteria	Actions 2021
Northern BA CHGBIW planting (23ha)				
<i>Performance Criteria</i>	<i>Collection of seed. Plant propagation. Tubestock planted. Completed survival assessment.</i>	<i>Ecological monitoring completed.</i>	<i>Ecological monitoring demonstrates a trajectory toward the reference site or the NSW Biometric HU817 for all three attributes measured over three consecutive assessments (the average of all plots).</i>	
Activity / Progress	<p>Restoration activities included tubestock planting of Central Hunter Grey Box – Ironbark Woodland in the Northern BA.</p> <p>In 2017, 6ha of the Northern BA was planted with 2,780 tubestock planted into rip lines. The site preparation for this site included ripping by dozer and weed control. To mimic nature the tree species were planted at a spacing of 5 -10m and shrubs species planted in clumps as commonly found with understory species within this vegetation type. All plants were watered, fertilised and protected with a tree guard.</p> <p>In 2018 maintenance of planting areas was undertaken and included infill planting. Survival Assessments were completed for all planting areas.</p> <p>Ecological monitoring was undertaken in 2020.</p>			

Conservation Actions	Year 1 to Year 5 (2020 is Year 4)	Year 6 to Year 10	Completion Criteria	Actions 2021
PASSIVE RESTORATION				
Weed control and monitoring				
<i>Performance Criteria</i>	<p>At least two weed control events each year for species listed in Table 14 of Management Plans and other weeds recorded from monitoring activities.</p> <p>All actions recorded in Annual Report.</p> <p>Complete Rapid Condition Assessment and Property Inspections.</p>	<p>At least one weed control event each year for species listed in Table 14 of Management Plans and other weeds recorded from monitoring activities.</p> <p>All actions recorded in Annual Report.</p> <p>Complete Rapid Condition Assessment and Property Inspections.</p>	<p>Ecological monitoring data indicates a trajectory for reduction in exotic plant cover over three consecutive assessments.</p>	
Activity / Progress	<p>Weed contractor engaged to undertake weed control activities at the Northern and Southern BA throughout the year.</p> <p>In 2020 weed control targeted the following species: African boxthorn (<i>Lycium ferocissimum</i>), African lovegrass (<i>Eragrostis curvula</i>), African olive (<i>Olea europaea</i> subsp. <i>Cuspidate</i>), Blue heliotrope (<i>Heliotropium amplexicaule</i>), Caltrop (<i>Tribulus terrestris</i>), Castor oil plant (<i>Ricinus communis</i>), Coolatai grass (<i>Cynodon dactylon</i>), Fat hen (<i>Chenopodium</i> sp), Farmers friends (<i>Biden pilosa</i>), Galenia (<i>Galenia pubescens</i>), Green cestrum (<i>Cestrum parqui</i>), Lantana (<i>Lantana camara</i>), Mother of millions (<i>Bryophyllum delagone</i>), Paddys Lucerne (<i>Sida rhombifolia</i>), Paterson's curse (<i>Echium plantagineum</i>), Prickly pear (<i>Opuntia stricta</i>), Telegraph weed (<i>Heterotheca grandiflora</i>), and Tiger pear (<i>Opuntia aurantiaca</i>).</p> <p>Rapid Condition Assessment and Property Inspections were completed in 2020.</p>			<p>Control noxious species and stop weeds spreading into previously un-infested areas.</p> <p>Undertake Rapid Condition Assessment.</p> <p>Undertake Property Inspections.</p>

Conservation Actions	Year 1 to Year 5 (2020 is Year 4)	Year 6 to Year 10	Completion Criteria	Actions 2021
Pest control and monitoring				
Performance Criteria	At least two control events each year for species listed in Table 20 of Management Plans, and any other species recorded from monitoring activities.	At least one control events each year for species listed in Table 17 of Management Plans, and any other species recorded from monitoring activities.	No observed vertebrate pest or damage.	
	Active participation in programme coordinated by HLLS, this may include local control actions.	Active participation in programme coordinated by HLLS, this may include local control actions.	Ecological monitoring demonstrates a trajectory to benchmark values for all attributes measured over three consecutive assessments (the average of all plots).	
	Complete biannual inspection and report all works completed and actions for next year.	Complete biannual inspection and report all works completed and actions for next year.		
Activity / Progress	In 2020 a vertebrate pest contractor was engaged to undertake programmes across the Southern and Northern BA. Two 1080 ground baiting programmes were undertaken targeting wild dogs and foxes in autumn and spring. Shooting of vertebrate pests undertaken throughout the year. Biannual property inspections were undertaken in 2020.			Undertake vertebrate pest management including 1080 ground baiting programmes scheduled for autumn and spring to target wild dogs and foxes. Undertake 1080 baiting programmes scheduled for winter to target feral pigs and rabbits. Undertake Property Inspections.
Grazing				
Performance Criteria	Grazing is conducted in accordance with the Management Plan.			
	Boundary fences maintained.			
	Complete Rapid Condition Assessment and Property Inspections.			
Activity / Progress	Boundary fence repairs were undertaken in 2020 to exclude cattle. No strategic grazing was undertaken in the BAs in 2020. Property Inspections and Rapid Condition Assessments were undertaken in 2020.			Undertake Property Inspections. Undertake Rapid Condition Assessment. Maintain boundary fences.

Conservation Actions	Year 1 to Year 5 (2020 is Year 4)	Year 6 to Year 10	Completion Criteria	Actions 2021
Bushfire Management Plan (BFMP), Ecological burn and monitoring				
Performance Criteria	Actions implemented.	Actions implemented.	All required actions of BFMP have been implemented.	
	Review and revise if required.	Review and revise if required.	BFMP has been reviewed annually and revised if required.	
	Complete Rapid Condition Assessment and Property Inspections.	Complete Rapid Condition Assessment and Property Inspections.		
		Completed ecological fire management plan for MZ1, MZ3, MZ5, MZ7, MZ8 and MZ9.		
Activity / Progress	BFMP reviewed.			Review BFMP.
	Fuel load assessments were undertaken in 2020.			Undertake Property Inspections.
	Property Inspections and Rapid Condition Assessment were undertaken in 2020.			Undertake Rapid Condition Assessment.
				Undertake fuel load assessments.
Infrastructure Improvements and monitoring				
Performance Criteria	Completed GDP for all infrastructure improvement actions.			.
	Maintenance of tracks and fences completed at least every 3 years.			
	Property Inspections undertaken.			
Activity / Progress	GDP completed for track maintenance at Southern BA in 2020.			Maintain tracks and boundary fences.
	Boundary fences maintained and Property Inspections undertaken in 2020.			Undertake Property Inspections
Erosion monitoring inspections and reports				
Performance Criteria	Complete Rapid Condition Assessment and Property Inspections			
Activity / Progress	Rapid Condition Assessment and Property Inspections undertaken in 2020.			Undertake Rapid Condition Assessment.
	No significant erosion issues identified at either BA			Undertake Property Inspections.

Conservation Actions	Year 1 to Year 5 (2020 is Year 4)	Year 6 to Year 10	Completion Criteria	Actions 2021
Dam conversion and rehabilitation and monitoring				
Performance Criteria	Prepare dam conversion plan. Dam conversion complete and rehabilitation has stabilised the site. Property inspections.	Observed natural flow regime and no erosion. Property inspections.	All works completed.	
Activity / Progress	Property inspections undertaken in 2020.			Prepare a dam conversion plan. Undertake Property Inspections.
Natural Regeneration and monitoring				
Performance Criteria	Annual weed control, vertebrate pest and fire management actions implemented as per management plans. Complete Rapid Condition Assessment and Property Inspections.		Ecological monitoring demonstrates a trajectory to benchmark values for all attributes measured over three consecutive assessments (the average of all plots).	
Activity / Progress	All actions implemented in 2020 as per management plans. Rapid Condition Assessment and Property Inspections undertaken in 2020.			Undertake Property Inspections. Undertake Rapid Condition Assessment.
Controlled Activities				
Performance Criteria	No reported incidents of prohibited actions undertaken Yancoal, contractors, consultants or other agents of Yancoal. Any clearing of vegetation reported in Annual Report. Signage and locks (where required) maintained. Complete risk assessment for any recreation activities. All occupants of residents compliant with requirements of the MP. No Cultural Heritage sites knowingly disturbed and any protective barricading maintained. Damaged and unwanted fences removed. All Property Inspections completed.			

Conservation Actions	Year 1 to Year 5 (2020 is Year 4)	Year 6 to Year 10	Completion Criteria	Actions 2021
Activity / Progress	<p>In 2017 trespassing and illegal tree clearing and timber getting within the Southern Biodiversity Area resulted in felling approximately 40 full sized trees and 100 small trees. This unauthorised activity was reported to both Department of Environment and Energy and Department of Planning and Environment in October 2017.</p> <p>Internal fences and waste were removed from the Southern BA areas to be planted in 2018 and sections of boundary fence at the Northern BA and Southern BA were repaired and replaced where needed.</p> <p>New Biodiversity Area signs were installed in 2017.</p> <p>Regular property inspections were undertaken.</p> <p>In 2020 there were no reported incidents or prohibited actions undertaken on the Biodiversity Areas.</p>			Undertake Property Inspections.

4 MONITORING ACTIVITIES

The following table provides a summary of the monitoring activities undertaken as detailed in the MP. Monitoring reports and results are available on the Biodiversity Offset Portal.

Table 3 Monitoring Activity Summary

Monitoring	2020	Date/s	Completed by
Bird Assemblage	X	July – August 2020, next due July – August 2022	ANU Enterprise
Habitat Restoration	X	November 2020, next due September – November 2022	SLR Consulting
Rapid Condition Assessment	X	November 2020 next due September – November 2021	Advisor – Land Management
Property Inspection	X	April/November 2020, next due April/November 2021	Advisor – Land Management

4.1 Bird assemblages monitoring

Bird assemblage monitoring is undertaken every two years as part of the ecological monitoring requirements to assess changes in the condition and extent of the woodland habitats within the BAs and the ongoing usage of these habitats by woodland birds. Previous bird monitoring methodology (2014 – 2018) included two-hectare, 20-minute area searches with one visit to each monitoring site. In 2020 two-hectare, 20-minute area searches were undertaken with each site visited three times between June and September 2020, to cover the period when swift parrots and regent honeyeaters are most likely to be present on site. The maximum count of all bird species detected visually or audibly during the survey period and within the boundaries of each survey site were recorded. Data from the 2020 monitoring program demonstrates that three visits to each monitoring site is sufficient to record the majority of bird species regularly occupying the monitoring sites.

A total 124 species of birds were recorded throughout the eight Biodiversity Areas. Bird species richness has increased by eight species on 2016 data and by two species on 2018 data. Three regent honeyeaters- two males and a female were detected at Putty BA. This is the first confirmed record of regent honeyeater utilising habitat within the Putty BA. A single male regent honeyeater was also detected on the Goulburn River BA, though not during formal bird monitoring surveys and not within an established monitoring site. No swift parrots were detected occupying any of the Biodiversity Areas. Overall bird activity was likely affected by lagged effects of drought, namely a lack of eucalypt blossom and vegetation dieback.

The following are the recommendations and discussion summaries for the Local Biodiversity Areas.

Northern BA

After three visits, a total of 36 bird species were detected during standardised surveys and 43 bird species were detected occupying the property. Two threatened species were detected and ten species for the first time in 2020.

There was no mistletoe blossom, which likely suppressed the number of nectarivorous species present during 2020 surveys. Noisy miner numbers were relatively high however, it is recommended that ongoing habitat restoration is more favourable than culling as a means of reducing noisy miner impacts on woodland birds at this location.

Southern BA

After three visits, a total of 56 bird species were detected during standardised surveys and 66 bird species were detected occupying the property. Four threatened species were detected and eight species for the first time in 2020.

There was very little eucalypt or mistletoe flowering and no apparent lerp infestations during 2020 surveys. Evidence of pig activity and rabbit abundance were generally low. Restoration plantings are progressing well and should offer improved habitat for small woodland birds over the coming years as they mature.

Some of the monitoring sites are in unproductive vegetation communities that are relatively static and where bird diversity is low. Not only are swift parrots and regent honeyeaters very unlikely to be detected at these sites, the data derived from them is unlikely to help determine if habitat management is assisting in enhancing woodland bird numbers on these properties. Consideration should be given to moving these sites or adding more sites where habitat management is more proactive.

4.2 Habitat restoration monitoring

This study completes the fourth round of habitat restoration monitoring for the Southern and Northern BAs. The following are the results and recommendations from the 2020 habitat restoration monitoring report.

There is a high level of variability in the condition of the Central Hunter Grey Box Ironbark Grassland and Warkworth Sands Grassland (Management Zones 2 and 4). Parts of these communities have little biodiversity value and negligible recovery potential.

It is recommended that further planting or seeding of local woodland species is undertaken.

The Warkworth Sands Woodland, Central Hunter Grey Box Ironbark Woodland and Hunter Lowland Red Gum Woodland were found to be near benchmark condition, despite not meeting benchmark for some parameters. Restoration techniques should be continued in accordance with the Management Plans to ensure continued improvement in the condition of the vegetation.

5 PROGRESS IN ATTAINING CONSERVATION OBJECTIVES AGAINST KEY PERFORMANCE INDICATORS

The primary conservation objectives for the local offset areas (including the Putty Road Offset) are to:

- enhance biodiversity values across the BAs;
- protect the WSW Offset Area and Putty Road Offset Area under a legally binding conservation covenant;
- increase the condition of WSW and Ironbark EECs and observe a transition from grassland to woodland;
- enhance habitat and foraging opportunities for the woodland birds; and
- contribute to and enhance the existing network of protected vegetation within the Hunter Valley.

Table 2 indicates the progress in attainment of the long-term conservation objectives, the ecological monitoring data supports the continued implementation of the conservation management strategies.

6

ADAPTIVE MANAGEMENT

No new environmental risks have been identified during the reporting period.

Table 4 Local Offset Areas Biodiversity Values and Key Performance Indicators

Area	Biodiversity Value	Description and baseline metric	KPI	Progress comment
Southern BA	Ironbark Woodland	Total area: 446.7ha RCA Average Health rating 18.1/20 (MZ1)	Extent and condition of woodland over 10 years.	RCA results: 2014 – 18/20 2015 – 18/20 2016 – 18/20 2017 – 18.5/20 2018 – 18.5/20 2019 – 18/20 2020 – 17.5/20 Area and health maintained.
	Ironbark Grassland	Total area: 258.4ha	Transition of grassland to woodland.	2020 monitoring supports continued implementation of the conservation management strategies.
	WSW	Total area: 137ha RCA Average Health rating 17.7 /20 (MZ3)	Extent and condition of woodland over 10 years.	RCA results: 2014 – 16/20 2015 – 18/20 2016 – 17/20 2017 – 18/20 2018 – 19/20 2019 – 19/20 2020 – 17/20 Area and health maintained.
	WS Grassland	Total area:40.3ha	Transition of grassland to woodland.	
	Hunter Lowland Red Gum Forest	Total area: 32.4ha RCA Average Health rating 18.6/20 (MZ5)	Extent and condition over 10 years.	RCA results: 2014 – 17/20 2015 – 19/20 2016 – 19/20 2017 – 19/20 2018 – 18.5/20 2019 – 18.5/20 2020 – 19/20 Area and health maintained.

Fauna Habitat	Low potential habitat	Observe maintenance or increase habitat condition rating over 10 years	2020 monitoring supports continued implementation of the conservation management strategies.
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Area	Biodiversity Value	Description and baseline metric	KPI	Progress comment
Northern BA	Ironbark Woodland	Total area: 103.6ha RCA Average Health rating 18.6/20 (MZ1)	Extent and condition of woodland over 10 years.	RCA results: 2014 – 18/20 2015 – 18.5/20 2016 – 19.5/20 2017 – 19.5/20 2018 – 18/20 2019 – 18/20 2020 – 19/20 Area and health maintained.
	Ironbark Grassland	Total area: 23.1ha	Transition of grassland to woodland.	
	WSW	Total area: 19.5ha RCA Average Health rating 18.5/20 (MZ3)	Maintain woodland extent over 10 years.	RCA results: 2014 – 17.5/20 2015 – 18/20 2016 – 19/20 2017 – 19/20 2018 – 18.5/20 2019 – 18.5/20 2020 – 19/20 Area and health maintained.
	WS Grassland	Total area: 194.5	Transition of grassland to woodland	2020 monitoring supports continued implementation of the conservation management strategies.
	Fauna Habitat		Observe maintenance or increase habitat condition rating over 10 years	2020 monitoring supports continued implementation of the conservation management strategies.

ATTACHMENT C: EPBC 2009/5081 Compliance Register (Condition 17)

EPBC 2009/5081 Compliance Register (Condition 17)

Condition	Documents	Date due (as per Approval)	Date submitted	Date approved	Date Plan on website	Date DoEE notified	Date review due
2	Putty Road Offset Management Plan	13-Apr-2014	14-Apr-2014	04-Jul-2014	31-Jul-2014	31-Jul-2014	within 12 months of the approval of the Phase 2 Offset (refer Condition 5)
5	Southern BA Management Plan	17-Feb-2017	15-Feb-2017 14-Dec-2017 (revised version) 13-November-2020 (revised version)	30-Apr-2018	28-Feb-2019	N/A	N/A
6	Re-Establishment Management Plan	03-Feb-2015	02-Feb-2015	Not yet received	N/A	N/A	within 12 months of the Commencement of Construction of Phase 2
7	Putty, Seven Oaks, Goulburn River, Bowditch and North Rothbury Biodiversity Area Management Plans	17-Feb-2017	15-Feb-2017 14-Dec-2017 (revised versions)	16-Feb-2018 (DoEE) 30-Apr-2018 (DPE)	28-May -2018	N/A	N/A
	Northern Management Plan		15-Feb-2017 14-Dec-2017 (revised version) 13-November-2020 (revised version)	16-Feb-2018 (DoEE) 25-Sep-2018 (DPE)	27-Sep-2018	N/A	N/A
	Condon View Biodiversity Area Management Plan		15-Feb-2017 10-Oct-2017 (revised version)	26-Jun-2017 (DPE) Not yet received (DoEE)	N/A	N/A	N/A
8	Water Management Plan	03-Aug-2014	15-Sep-2014 (following approval by NSW regulator 10-Sep-2014) 30-Apr-2020 (revised version)	20-Sep-2018 (DPE) 13-May-2020 (DP&E)	27-Sep-2018 13-May-2020 (most recent version)	15-Sep-2014	N/A
11	Mine Site Rehabilitation Plan (Phase 1)	03-Feb-2015	02-Feb-2015	Not yet received	N/A	N/A	within 12 months of the Commencement of Construction of Phase 2
	Mine Site Rehabilitation Plan (Phase 2)	17-Feb-2017	23-Jan-2019 (following approval by NSW regulator 14-Dec-2018)	11-Jun-2019 (DPE) 11-Mar -2020 (DAWE)	N/A	N/A	N/A

12	Mine Closure Plan	6 months prior to mine closure	N/A	N/A	N/A	N/A	N/A
15	Compliance Report	03-May-2015 (and annually thereafter)	28-Apr-2015	N/A	28-Apr-2015	28-Apr-2015	03-May-2016
		03-May-2016	03-May-2016	N/A	03-May-2016	03-May-2016	03-May-2017
		03-May-2017	01-Jun-2017	N/A	10-Jun-2017	01-Jun-2017	03-May 2018
		03-May-2018	03-May-2018	N/A	03-May-2018	03-May-2018	03-May 2019
		03-May-2019	03-May-2019	N/A	03-May-2019	03-May-2019	03 -May 2020
		03-May-2020	03-May-2020	N/A	03-May-2020	03-May-2020	03-May 2021
		03-May-2021	03-May-2021	N/A	03-May-2021	03-May-2021	03-May-2022