

# Compliance Report

COWAL GOLD OPERATIONS - (EPBC 2017/7989)  
5 FEBRUARY 2024 - 4 FEBRUARY 2025

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



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Full Name (please print)

Gregory Coase

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Position (please print)

Sustainability Manager

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Organisation (please print including ABN/CAN is applicable)

Evolution mining (Cowal) Pty Ltd

75007857598

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Date

03/03/2025

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## Document Version Control

Rev	Issue Date	Description of revisions	Originator	Reviewed	Date
0	27/02/2025	Original draft	GC	AW	27/02/2025

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## Description of activities

<b>EPBC number</b>	<b>2017/7989</b>
<b>Project name</b>	Cowal Gold Operation – increased processing rate, Lake Cowal, New South Wales
<b>Approval holder and ACN or ABN</b>	Evolution Mining (Cowal) Pty Limited 75 007 857 598
<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>	<p>Lake Cowal, LGA - Bland Shire Council Lot 2/DP 530299, Lot 7303/DP 1143731, Lot 23/DP753097, Lot 24/DP753094.</p> <p>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.</p>
<b>Person accepting responsibility for the report – signed declaration</b>	<p>Gregory Coase, Manager – Sustainability Cowal Gold Operation</p> <p>Report prepared by Greg Coase, Manager – Sustainability</p> <p>Report reviewed by Alisa Wilkinson, Group Manager Environment</p>
<b>Dates for the reporting period of the report</b>	5 February 2024 – 4 February 2025
<b>Date of preparation of the report</b>	This compliance report was prepared in February 2025.

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## EPBC approval conditions compliance table

As outlined in the table below, the approval holder has assessed its compliance with the conditions of EPBC 2017/7989 as varied on 19 January 2025 against the EPBC Annual Compliance Report Guideline, adopting the criteria below.

### 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.*

Condition Number/ Reference	Condition	Is the project compliant with this condition?	Evidence/Comments
IMPACTS			
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 1.4ha of Weeping Myall Woodlands has been cleared within the "BAR Footprint – Mine Site" and "BAR Footprint – Pipeline" 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.	A total of 9.1 ha of Grey Box Grassy Woodlands has been cleared within the "BAR Footprint – Mine Site" and "BAR Footprint – Pipeline" 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.	A total of 0.3 ha of breeding habitat for the Superb Parrot has been cleared within the "BAR Footprint – Mine Site" and "BAR Footprint – Pipeline" since the commencement of the action.
4	The approval holder must not <b>clear</b> more than 30.9 hectares of <b>foraging habitat</b> for the <b>Superb Parrot</b> within the areas designated "BAR Footprint – Mine Site" and "BAR Footprint – Pipeline" in <b>Attachment 1</b> .	Compliant.	A total of 30.9 ha of foraging habitat for the Superb Parrot has been cleared within the "BAR Footprint – Mine Site" and "BAR Footprint – Pipeline".

Compensation Measures			
5	To compensate for the loss of 1.5 hectares of <b>Weeping Myall Woodlands</b> , the approval holder must <b>retire 54 biodiversity credits</b> .	Compliant.	<p>The approval holder has established two offset areas which are protected and managed under a Biodiversity Stewardship Agreement (<b>BSA</b>). The credits generated under the BSA have been retired to meet the approval holder's obligations under this condition.</p> <p>The approval holder has also paid into the Biodiversity Conservation Fund (<b>BCF</b>) to satisfy biodiversity credit retirement obligations for this for this protected matter.</p>
6	To compensate for the loss of 11.5 hectares of <b>Grey Box Grassy Woodlands</b> , the approval holder must <b>retire 224 biodiversity credits</b> .	Compliant.	<p>The approval holder has established two offset areas which are protected and managed under a BSA. The credits generated under the BSA have been retired to meet the obligations under this condition.</p> <p>The approval holder has also paid into the BCF to satisfy biodiversity credit retirement obligations for this for this protected matter.</p>
7	To compensate for the loss of 0.4 hectares of <b>breeding habitat</b> for the <b>Superb Parrot</b> , the approval holder must <b>retire 11 biodiversity credits</b> .	Compliant.	The approval holder has paid into the Biodiversity Conservation Fund the equivalent of 11 credits in satisfaction of this condition.
8	To compensate for the loss of 30.9 hectares of <b>foraging habitat</b> for the <b>Superb Parrot</b> , the approval holder must <b>retire 404 biodiversity credits</b> .	Compliant.	The approval holder has established two offset areas which are protected and managed under a BSA. The credits generated under the BSA have been retired to meet the approval holder's obligations under this condition.
9	Within 10 <b>business days</b> following 31 January 2025, the approval holder must provide evidence to the <b>Department</b> that <b>biodiversity credits</b> have been <b>retired</b> pursuant to conditions 5, 6, 7 and 8 of this approval.	Compliant.	The approval holder provided evidence of its compliance with conditions 5, 6, 7 and 8 of the approval to the Department on 31 January 2025.
10	<b>Revoked.</b>	-	-



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 5 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 within 2 years from the date of the approval.
Compliance records			
13	The approval holder must maintain accurate and complete compliance records.	Compliant.	The approval holder maintains accurate and complete compliance records.
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 compliance report, as published on the approval holder's website on 03/03/2025, satisfies the publication requirement of condition 15a for the reporting period.
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.	On 03/03/2025 the approval holder caused an email to be sent to the Minister, notifying them of the publication of this compliance report on the approval holder's website.
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	Compliant.	This compliance report, as with all previous compliance reports, are available on the approval

	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;		holder's 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: exclude or redact sensitive ecological data from compliance reports published on the website; and	Not applicable.	No sensitive ecological data was included within this compliance report and, therefore, no need to exclude or redact such data from the published version of this compliance report has arisen.
15 e.	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: 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.	Not applicable.	No sensitive ecological data was excluded from the published version of this compliance report.
<b>Reporting Non-compliance</b>			
16 a.	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: the condition which is or may be in breach;	Compliant	There have been no incidents or non-compliances with the conditions or plans during this reporting period.
16 b.	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:	Compliant	There have been no incidents or non-compliances with the conditions or plans during this reporting period.

	a short description of the incident and/or non-compliance		
17 a.	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: any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;	Compliant.	There have been no incidents or non-compliances with the conditions or plans during this reporting period.
17 b.	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: the potential impacts of the incident or non-compliance; and	Compliant.	There have been no incidents or non-compliances with the conditions or plans during this reporting period.
17 c.	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: the method and timing of any remedial action that will be undertaken by the approval holder.	Compliant.	There have been no incidents or non-compliances with the conditions or plans during this reporting period.
Independent audit			
18	The approval holder must ensure that an <b>independent audit</b> of compliance with the conditions is conducted for every <b>audit period</b> .	Not applicable	The approval holder was not required to conduct an independent audit during the reporting period.
19	The approval holder must submit details of the proposed <b>independent auditor</b> and their qualifications to the department within <b>10 business days</b> following the end of each <b>audit period</b> .		

20	The approval holder must ensure the scope of each <b>independent audit</b> is sufficient to determine the compliance status for each condition of approval, and each commitment made in each <b>plan</b> .		<p>The Department has confirmed that the first independent audit of compliance with the conditions of this approval will be due in 2029:</p> <ul style="list-style-type: none"> <li>a) the audit period is defined in the approval as each subsequent 5-year period following 5 February 2019 until the expiry of the approval;</li> <li>b) conditions 18-20F did not commence until 19 January 2025;</li> <li>c) as the requirement for an independent audit report did not exist during the 5 Feb 2019 - 5 Feb 2024 period, the first audit will be due in 2029 for the period February 2024 to 5 February 2029.</li> </ul>
20A	The approval holder must ensure the criteria for each <b>independent audit</b> and the undertaking of each <b>independent audit</b> are consistent with the <b>Independent Audit and Audit Report Guidelines</b> .		
20B	The approval holder must submit an <b>audit report</b> to the <b>department</b> for written agreement from the <b>department</b> within 3 months following the end of each <b>audit period</b> , or as otherwise directed by the <b>Minister</b> in writing.		
20C	The approval holder must ensure each <b>audit report</b> is completed to the satisfaction of the <b>Minister</b> and is consistent with the <b>Independent Audit and Audit Report Guidelines</b> .		
20D	The approval holder must publish each <b>audit report</b> on the <b>website</b> , in a format that is easily accessible and downloadable, within 10 <b>business days</b> of the date the <b>department</b> agrees to that <b>audit report</b> in writing.		
20E	The approval holder must notify the <b>department</b> within 5 <b>business days</b> of the date the <b>audit report</b> is published on the <b>website</b> . In this notification, the approval holder must provide the <b>department</b> with the web address for where the <b>audit report</b> is published on the <b>website</b> .		
20F	The approval holder must keep each <b>audit report</b> published on the <b>website</b> from the first date which that <b>audit report</b> must be published and until the expiry date of this approval.		
Completion of the action			
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 completed.

## **Correcting non-compliances**

There were no non-compliances with EPBC 2017/7989 (as varied on 19 January 2025) during the reporting period.

The approval holder acknowledges that the Department issued a penalty infringement notice on 4 April 2024 for historic administrative non-compliance with Condition 15 between 30 April 2020 and 12 April 2023 on the basis that shapefiles were not included in the compliance reports submitted to the Department during that period. A second penalty infringement notice was issued on 4 April 2024 by the department relating to non-compliance with conditions 5 to 8 of the approval as these conditions were, prior to the directed variation of these conditions on 19 January 2025.

The approval holder has undertaken a review of historical non-compliances, most of which were largely associated with administrative oversights, and implemented processes to ensure these non-compliances are not repeated.

## **New environmental risks**

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