



Evolution
MINING

Compliance Report

COWAL GOLD OPERATIONS - (EPBC 2017/7989)
5 FEBRUARY 2023 - 4 FEBRUARY 2024

EVOLUTION MINING (COWAL) PTY LIMITED



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.

Signed

A handwritten signature in black ink, appearing to be "G. Coase", written over a horizontal line.

Full Name (please print)

Gregory Coase

Position (please print)

Sustainability Manager

Organisation (please print including ABN/CAN is applicable)

Evolution Mining (Cowal) Pty Ltd

75007857598

Date

30 April 2024

Document Version Control

Rev	Issue Date	Description of revisions	Originator	Approved	Date
A	30/04/2024	Final Report for publication		G Coase	30/04/2024

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Description of activities

EPBC number	2017/7989
Project name	Cowal Gold Operation – increase processing rate, Lake Cowal, New South Wales
Approval holder and ACN or ABN	Evolution Mining (Cowal) Pty Limited 75007857598
The approved action	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].
Location of the project	<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>
Person accepting responsibility for the report – signed declaration	<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>
Dates for the reporting period of the report	5 February 2023 – 4 February 2024
Date of preparation of the report	This compliance report was prepared in April 2024.

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 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.*



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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 1.373 ha 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 9.077 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 0.311 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 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.	Not compliant.	A total of 27.772 ha of foraging habitat for the Superb Parrot has been cleared within the "BAR Footprint – Mine Site" and "BAR Footprint – Pipeline". This represents ~7% (1.872 ha) more area cleared than the approval condition, related to complexities between state and federal approvals. As the foraging habitat for Superb Parrot at CGO is marginal, the

			<p>impact of clearing the woodland habitat over the approved limit is likely to have been minimal. The approval holder provided notification to the Department of Climate Change, Environment, Energy and Water (the Department) in December 2023 regarding a potential non-compliance with Condition 4 of EPBC Approval 2017/7989 with respect to the area of clearing of superb parrot foraging habitat. The approval holder is continuing its cooperation with the Department in relation to this notified matter.</p>
Compensation Measures			
5 a.	<p>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:</p> <p>a. 55 like-for-like credits under Biobanking, or;</p>	Not compliant, in progress.	<p>The approval holder is in the process of establishing two offset areas which will be protected and managed under a Biodiversity Stewardship Agreement (BSA). Once established, the credits generated under the BSA will meet the obligations under this condition.</p> <p>The Department has been notified of the active steps being taken by the approval holder to secure the BSA to enable compliance with this condition and is aware of the current status of compliance with this condition.</p>
5 b.	<p>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:</p> <p>b. the equivalent of 55 like-for-like credits under the <i>Biodiversity Conservation Act 2016</i> (NSW), as converted by OEH.</p> <p>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>	Not compliant, in progress.	
6 a.	<p>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:</p> <p>374 like-for-like credits under Biobanking, or;</p>	Not compliant, in progress.	<p>The approval holder is in the process of establishing two offset areas which will be protected and managed under a BSA. Once established, the credits</p>

6 b.	<p>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:</p> <p>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.</p>	Not compliant, in progress.	<p>generated under the BSA will meet the obligations under this condition.</p> <p>It is also noted that the approval holder has paid into the Biodiversity Conservation Fund 613 offset credits. The Department has been made aware of the current status of compliance with this condition and the approval holder will engage with the Department regarding a potential variation to the conditions of the EPBC Act Approval to enable recognition of this payment and the associated positive environmental outcomes taken by the approval holder.</p>
7 a.	<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>7 like-for-like credits under Biobanking, or;</p>	Not compliant.	<p>It is noted that the approval holder has paid into the Biodiversity Conservation Fund the equivalent of 11 credits under the Biodiversity Assessment Method regime. The Department has been made aware of the current status of compliance with this condition and the approval holder will engage with the Department regarding a potential variation to the conditions of the EPBC Act Approval to enable recognition of this payment and the associated positive environmental outcomes taken by the approval holder.</p>
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>	Not compliant.	
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>	Not compliant, in progress.	<p>The approval holder anticipates imminent compliance with this condition on the basis of the BSA as well as the purchase of 610 credits (from land based offsets) associated with PCT55 which will be retired in order</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>	Not compliant, in progress.	to meet the requirements of this condition. The approval holder intends to retire these credits in conjunction with the retirement of credits generated from the two offset areas to be established pursuant to the BSA. The Department has been made aware of the current status of compliance with this condition.
9	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.	Not applicable	When the like-for-like credits have been retired, the approval holder will 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 within 10 business days.
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.	Not applicable	When the relevant like-for-like credits are retired, the approval holder will publish on their website an associated Biodiversity Stewardship Agreement Management Plan approved by the NSW Biodiversity Conservation Trust 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 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 30 April 2024, 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 30 April 2024 the approval holder, notified the Department 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 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, as with all previous compliance reports, is available on the approval holder's website: https://evolutionmining.com.au/compliance/#cowalpart

15 d.	<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>exclude or redact sensitive ecological data from compliance reports published on the website; and</p>	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.	<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.	No sensitive ecological data was excluded from the published version of this compliance report.
Reporting Non-compliance			
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>	Not compliant.	The approval holder has been delayed in complying with Conditions 5 to 8 of the approval. The Department is aware of the approval holder's administrative non-compliance in this regard and action has been taken by the Department under section 14.03 of the <i>Environmental Protection Biodiversity Conservation Regulations 2000</i> (Cth).
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>	Not compliant.	

17 a.	<p>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:</p> <p>any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;</p>	Not compliant.	<p>The approval holder provided notification to the Department in December 2023 regarding a potential non-compliance with Condition 4 of EPBC Approval 2017/7989 with respect to the area of clearing of superb parrot foraging habitat. The approval holder is continuing its cooperation with the Department in relation to this notified matter.</p>
17 b.	<p>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:</p> <p>the potential impacts of the incident or non-compliance; and</p>	Not compliant.	
17 c.	<p>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:</p> <p>the method and timing of any remedial action that will be undertaken by the approval holder.</p>	Not compliant.	
Independent audit			
18	<p>The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.</p>	Not Applicable.	<p>The Minister has not made a written request of the approval holder to undertake an independent audit of their compliance with the approval's conditions pursuant to Condition 18 of EPBC Approval 2017/7989.</p>
19 a.	<p>For each independent audit, the approval holder must:</p> <p>provide the name and qualifications of the independent auditor and the draft audit criteria to the Department;</p>	Not Applicable.	



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.	Consequently, no requirement to publish an audit report arises.
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.	
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.	
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

Non-compliances identified in this annual report primarily involve administrative oversights by the approval holder. The approval holder has undertaken a review of these oversights, and implemented processes to ensure these administrative non-compliances are properly managed in the future.

With regards to Conditions 5 to 8 of EPBC Approval 2017/7989, the approval holder is actively seeking to secure appropriate offsets required by the conditions and the approval holder has advised the Department that the land based offsets required by these conditions are being progressed. The approval holder will update the Department once these offsets have been secured.

New environmental risks

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