



**Evolution**  
MINING

# Compliance Report

COWAL GOLD OPERATIONS - (EPBC 2017/7989)  
5 FEBRUARY 2021 - 4 FEBRUARY 2022


EVOLUTION MINING (COWAL) PTY LIMITED

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## 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. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

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Signed	
Full Name (please print)	Shaune Finn
Position (please print)	Sustainability Manager
Organisation (please print including ABN/CAN is applicable)	Evolution mining (Cowel) Pty Ltd 75007857598
Date	04/05/2022

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## Document Version Control

Rev	Issue Date	Description of revisions	Signatures		
			Originator	Approved	Date
<b>A</b>	03/05/2022	Draft – Revision A  Preparation of compliance report	S. Coates	S. Finn	03/05/2022
<b>B</b>	03/05/2022	Final Report  For Publication	S. Coates	S. Finn	03/05/2022

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## Description of activities

<b>EPBC number</b>	<b>2017/7989</b>
<b>Project name</b>	Cowal Gold Operation – increase processing rate, Lake Cowal, New South Wales
<b>Approval holder and ACN or ABN</b>	Evolution Mining (Cowal) Pty Limited 75007857598
<b>The approved action</b>	To modify/expand the existing tailings storage facilities within mining lease (ML) 1535, including relocating water management and ancillary infrastructure and the relocation of a portion of the Travelling Stock Reserve and Lake Cowal Road. To duplicate the water supply pipeline along its length, up to Bore 4 of the Bland Creek Palaeochannel Borefield [See EPBC Act referral 2017/7989].
<b>Location of the project</b>	Lake Cowal, LGA - Bland Shire Council Lot 2/DP 530299, Lot 7303/DP 1143731, Lot 23/DP753097, Lot 24/DP753094.  Cowal Gold Operation is located approximately 45 km North East of West Wyalong NSW. The project includes activities on ML 1535, ML 1791 and the associated pipeline corridor which supports mine infrastructure.
<b>Person accepting responsibility for the report – signed declaration</b>	Shaune Finn, Manager – Sustainability Cowal Gold Operation  Report prepared by Simon Coates, Superintendent - Environment
<b>Dates for the reporting period of the report</b>	5 February 2020 – 4 February 2021
<b>Date of preparation of the report</b>	This compliance report was prepared in April 2021.

## EPBC approval conditions compliance table

An internal audit was completed in February 2020 and the compliance table below presents the audit findings. The criteria used in the internal audit are outlined below and have been taken from the EPBC Annual Compliance Report Guideline.

### Compliant

- *'Compliance' is achieved when all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.*

### Non-compliant

- *A designation of 'non-compliance' should be given where the requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.*

### Not Applicable

- *A designation of 'not applicable' should be given where the requirements of a condition or elements of a condition fall outside of the scope of the current reporting period. For example a condition which applies to an activity that has not yet commenced.*



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Condition Number/ Reference	Condition	Is the project compliant with this condition?	Evidence/Comments
<b>IMPACTS</b>			
1	The approval holder must not clear more than 1.5 hectares of Weeping Myall Woodlands within the areas designated "BAR Footprint - Mine Site" and "BAR Footprint - Pipeline" in Attachment 1.	Compliant	A total of 0.07 hectares of Weeping Myall Woodlands on the "BAR Footprint – Pipeline" has been disturbed since the commencement of the action.
2	The approval holder must not clear more than 11.5 hectares of Grey Box Grassy Woodlands within the areas designated "BAR Footprint - Mine Site" and "BAR Footprint - Pipeline" in Attachment 1.	Compliant	6.175 hectares of Grey Box Grassy Woodlands has been disturbed since the commencement of the action.
3	The approval holder must not clear more than 0.4 hectares of breeding habitat for the Superb Parrot within the areas designated "BAR Footprint - Mine Site and "BAR Footprint - Pipeline" in Attachment 1.	Compliant	0 hectares of breeding habitat for the Superb Parrot has been disturbed since the commencement of the action.
4	The approval holder must not clear more than 25.9 hectares of foraging habitat for the Superb Parrot within the areas designated "BAR Footprint - Mine Site" and "BAR Footprint - Pipeline" in Attachment 1.	Compliant	24.085 hectares of foraging habitat for the Superb Parrot has been disturbed since the commencement of the action.
<b>Compensation Measures</b>			
5 a.	To compensate for the loss of 1.5 hectares of Weeping Myall Woodlands, the approval holder must, within 2 years of commencement of the action, retire: a. 55 like-for-like credits under Biobanking, or;	Compliant	An extension to this condition has been sought from DPIE to extend this condition due to the changes in the calculation methods used to determine off set

			requirements. Please see letter attached as appendix A for confirmation of this extension grant.
5 b.	To compensate for the loss of 1.5 hectares of Weeping Myall Woodlands, the approval holder must, within 2 years of commencement of the action, retire: b. the equivalent of 55 like-for-like credits under the <i>Biodiversity Conservation Act 2016</i> (NSW), as converted by OEH. A statement of assessment of reasonable equivalence of biodiversity credits must be provided to the Department before the like-for-like credits are retired.	Compliant	An extension to this condition has been sought from DPIE to extend this condition due to the changes in the calculation methods used to determine off set requirements. Please see letter attached as appendix A for confirmation of this extension grant.
6 a.	To compensate for the loss of 11.5 hectares of Grey Box Grassy Woodlands, the approval holder must, within 2 years of commencement of the action, retire:  374 like-for-like credits under Biobanking, or;	Compliant	An extension to this condition has been sought from DPIE to extend this condition due to the changes in the calculation methods used to determine off set requirements. Please see letter attached as appendix A for confirmation of this extension grant.
6 b.	To compensate for the loss of 11.5 hectares of Grey Box Grassy Woodlands, the approval holder must, within 2 years of commencement of the action, retire:  the equivalent of 374 like-for-like credits under the <i>Biodiversity Conservation Act 2016</i> (NSW), as converted by the OEH. A statement of assessment of reasonable equivalence of biodiversity credits must be provided to the Department before the like-for-like credits are retired.	Compliant	An extension to this condition has been sought from DPIE to extend this condition due to the changes in the calculation methods used to determine off set requirements. Please see letter attached as appendix A for confirmation of this extension grant.
7 a.	To compensate for the loss of 0.4 hectares of breeding habitat for the Superb Parrot, the approval holder must, within 2 years of commencement of the action, retire:  7 like-for-like credits under Biobanking, or;	Compliant	An extension to this condition has been sought from DPIE to extend this condition due to the changes in the calculation methods used to determine off set requirements. Please see letter attached as appendix A for confirmation of this extension grant.





7 b.	<p>To compensate for the loss of 0.4 hectares of breeding habitat for the Superb Parrot, the approval holder must, within 2 years of commencement of the action, retire:</p> <p>the equivalent of 7 like-for-like credits under the <i>Biodiversity Conservation Act 2016</i> (NSW), as converted by OEH. A statement of assessment of reasonable equivalence of biodiversity credits must be provided to the Department before the like-for-like credits are retired.</p>	Compliant	<p>An extension to this condition has been sought from DPIE to extend this condition due to the changes in the calculation methods used to determine off set requirements. Please see letter attached as appendix A for confirmation of this extension grant.</p>
8 a.	<p>To compensate for the loss of 25.9 hectares of foraging habitat for the Superb Parrot, the approval holder must, within 2 years of commencement of the action, retire:</p> <p>539 like-for-like credits under Biobanking, or;</p>	Compliant	<p>An extension to this condition has been sought from DPIE to extend this condition due to the changes in the calculation methods used to determine off set requirements. Please see letter attached as appendix A for confirmation of this extension grant.</p>
8 b.	<p>To compensate for the loss of 25.9 hectares of foraging habitat for the Superb Parrot, the approval holder must, within 2 years of commencement of the action, retire:</p> <p>the equivalent of 539 like-for-like credits under the <i>Biodiversity Conservation Act 2016</i> (NSW), as converted by OEH. A statement of assessment of reasonable equivalence of biodiversity credits must be provided to the Department before the like-for-like credits are retired.</p>	Compliant	<p>An extension to this condition has been sought from DPIE to extend this condition due to the changes in the calculation methods used to determine off set requirements. Please see letter attached as appendix A for confirmation of this extension grant.</p>
9	<p>Within 10 business days of retiring each of the like-for-like credits required in Condition 5, Condition 6, Condition 7 and Condition 8, the approval holder, must provide the Department with evidence of when the like-for-like credits were retired and what mechanism was used to retire the like-for-like credits.</p>	Non-compliant	<p>Evolution secured 11 credits for the Superb Parrot (<i>Polytelis swainsonii</i>) via payment to the Biodiversity Conservation Fund (BCF 254 Credit report attached as attachment 1) under the Biodiversity Offset Scheme (replacement system for BioBanking). Upon confirmation of successful retirement of credits, Evolution notified the Department of Planning and Environment and did not notify the Department of Agriculture Water and Environment.</p>



10	If like-for-like credits required in Condition 5, Condition 6, Condition 7 and Condition 8 are retired through a land based offset, within 10 business days of retiring each like-for-like credit, the approval holder must publish on their website an associated Biodiversity Stewardship Agreement Management Plan approved by the NSW Biodiversity Conservation Trust.	Compliant	An extension to this condition has been sought from DPIE to extend this condition due to the changes in the calculation methods used to determine off set requirements.  When the like-for-like credits have been secured, the approval holder will publish the "Biodiversity Stewardship Agreement Management Plan" on the website within 10 business days.
Notification of date of commencement of the action			
11	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	Compliant	Notification was made to the department on the 5 <sup>th</sup> of February 2019.
12	If commencement of the action does not occur within 2 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.	Not Applicable	Commencement of the action occurred on the 5 <sup>th</sup> of February 2019 and the Department was notified as required.
Compliance records			
13	The approval holder must maintain accurate and complete compliance records.	Compliant	This compliance report will be published on the company website and an email notification to the department will be stored on the electronic data management system for the approval holder. All disturbance records will be stored on the electronic data management system.



14	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.	Not Applicable	The Department has not made a request to the approval holder to provide electronic copies of compliance records.
Annual compliance Reporting			
15 a.	The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister. The approval holder must:  publish each compliance report on the website within 60 business days following the relevant 12 month period;	Compliant	This report completes the requirement of the annual compliance report.
15 b.	The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister. The approval holder must:  notify the Department by email that a compliance report has been published on the website within 5 business days of the date of publication;	Compliant	Email dated 06/05/2021 completes the requirement to notify the Department.  The department responded to this email 10/05/2021 acknowledging receipt of report.
15 c.	The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister. The approval holder must:  keep all compliance reports publicly available on the website until this approval expires;	Compliant	This compliance report is located at the following location on the company website: <a href="https://evolutionmining.com.au/compliance/#cowalpart">https://evolutionmining.com.au/compliance/#cowalpart</a>
15 d.	The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister. The approval holder must:	Not Applicable	There has been no 'Sensitive Ecological Data' excluded from this report.



	exclude or redact sensitive ecological data from compliance reports published on the website; and		
15 e.	<p>The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister. The approval holder must:</p> <p>where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication.</p>	Not Applicable	This condition is not applicable as there has been no 'Sensitive Ecological Data' excluded from this report negating the need to provide a separate report to the Department.
<b>Reporting Non-compliance</b>			
16 a.	<p>The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <p>the condition which is or may be in breach;</p>	Compliant	Notification made 03/05/2022
16 b.	<p>The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <p>a short description of the incident and/or non-compliance</p>	Compliant	Notification made 03/05/2022
17 a.	<p>The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p>	Compliant	Time parameters not met. Evolution will continue to engage with the department to ensure compliance to this condition.



	any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;		
17 b.	The approval holder must provide to the Department the details of any incident or noncompliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:  the potential impacts of the incident or non-compliance; and	Compliant	Time parameters not met. Evolution will continue to engage with the department to ensure compliance to this condition.
17 c.	The approval holder must provide to the Department the details of any incident or noncompliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:  the method and timing of any remedial action that will be undertaken by the approval holder.	Compliant	Time parameters not met. Evolution will continue to engage with the department to ensure compliance to this condition.
Independent audit			
18	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.	Not Applicable	The Minister has not made a request to Evolution to conduct an independent audit of compliance to conditions.
19 a.	For each independent audit, the approval holder must:  provide the name and qualifications of the independent auditor and the draft audit criteria to the Department;	Not Applicable	The Minister has not made a request to Evolution to conduct an independent audit of compliance to conditions.
19 b.	For each independent audit, the approval holder must:  only commence the independent audit once the audit criteria have been approved in writing by the Department; and	Not Applicable	The Minister has not made a request to Evolution to conduct an independent audit of compliance to conditions.



19 c.	For each independent audit, the approval holder must:  submit an audit report to the Department within the timeframe specified in the approved audit criteria.	Not Applicable	The Minister has not made a request to Evolution to conduct an independent audit of compliance to conditions.
20	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.	Not Applicable	The Minister has not made a request to Evolution to conduct an independent audit of compliance to conditions.
<b>Completion of the action</b>			
21	Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.	Not Applicable	The action has not been complete.

## **Correcting non-compliances**

There was one non-compliance during the reporting period in relation to notifying the department of securing biodiversity offsets. Evolution will ensure all biodiversity offset credits secured for the action are communicated to the department within the allocated timeframes.

## **New environmental risks**

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





Mr Simon Coates  
Senior Environmental Advisor  
Evolution Mining Limited  
PO Box 210  
West Wyalong NSW 2671

18/10/2021

Dear Mr Coates

**Cowal Gold Mine (DA 14/98)  
Extension of Time to Secure Biodiversity Offset**

I refer to your letter dated 14 October 2021 seeking an extension of time to secure biodiversity offset areas and retire biodiversity credits as required under the conditions 3.4 (b1) and 3.4 (b2) of the development consent for the Cowal Gold Mine (DA 14/98)

The Department has consulted with the BCT, which has confirmed that Evolution Mining has been engaging with that agency regarding options for meeting the offset liability for PCT 250. The Department acknowledges that this process may still take some time and Evolution Mining is unlikely to be in a position to lodge the Biodiversity Stewardship Agreement before 31 October 2021. The Department considers an extension of time until 31 October 2022 is reasonable.

Accordingly, the Planning Secretary has granted an extension of twelve months until 31 October 2022.

If you wish to discuss the matter further, please contact Rose-Anne Hawkeswood on 9274 6324.

Yours sincerely

A handwritten signature in black ink, appearing to be 'S O'Donoghue'.

Stephen O'Donoghue  
Director  
Resource Assessments  
As nominee of the Secretary