



**Boggabri Coal Operations Pty Ltd**

**EPBC 2009/5256**

**BOGGABRI COAL OPERATIONS PTY LTD**

**ANNUAL COMPLIANCE REPORT**

REPORTING PERIOD: 4 FEBRUARY 2025 TO 3 FEBRUARY 2026, 12<sup>TH</sup>  
YEAR.

PUBLISH DATE 30/04/2026

Reporting and Auditing Condition 28; Within three months of every 12 month anniversary of the commencement of new mining activities, the person taking the action must publish a 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 two business days of becoming aware of the non-compliance. Note: Department of Agriculture, Water and Environment (DAWE) granted approval (30th May 2014) to submit the report on the 3rd May each year.

Prepared by:	Susie Pym
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Approved by:	Alex Williams
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## DECLARATION OF ACCURACY

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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.

Signed 

Full name (please print) Alexandra Williams

Position (please print) Environment and Community Manager

Organisation (please print including ABN/ACN if applicable) Boggabri Coal Operations Pty

LTD 76 600 191 455

Date: 29/04/2026

## 1. DOCUMENT VERSION CONTROL

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### Document details

**Document title** EPBC 2009/5256 ANNUAL COMPLIANCE REPORT

### Document status and review

Edition	Comments	Author	Authorised by	Date
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Disclaimer Document uncontrolled when printed

## 2. DESCRIPTION OF ACTIVITIES

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Boggabri Coal Mine (BCM or the project) is an open cut coal mine located 15 kilometres (km) north-east of the township of Boggabri in north-western New South Wales (NSW). BCM is managed by Boggabri Coal Operations Pty Ltd (BCOPL), a subsidiary of Idemitsu Australia Resources Pty Limited (Idemitsu).

Mining activities at BCM commenced in 2006. Approval was granted for the Boggabri Coal Mine Extension (EPBC 2009/5256) on 11 February 2013 under Section 130(1) and 133 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The approval is subject to several conditions imposed by the then Minister for Sustainability, Environment, Water, Population and Communities. The Department has since been renamed as the Department of Climate Change, Energy, the Environment and Water. In 2022 BCM applied for a variation to conditions which was approved in August 2025.

The mine currently operates under State Significant Development (SSD) Project Approval (SSD 09\_0182), which allows BCOPL to produce 8.6 million tonnes per annum (Mtpa) of run-of-mine (ROM) coal from BCM until the end of 2036. Approval was granted by the NSW Planning Assessment Commission (PAC) under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 18 July 2011 and has been subject to several modifications.

Commonwealth approval for Modification 8 to SSD 09\_0182 (EPBC 2021/8875) was granted for the BCM on 19 December 2024. EPBC 2021/8875 approves the proposed action to extend an open-cut mining operation at BCM. The proposed action will include increasing the depth of the existing Boggabri mining operations with the currently approved mine disturbance boundary to recover an additional coal resource.

### 3. NEW ENVIRONMENTAL RISKS

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No new environmental risks or non-compliances were identified during the reporting period. BCOPL commissioned a baseline study of all offsets in 2026 to identify risks to biodiversity values and to inform the revision of current documents. Any risks identified in the baseline study will be assessed and strategies will be developed to mitigate any harms.

BCOPL requested to vary the due date of Condition 7 and 8, due to ongoing contractual negotiations with National Parks and Wildlife Services in relation to the land transfer agreement. This is expected to be completed by 30 June 2026. BCOPL has registered 27 conservation agreements on Title to satisfy the majority of these conditions.

# APPENDIX A 2009/5256 EPBC APPROVAL CONDITIONS AND COMPLIANCE TABLE

**Table 1-1 Compliance Table**

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
<b>Disturbance Areas</b>			
1. <i>As varied on 11 August 2025.</i>	The person taking the Action must not <b>clear</b> outside the <b>project area</b> as part of this Action. The person taking the Action must not <b>clear</b> more than 82 ha of the <b>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community</b> within the <b>project area</b> .	Compliant	During the reporting period the project has impacted approximately 1.37 ha of the EPBC listed White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Critically Endangered Ecological Community. This equates to 34.73 ha at year end 2025. As per memo PS224203-NTL-ECO-LTR-001 RevD_2025.
2. <i>As varied on 11 August 2025.</i>	The person taking the Action must not <b>clear</b> more than 650 ha of known <b>native vegetation communities</b> and/or <b>Regent Honeyeater habitat, Swift Parrot habitat</b> and <b>Greater Long-eared Bat</b> habitat within the project area. The <b>clearing</b> of up to 650 ha must not be inconsistent with the requirement of condition 3 that the approval holder retain the <b>biodiversity corridor</b> . The approved 650 ha of <b>clearing native vegetation communities</b> includes the approved 82 ha of clearing <b>White Box- Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological community</b> .	Compliant	During the reporting period the project has cleared approximately 3.87 ha of habitat for the Regent Honeyeater, Swift Parrot, and Greater Long-eared Bat. This equates to 245.17 ha at year end 2025. As per memo PS224203-NTL-ECO-LTR-001 RevD_2025.
3. <i>Original dated 11</i>	The person taking the Action must submit a Biodiversity Corridor Plan for the approval of the <b>Minister</b> within three months of the date of this approval. The	Non-compliant	The Biodiversity Corridor Plan (BCP) was submitted to the Minister for

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
<p><i>February 2013.</i></p>	<p>plan must address the following matters:</p> <ul style="list-style-type: none"> <li>a. Protection of <b>native vegetation</b> of a total of 500 metres (m) where the Boggabri coal mine lease boundary is adjacent to the Maules Creek coal mine lease boundary;</li> <li>b. Maintenance in perpetuity of this area as a <b>biodiversity corridor</b>; and</li> <li>c. Evidence that the <b>biodiversity corridor</b> will be protected in perpetuity through a legal mechanism that would provide the equivalent protection of a conservation covenant.</li> </ul>		<p>approval on 10th May 2013. The Department of Agriculture, Water and Environment (DAWE) provided comments on the plan on 8th February 2016.</p> <p>In consultation with DCCEEW, BCOPL submitted the revised BCP in July 2022. BCOPL are unable to secure maintenance in perpetuity of the biodiversity corridor due to the lack of legal mechanism to do so, and land ownership restrictions.</p>
<p>4. <i>Original dated 11 February 2013.</i></p>	<p>The person taking the action is required to submit a Conservation and Biodiversity Bond under condition 52 of the NSW state government project approval dated 18 July 2012 (application number 09_0182). It is noted that this bond may be combined with the rehabilitation security deposit as required by the NSW Trade and Investment - Division of Resources and Energy under the NSW <i>Mining Act 1992</i>. The person taking the action must submit details of this bond and the rehabilitation security deposit, to the <b>Minister</b>. If the <b>Minister</b> is not satisfied that the bond and the rehabilitation security deposit lodged by the person taking the action is adequate to provide for the implementation of the requirements referred to under conditions 3, 12, 21-23 the <b>Minister</b> may require the person taking the action to establish an additional bond or equivalent financial instrument in trust, under conditions approved in writing by the <b>Minister</b>.</p>	<p>Non-compliant</p>	<p>The NSW Department of Planning Industry and Environment (DPE) granted an extension for the submission of the revised Biodiversity Management Plan to 2 October 2015.</p> <p>The revised Biodiversity Management Plan (BMP) was approved by DPIE on 2 July 2019.</p> <p>BCOPL have been granted an extension until 31 December 2025 by DPE and DCCEEW to finalise arrangements for biodiversity offsets for the Boggabri Coal Mine.</p> <p>BCOPL requested a further extension from DCCEEW on the 5 December 2025</p>

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
			to finalise arrangements for biodiversity offsets by June 2026.
5. <i>As varied on 11 August 2025.</i>	<p>The person taking the Action must submit to the <b>Minister</b> for approval, within three months of the commencement of the Action, an approach that:</p> <ul style="list-style-type: none"> <li>a. Limits the maximum <b>project area</b> disturbance (in hectares) specified for each of the years 5, 10, 15 and 21 from the date of this approval of the <b>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community</b> and habitat or <b>Regent Honeyeater habitat, Swift Parrot habitat and Greater Long-eared Bat habitat</b>;</li> <li>b. Incorporates an analysis, undertaken by independent ecological experts approved by the <b>department</b>, that demonstrates the maximum disturbance limits which will minimise any impacts on relevant <b>matters of national environmental significance</b>;</li> <li>c. Demonstrates collaboration with the person taking the action to develop and operate the Maules Creek Coal Project (EPBC 2010/5566), in order to minimise progressive <b>project area</b> disturbance limits across both sites. The progressive disturbance limits are to be reflected in the development of the Leard Forest Mining Precinct Biodiversity Strategy.</li> </ul>	Compliant	<p>The initial approach was submitted within the required timeframe on 21 February 2014 and approved by the DAWE on 30 May 2014.</p> <p>A subsequent letter was submitted to the Minister on 5 February 2016 outlining the revised staged clearing proposal (Land Disturbance Approach), in addition to that approach described in the letter submitted to the Minister dated 3 December 2014 (condition 5a).</p> <p>An ecological analysis (condition 5b) was prepared by independent ecological consultants (Parsons Brinckerhoff) in a memo provided to the Minister dated 4 March 2016.</p> <p>Compliance with condition 5c is demonstrated through the steering group meeting minutes for development of the Leard Forest Mining Precinct Biodiversity Strategy. The Stage 1 Leard Forest Mining Precinct Biodiversity Strategy scoping report was approved by the Secretary on 13 May 2013 and provided to DAWE. The Stage 2 strategy report</p>

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
			<p>was approved by the Secretary on 1 September 2017.</p> <p>BCOPL revised the disturbance limits approach with 2117317A-MEM-002-RevA EPBC Clearing Limits Memo, which was subsequently approved by DAWE on 11 February 2022. This reassessment was consulted with Maules Creek Coal Mine.</p> <p>The Stage 3 strategy report is currently being drafted to be submitted to DPHI in 2026.</p>
6. <i>As varied on 11 August 2025.</i>	The person taking the action must not <b>clear</b> more than the maximum <b>project area</b> disturbance limits specified for each of the years 5, 10, 15 and 21 in the approved 'approach' required under condition 5.	Compliant	<p>BCOPL are in year 12 of the clearing activities and within the revised disturbance limit for year 12.</p> <p>BCOPL revised the disturbance limits approach with 2117317A-MEM-002-RevA EPBC Clearing Limits Memo, which was subsequently approved by DAWE on 11 February 2022.</p>
<b>Offset areas</b> <b><i>Mechanism to secure offsets</i></b>			
7. <i>As varied on 11 August 2025.</i>	The person taking the Action must register a legally binding conservation over the offset areas comprising at least 5,866.1 ha of 'equivalent or better' quality threatened species habitat that meets the definition of <b>native vegetation communities</b> . This must include no less than 1,537.4 ha of 'equivalent or better' quality <b>White Box-Yellow Box- Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community</b> .	Non-compliant	Refer to condition 8 below.

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
	The offset areas must be those specified in Attachment B.		
8. <i>As varied on 11 August 2025.</i>	The approval holder must ensure that the conservation covenant(s) required under condition 7 provide protection in perpetuity for the offset areas and are registered by 31 December 2025. The approval holder must ensure that progress in achieving this requirement is advised to the <b>department</b> in writing by 30 September 2025. The approval holder must provide written evidence to the department within 20 <b>business days</b> of registering the legally binding conservation covenant(s) required by condition 7 of this approval.	Non-compliant	The conservation covenant required under condition 7 was not registered by 31 December 2025. BCOPL requested a further extension from DCCEEW on the 5 December 2025 to finalise arrangements for biodiversity offsets by June 2026.
9. <i>Original dated 11 February 2013.</i>	The person taking the Action must verify through an independent review by 30 December 2013, the quantity and quality of habitat or potential habitat for the regent honeyeater, swift parrot and greater long-eared bat of all proposed offset areas. The review will: <ol style="list-style-type: none"> <li>Validate the quantity, quality, and ecological characteristics of the offset areas in line with the requirements of the <b>department's Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy October 2012</b></li> <li>Be undertaken by ecological experts who have been agreed in writing by the <b>department</b></li> </ol>	Compliant	The independent review was completed by ecological experts from Niche Environment and Heritage and approved by the department. The report dated 22 December 2013 was submitted to DAWE in January 2014. The report concluded that BCOPL's offset areas fulfill the total direct offset areas required under the Environment Protection and Biodiversity Conservation Act 1999, Environmental Offsets Policy October 2012.
10. <i>As varied on 11 August 2025.</i>	If the independent review carried out in accordance with condition 9 of this approval finds that the minimum quantities of threatened species habitat and ecological community required under condition 7 of this approval do not meet the 'equivalent or better' quality, or the criteria required under condition 9a, then additional areas must be protected until all the relevant criteria under condition 9 of this approval are met.  Note: the 1537.4 ha of <b>White Box Yellow Box Blakely's Red Gum Grassy Woodland and</b>	Not Applicable	The Independent review by Niche Environment and Heritage confirmed that no additional areas were required, and this was accepted by the DAWE.

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
	<p><b>Derived Native Grassland Ecological Community</b> may be inclusive of the 5866.1 ha of habitat for the woodland species, as long as it meets the listing criteria for the <b>EPBC Act</b>-listed critically endangered ecological community as defined in the <b>EPBC Act</b> listing advice for that community and the quantity and quality is validated through the independent review.</p>		
11. <i>As varied on 11 August 2025.</i>	Revoked.		
<b>Offset management plan</b>			
12. <i>As varied on 11 August 2025.</i>	<p>To offset the impacts to the <b>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community</b> and <b>Regent Honeyeater habitat, Swift Parrot habitat and Greater Long-eared Bat habitat</b>, the person taking the action must submit to the <b>Minister</b> for approval an <i>Offset management plan</i> for all of the offset areas, specified in condition 7 of this EPBC Act approval, within 6 months of the date of this approval. The approved Offset management plan must be implemented prior to the <b>commencement of new mining operations</b></p> <p>Note: for consistency, the person taking the action may develop a Biodiversity Management plan that includes the requirements set for managing offsets as set out in these conditions, to align with the requirements of the NSW state government Project Approval dated 18 July 2012 (application number 09_0182) and this approval.</p>	Non-Compliant	The Offset Management Plan (OMP) is compliant with this condition however, the plan was not approved by DAWE until 2020. The current OMP is being implemented and can be observed on site and through a review of annual monitoring reports.
13.	<p>The <i>Offset management plan</i> must include, but not be limited to, the following information:</p> <ol style="list-style-type: none"> <li>a. Objectives to clearly identify baseline conditions of the offset sites, establish performance indicators and discuss methods for adaptive management.</li> <li>b. A text description and map to clearly define the location and boundaries of the offset areas. This must be accompanied by the offset attributes and shapefiles.</li> </ol>	Compliant	The Offset Management Plan contains the required information and was approved by DAWE in 2020.

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
	<p>c. A detailed survey and description (prior to any management activities, hence a baseline) of the current condition of the extant vegetation of each offset area. This must be consistent with the State and Transition Model, including but not limited to:</p> <ul style="list-style-type: none"> <li>i. Location of survey points (GPS reference)</li> <li>ii. Vegetation condition mapping</li> <li>iii. Photo reference points</li> <li>iv. Tree age class representation</li> <li>v. Percentage tree canopy cover</li> <li>vi. Number of native plant species in ground layer</li> <li>vii. Percentage of nativeness of total plant groundcover (herbaceous plants and small shrubs, 1 m tall), measured using basal area</li> <li>viii. Description of fauna habitat including condition, type and connectivity               <ul style="list-style-type: none"> <li>i. Surveys of the regent honeyeater, swift parrot and greater long-eared bat</li> </ul> </li> </ul> <p>d. Plans to improve upon the baseline condition (identified in the surveys required by condition 13c) consistent with the State and Transition Model, EPBC listing advice, and threatened species habitat defined as native vegetation communities, including but not limited to:</p> <ul style="list-style-type: none"> <li>i. A map showing areas to be managed</li> <li>ii. Management actions for each area and details of management</li> </ul>		

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
	<p>methods to be used</p> <p>iii. Timing of management activity for each area</p> <p>iv. Performance criteria for each area</p> <p>v. A set of measurable ecological indicators for detecting changes to the White Box—Yellow Box—Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community, including those that may be ascribed to ongoing water stress</p> <p>vi. A monitoring plan to assess the success of the management activities measured against the baseline condition. The monitoring must be statistically robust and able to quantify change in the condition of White Box—Yellow Box—Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community. This should include, but not be limited to, control sites and periodic ecological surveys to be undertaken by a qualified ecologist</p> <p>vii. A description of the potential risks to successful management against the performance criteria, and a description of the contingency measures that would be implemented to mitigate these risks</p> <p>viii. A process to report, to the <b>department</b>, the progress of management activities undertaken in the offset areas and the outcome of those activities, including identifying any need for improved management and activities to undertake such improvement</p> <p>ix. Details of the various parties responsible for management,</p>		

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
	<p>monitoring and implementing the management activities, including their position or status as a separate contractor</p>		
<p>14. <i>Original dated 11 February 2013.</i></p>	<p>Unless otherwise agreed to in writing by the <b>department</b>, the baseline surveys (identified in the surveys required by condition 13c) must be conducted in accordance with the <b>department's</b> Survey guidelines for Australia's threatened birds and the survey guidelines for Australia's threatened bats. Subsequent monitoring must be carried out annually at the same time of year as the baseline surveys each year unless otherwise agreed to in writing by the <b>department</b>.</p>	<p>Compliant</p>	<p>Appendix C of the approved Offset Management Plan includes the Offsets Baseline Survey Report which notes that baseline surveys were performed using these guidelines. Since baseline monitoring occurred during spring 2015, subsequent years have occurred during the same season and are reported annually in Biodiversity Offset Monitoring Reports.</p>
<p><b>Surface and groundwater management plans</b></p>			
<p>15. <i>Original dated 11 February 2013.</i></p>	<p>The person taking the action must provide to the <b>Minister</b> for approval, the <b>surface and groundwater management plans</b> as identified in condition 38 of the NSW state government Project Approval dated 18 July 2012 (application number 09_0182). The <b>surface and groundwater management plans</b> approved by the <b>Minister</b> must be implemented prior to the <b>commencement of new mining operations</b>.</p>	<p>Non-Compliant</p>	<p>Surface and Groundwater management plans were submitted to DAWE in early 2013 and approved by DAWE on the 10 June 2014. The management plans were not approved prior to the commencement of new mining activities on the 3 February 2014. The Surface Water Management Plan and Groundwater Management Plan have been revised and received approval by the NSW Planning Secretary late 2025.</p>

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
16. <i>Original dated 11 February 2013.</i>	The <i>surface and groundwater management plans</i> must be consistent with the <b>National Water Quality Management Strategy</b> .	Compliant	The Surface and Groundwater Management Plans are consistent with the National Water Quality Management Strategy and have been approved by the DAWE.
17. <i>Original dated 11 February 2013.</i>	<p>The person taking the Action must within 6 months of this approval, in collaboration with the person taking the action to develop and operate the Maules Creek Coal Project (EPBC 2010/5566) and any other approved mines within 20 km of the mine site provide written advice to the Minister demonstrating how the approved <i>surface and groundwater management plans</i> (specified in condition 15), addresses the cumulative impact of groundwater drawdown as a result of mining and how this may impact on the consequent health of the remnant <b>native vegetation</b> in the Leard State Forest, the Leard State Conservation Area and surrounding areas. In particular the advice must address the following matters:</p> <ul style="list-style-type: none"> <li>a. Maximum amount of allowable drawdown in the alluvial aquifer</li> <li>b. Drawdown in hard rock aquifer</li> <li>c. Trigger levels pertaining to drawdown in the alluvial aquifer when corrective actions will be required to be undertaken</li> <li>d. Identify the depth of root zone of the native vegetation</li> <li>e. Monitoring to assess the ongoing quality and quantity of both surface and groundwater to identify impacts on the <b>native vegetation</b>.</li> </ul>	Compliant	<p>Refer to Condition 15. In accordance with Schedule 3, Condition 38 of the NSW Project Approval, the BTM Complex Water Management Strategy was submitted as part of the Surface and Groundwater management plans and was approved by DAWE 10 June 2014.</p> <p>The BTM Complex Water Management Strategy was revised, and subsequently peer-reviewed prior to submission. Approval was received from DPPI in January 2026.</p>
18. <i>Original dated 11 February</i>	The person taking the Action must within 6 months of the date of this approval, or such other timeframe specified by the <b>Minister</b> , provide to the <b>Minister</b> a report on:	Compliant	BCOP presented a report to SEWPAC representatives in March 2013 which included updated modelling and

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
2013.	a. Any updated modelling of surface and groundwater impacts that has been undertaken in preparing the <i>surface and groundwater management plans</i> b. How the <i>surface and groundwater management plans</i> addressed groundwater and surface water impacts on <b>native vegetation</b>		addressed groundwater and surface water impacts on native vegetation. BCOPL received advice from SEWPAC in June 2014 which stated the requirements of Condition 18 had been satisfied.
19. <i>Original dated 11 February 2013.</i>	A risk-based assessment of the disposal of mine water by irrigation on soils must be undertaken. The assessment must include the risk of metal and salinity accumulation in soils.	Not Applicable	An irrigation system to dispose of surplus water has not been commissioned and BCOPL currently do not plan to dispose of mine water through irrigation. Therefore, a risk-based assessment for this activity is not yet required.
<b>Leard Forest Mining Precinct Regional Biodiversity Strategy</b>			
20. <i>Original dated 11 February 2013.</i>	The person taking the action must implement the regional biodiversity strategy as required under conditions 40-46 of the NSW state government Project Approval dated 18 July 2012 (application number 09_0182). The required scoping report for the development of the strategy must be submitted to the <b>Minister</b> for approval on or before 31 July 2013. The approved strategy must be implemented.	Compliant	The Stage 1 scoping report was approved by the Secretary on 13 May 2013 and provided to DAWE. The Stage 2 strategy report was approved by the Secretary on 1 September 2017. Stage 3 strategy report is being drafted by Umwelt (as per consultation with DPHI in 2025)
<b>Mine site rehabilitation</b>			
21. <i>As varied on 11 August 2025.</i>	To mitigate the impacts to the <b>White Box-Yellow Box -Blakely's Red Gum Grassy Woodland and Derived Native Grassland</b> and <b>Regent Honeyeater habitat, Swift Parrot habitat</b> and <b>Greater Long-eared Bat habitat</b> , the person taking the Action must, within 12 months of <b>commencement of new mining activities</b> , submit to the <b>Minister</b> for approval a Mine site rehabilitation plan for the progressive rehabilitation and revegetation of no less than 650 ha	Compliant	The commencement of new mining activities occurred the 3 February 2014. The Rehabilitation Management Plan (RMP) was submitted to DAWE within the 12 month time frame in January 2015. The DPIE requested that BCOPL

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
	<p>(less the portion included in the biodiversity corridor identified in condition 2) in the <b>project area</b> using species consistent with a <b>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community</b>. This approved <i>Mine site rehabilitation plan</i> must be implemented.</p>		<p>revise the RMP and a copy of the revised RMP was provided to DAWE on 31 October 2015.</p> <p>Further consultation with DAWE has occurred with revision 8 of the RMP submitted on 2 November 2019 and revision 9, on 20 March 2020. Rev 9 of the RMP was approved by DAWE on 17 June 2020 and is being implemented on site.</p> <p>Rehabilitation activities are undertaken in accordance with the Rehabilitation Strategy (June 2024) and the Rehabilitation Management Plan (March 2025). Rehabilitation activities completed during the are reported in Section 8 Annual Review Report and the Boggabri Coal Mine Forward Program.</p>
<p>22. As varied on 11 August 2025.</p>	<p>The person taking the Action must:</p> <ul style="list-style-type: none"> <li>a. Rehabilitate the site to be consistent with the proposed rehabilitation strategy as provided in the <b>Environment Assessment</b> and, as required under the NSW state government Project Approval dated 18 July 2012 (application number 09_0182); and</li> <li>b. Not replace top soil and sub soil layers at a depth less than the minimum depths determined through pre-stripping soil surveys as described in condition 23c.</li> </ul>	<p>Compliant</p>	<p>Annual Rehabilitation Monitoring Reports demonstrate the implementation of rehabilitation strategy in the Environmental Assessment.</p> <p>Topsoil placement at BCOPL is undertaken in accordance with the Topsoil Placement Quality Assurance Plan (QAP) within the Soil Management Protocol.</p>

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
	<p>c. Comply with the NSW state government Project Approval dated 18 July 2012 (application number 09_0182) Condition 36 (a) &amp; (b) and Condition 49 (e) (iii) that require pre-stripping soil surveys and inventories to be undertaken to inform availability, rehandling, stockpiling and management of soil, and maximising the salvaging of soil to be used, in the rehabilitation of the site.</p>		
<p>23. As varied on 11 August 2025.</p>	<p>The <i>Mine site rehabilitation plan</i> must include, at a minimum, the following information:</p> <ul style="list-style-type: none"> <li>a. Targets and performance indicators to achieve effective restoration of the <b>native vegetation communities</b></li> <li>b. Details of the vegetation communities to be rehabilitated and the timing of progressive rehabilitation (commencing as soon as practicable following disturbance)</li> <li>c. Detailed soil depth surveys and analysis to inform the effective placement and restoration of soils underlying the proposed rehabilitation sites; including mapping of soils across the disturbance sites and soil sampling at no less than one sample point per 20 ha of each soil type identified. Sampling must identify; type, depth, water holding capacity, structure and physio-chemical properties of each of the soil and subsoil layers.</li> <li>d. Processes and methodologies for the removal, storage and re-layering of the top soil and sub soil layers underlying the disturbed sites being prepared for rehabilitation. These processes and methodologies must ensure the replacement of top soil and sub soil layers:</li> </ul>	<p>Compliant</p>	<p>The Rehabilitation Management Plan (Rev 7) contains all the requirements of this condition.</p>

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
	<p>i. Meet the minimum depth requirements determined from sampling outcomes as identified in condition 23c; and,</p> <p>ii. replicates the other existing soil parameters including, but not limited to, soil type, water holding capacity, structure and physio-chemical properties.</p> <p>e. Criteria to determine success of rehabilitation of <b>native vegetation</b></p> <p>f. 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</p> <p>g. 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</p> <p>h. Details of long-term management and protection of the mine site.</p> <p>Note: for consistency, the person taking the action may develop a single mine rehabilitation plan to align with the requirements including timing of reports of the NSW state government Project Approval dated 18 July 2012 (application number 09_0182) requirements and this approval. The Offset management plan and the Mine site rehabilitation plan need to be substantially integrated for achieving biodiversity objectives for the rehabilitated mine-site.</p>		
	<p><b>Final Landform</b></p>		
<p>24. As varied on 11 August 2025.</p>	<p>The person taking the action must rehabilitate the site consistent with the proposed Rehabilitation Strategy as required under conditions 69, 70, 71 and 72 of the NSW state government Project Approval dated 18 July 2012 (application number 09_0182) such that the final landform provides the optimum opportunity for the successful restoration of <b>native vegetation communities</b> including the <b>White Box-Yellow Box- Blakely's Red Gum</b></p>	<p>Compliant</p>	<p>The site is being progressively rehabilitated in accordance with the NSW Project Approval requirements. The final Void and Mine Closure Plan under State Condition 72 was submitted for approval in December 2025.</p>

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
	<b>Grassy Woodland and Derived Native Grassland Ecological Community.</b>		
25. <i>As varied on 11 August 2025.</i>	<p>The person taking the Action must:</p> <p>a. Undertake rehabilitation to ensure the final landform minimises the extent of any resulting pit lake, avoids salt scalding and ensures that drained waters do not adversely affect the downstream environment and avoids any impacts on <b>matters of national environmental significance</b>.</p> <p>b. Prepare and implement an updated Final Void and Mine Closure Plan, in accordance with the NSW state government project approval conditions dated 19 July 2012 (application number 09-0182) that considers interactions with the adjoining mines, including interaction between final voids, opportunities for integrated mine planning with adjoining mines to minimise environmental impacts, all reasonable and feasible landform options for the final void (including filling) and predicted hydrochemistry and hydrogeology (including long-term groundwater recovery and void groundwater quality).</p>	Compliant	The Final Void and Closure Plan was submitted to DHPi for approval in December 2025.
<b>Survey data</b>			
26. <i>Original dated 11 February 2013.</i>	<p>All survey data collected for the project must be recorded so as to conform to data standards notified from time to time by the <b>department</b>. When requested by the <b>department</b>, the person taking the action must provide to the <b>department</b> all species and ecological survey data and related survey information from ecological surveys undertaken for <b>matters of national environmental significance</b>. This survey data must be provided within 30 business days of request, or in a timeframe agreed to by the <b>department</b> in writing. The <b>department</b> may use the survey data for other purposes.</p>	Compliant	All survey data collected for the project is recorded to conform to data standards as notified by the department.
<b>Reporting and auditing</b>			
27. <i>Original dated 11</i>	<p>Within 14 days after the <b>commencement of new mining activities</b>, the person taking the action must advise the <b>department</b> in writing of the actual</p>	Non-Compliant	BCOPL did not advise the department in writing of the actual date of

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
<i>February 2013.</i>	date of <b>commencement of new mining activities.</b>		commencement of new mining activities within the required timeframe. BCOPL notified DAWE of new mining activities on the 26 February 2014.
28. <i>Original dated 11 February 2013.</i>	Within three months of every 12 month anniversary of the <b>commencement of new mining activities</b> , the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any <b>plans</b> 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 <b>department</b> 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 <b>department</b> in writing within two business days of becoming aware of the non-compliance.	Compliant	The 2024 compliance report was provided to DAWE prior to the due date of the 3 May 2025.
29. <i>Original dated 11 February 2013.</i>	Upon the direction of the <b>Minister</b> , 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 <b>Minister</b> . The independent auditor must be approved by the <b>Minister</b> prior to the commencement of the audit. Audit criteria must be agreed to by the <b>Minister</b> and the audit report must address the criteria to the satisfaction of the <b>Minister</b> .	Compliant	BCOPL engaged Umwelt Australia Pty Ltd to conduct an independent audit in November 2020. The audit team was approved by DAWE on the 13 October 2020 and the audit criteria and methodology was approved 10 November 2020. The audit report was submitted to DAWE on the 25 March 2021.
30. <i>Original dated 11 February 2013.</i>	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 <b>department</b> for the <b>Minister's</b> written approval a revised version of that plan. The varied activity shall not	Not Applicable	No actions have occurred.

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
	<p>commence until the <b>Minister</b> has approved the revised plan in writing. The <b>Minister</b> will not approve a revised plan, unless the revised plan would result in an equivalent or improved environmental outcome. If the <b>Minister</b> approves the revised plan that plan must be implemented in place of the plan originally approved.</p>		
<p>31. <i>As varied on 11 August 2025.</i></p>	<p>If the <b>Minister</b> believes that it is necessary or convenient for the better protection of <b>EPBC Act</b> listed threatened species and communities or <b>EPBC Act</b> listed migratory species to do so, the <b>Minister</b> may request that the person taking the action make specified revisions to the management plan specified in the conditions and submit the revised plan for the <b>Minister's</b> written approval. The person taking the action must comply with any such request. The revised approved plan must be implemented. Unless the <b>Minister</b> has approved the revised plan then the person taking the action must continue to implement the originally approved plan, as specified in the conditions.</p>	<p>Not Applicable</p>	<p>No request has been made by the Minister.</p>
<p>32. <i>Original dated 11 February 2013.</i></p>	<p>If, at any time after 5 years from the date of this approval, the person taking the action has not <b>commenced new mining actions</b>, then the person taking the action must not commence the action without the written agreement of the <b>Minister</b>.</p>	<p>Not Applicable</p>	<p>Project extension started on 3 February 2014, within the 5 year period.</p>
	<p><b>Publication of plans</b></p>		
<p>33. <i>Original dated 11 February 2013.</i></p>	<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 <b>department</b>. Such records may be subject to audit by the <b>department</b> or an independent auditor in accordance with section 458</p>	<p>Compliant</p>	<p>BCOPL can substantiate all activities and outcomes associated with this approval via accurate records.</p>

Condition Number	Condition	Is the project compliant with this condition?	Evidence/Comments
	<p>of the EPBC Act or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the <b>department's</b> website. The results of audits may also be publicised through the general media.</p>		
<p>34. <i>Original dated 11 February 2013.</i></p>	<p>Unless otherwise agreed to in writing by the <b>Minister</b>, the person taking the action must publish all management plans referred to in these conditions of approval on their website. Each management plan must be published on the website within 1 month of being approved.</p>	<p>Compliant</p>	<p>All approved management plans are published on the company website.</p>