

Enclosure 1 - WCPL Response to Audit Findings

Document/ Condition	Details	Audit Finding	Evidence detailed in the Audit	Wambo Coal Pty Ltd (WCPL) Response
EPBC Approval 1138/2003				
2	The approved plan must be implemented.	Non-compliant	An assessment of compliance against the commitments within the BMP is provided in Appendix E (BMP Commitments) and Appendix F (3 year Management Strategy). As noted within these appendices a number of non-compliances have been identified. It is noted that whilst management actions outlined within the BMP, a number of these have not been undertaken in accordance with the commitments (e.g. reduced frequency of implementation).	See detailed responses below.
BMP Commitments (Appendix E of the Audit)				
6.3.1	<p>Fencing, gates and signage</p> <ul style="list-style-type: none"> Boundary fence integrity will be inspected quarterly and maintained during all management periods New fencing erected within or on the boundary of the RWEAs will use post and two or three strand non-barbed (plain) wire only. If required boundary fences to these areas may use a top barbed wire (or electric fencing). Existing fencing within the boundaries of the Domains will be removed in areas where it is providing no benefit to revegetation outcomes. 	Non-compliant	<p>2015 Annual Review indicates fencing investigated in 2015 and removal of internal fence line from RWEA A (Section 5.6.2).</p> <p>2016 Annual Review indicates fencing audited in 2016 and 1km of internal fence line removed from RWEA A (Section 5.6.2).</p> <p>No reference to quarterly inspections in Annual Review 2015-2018. No reference to fencing activities in 2017-2018.</p> <p>Invoices sighted from Rural & Environmental Management indicated fencing activities (removal, repair, installation) undertaken in 2015, 2016, 2017 and 2018, however unclear if all works were for the RWEAs.</p> <p>Appropriate fencing, gates and signage were observed during the site inspection.</p> <p>A survey of all fence lines within the RWEAs was conducted in 2019 which made recommendations to replace or repair fence</p>	<p>Whilst fencing inspections were not completed or documented in accordance with the BMP, fencelines continue to be well maintained. Fencelines were audited by a registered surveyor in 2016 and 2019. WCPL spent in excess of \$25,000 on RWEA fencing in 2019.</p> <p>WCPL Remedial/Improvement Actions</p> <ol style="list-style-type: none"> Quarterly inspections of fencelines have resumed and documentation has been improved. WCPL is seeking an amendment to the BMP to include a commitment for a three (3) yearly fence line audit (next scheduled for 2022) to replace the quarterly inspection. Periodic fence line inspections will continue and maintenance will be conducted as required. A copy of the updated BMP will be provided to the Department for review.

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			lines (N. Dobbins pers. comm.). 1,239 m of fencing was repaired and 930 m of new fencing was erected, primarily in RWEAs A and C. Evidence of fence repair and replacement sighted during the site inspection.	
6.3.2	<p>Seed collection and propagation</p> <ul style="list-style-type: none"> Wambo has implemented a native seed collection and propagation program The collection of locally sourced native seed will be carried out annually by a licensed provider with the Florabank guidelines used to guide the seed collection process. The seed collection program will take into account seasonality of seed availability and the specific target seed lists. 	Non-compliant	<p>2014 Annual Review indicates seed collection program undertaken in 2014, with commencement of a further seed collection program in January 2015 (Section 6.2.3).</p> <p>Seed collection program not detailed in Annual Reviews 2015-2018.</p> <p>Seed collection undertaken by Cumberland Plain Seeds in October 2019 for the revegetation program for the creek diversion (N. Dobbins pers. comm.).</p>	<p>Whilst there is no evidence of seed collection during the 2015-2018 period, rehabilitation activities were undertaken using the approved seed species list contained in Appendix G of the BMP. Seed was purchased from a local supplier and included some locally sourced species. Seed collection at WCPL was undertaken in summer 2019 and a report provided by the seed collection contractor.</p> <p>WCPL Remedial/Improvement Actions</p> <ol style="list-style-type: none"> Seed collection will continue annually.
6.3.2.2	<p>Weed management</p> <ul style="list-style-type: none"> Wambo's weed management program will involve six monthly inspections of the RWEAs and Revegetation Areas. An annual routine weed management program will be implemented whereby herbaceous weed species are treated to prevent further spread. Treatment of all weeds will be 	Non-compliant	<p>2015 Annual Review indicates weed control undertaken (Section 5.15).</p> <p>2016 Annual Review indicates weed control undertaken (Section 5.15), including details on target species.</p> <p>2017 Annual Review indicates weed control undertaken, including personnel, target species and techniques.</p> <p>2018 Annual Review indicates weed control undertaken, including personnel, target species and techniques.</p> <p>Invoices sighted from Rural & Environmental</p>	<p>Whilst evidence was not located for six monthly inspections, a weed control program has been undertaken every year and reported in the Annual Review. WCPL completes Annual Flora and Fauna monitoring in accordance with the requirements of the BMP which reports on weed management.</p> <p>The new Weed Management Treatment Plan will improve the strategic approach to weed management. The weed survey conducted in 2019 will be conducted annually and the Weed Management Treatment Plan updated to provide the framework for weed treatment in the following year.</p>

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	undertaken by suitably qualified and experienced personnel.		<p>Management indicate weed management undertaken in 2015, 2016, 2017 and 2018, however unclear if all works were for the RWEAs.</p> <p>No evidence of six-monthly inspections, and uncertainty of routine weed management within all RWEAs.</p> <p>A new weed management treatment plan was developed in 2019 to guide future management (N. Dobbins pers. comm.).</p> <p>Recommendation: It is recommended the BMP is updated to ensure consistency with the new weed management treatment plan. The BMP will also need to be consistent with the requirements of the relevant Conservation Agreements.</p>	<p>WCPL Remedial/Improvement Actions</p> <ol style="list-style-type: none"> 1. Six monthly inspections of the RWEAs and Revegetation Areas will be reinstated. 2. WCPL will update the BMP to reference the Weed Management Treatment Plan (2019) and remove the requirement for six monthly weed inspections. This commitment will be replaced with inspections completed during weed control activities and the weed survey conducted during the Annual Flora and Fauna Monitoring.
6.3.2.3	<p>Vertebrate pest management</p> <ul style="list-style-type: none"> • The Wambo operated pest control program is complemented by a year round agister-managed pest control program. • The agister-managed program primarily targets feral pigs on grazing and buffer lands surrounding Wambo's open cut mine site. • The agister-managed program utilises Wambo -owned night vision cameras to monitor the movement of pest species. • Humane trapping and shooting practices are employed to capture and 	Non-compliant	<p>2015 Annual Review indicates pest control undertaken (Section 5.15). 2016 Annual Review indicates pest control undertaken (Section 5.15). 2017 Annual Review indicates pest control undertaken (Section 5.15). 2018 Annual Review indicates pest control undertaken (Section 5.15).</p> <p>Vertebrate Pest Management Reports by Rural & Environmental Management for the periods:</p> <p>8 July – 5 August 2015 6 – 27 September 2016 17 February – 3 March 2017 5 – 19 September 2017 22 May – 15 June 2018 13 – 28 September 2018 8 – 20 May 2019</p>	<p>Non-compliance relates to the agister managed program and a lack of documentation in this regard.</p> <p>WCPL Remedial/Improvement Actions</p> <ol style="list-style-type: none"> 1. As recommended by Cumberland Ecology, the BMP will be revised to detail biannual vertebrate pest management, consistent with the requirements of the relevant Conservation Agreements. 2. Documentation for the agister-managed pest control program will be improved.

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	<p>ethanize targeted feral species.</p>		<p>Additional feral pig management was also reported for the period 1 – 10 April 2019.</p> <p>Reporting indicates use of motion-sensor cameras.</p> <p>Feral pigs have been shot by Agistees (Caban and Nichols), however no formal report to confirm (N. Dobbins pers. comm.). No further evidence of an agister-managed pest control program.</p> <p>Recommendation: The BMP should be updated to detail biannual vertebrate pest management. The BMP will need to be consistent with the requirements of the relevant Conservation Agreements.</p>	
<p>6.3.3</p>	<p>Waste management</p> <ul style="list-style-type: none"> Routine inspections of the RWEAs and Revegetation Areas will include monitoring of potential waste management issues, including illegal dumping of waste, and removal of waste if/when required. All waste removed from these areas will be managed in accordance with Wambo's Waste Management Plan. 	<p>Non-compliant</p>	<p>2015-2018 Annual Reviews do not include reference to routine inspections for waste management issues.</p> <p>No obvious waste issues observed during the site inspection.</p>	<p>Whilst evidence of inspections was not located, there has been no illegal dumping of waste in RWEAs or Revegetation Areas.</p> <p>WCPL Remedial/ Improvement Actions</p> <ol style="list-style-type: none"> Documentation around inspections for illegal dumping of waste will be improved.
<p>6.3.4</p>	<p>Erosion, sedimentation and soil management</p> <ul style="list-style-type: none"> Routine inspections of the RWEAs and Revegetation Areas will include monitoring of potential erosion, sedimentation and soil management issues. 	<p>Non-compliant</p>	<p>2015-2019 Annual Reviews do not indicate routine inspections. Implementation of actions within the Erosion and Sediment Control Plan undertaken within Revegetation Areas in 2015-2018.</p> <p>The revegetation areas are managed in accordance with the Erosion and Sediment Control Plan (N. Dobbins pers. comm.).</p>	<p>Whilst inspections were not well documented or reported in the Annual Reviews, opportunistic inspections are completed and maintenance work undertaken as required.</p> <p>WCPL Remedial/ Improvement Actions</p> <ol style="list-style-type: none"> Erosion and sediment control works will continue to be carried out in accordance with

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	<ul style="list-style-type: none"> All erosion and sediment control works will be carried out in accordance with Wambo's Erosion and Sediment Control Plan. 			<p>WCPL Erosion and Sediment Control Plan.</p> <p>2. Documentation around inspections of erosion and sediment control structures in the RWEAs and revegetation areas will be improved.</p>
Three Year Management Strategy (Appendix F of the Audit)				
Weed Control	Year 1 to Year 3 commitments around Primary weed control, consisting of bush regeneration by qualified bush regeneration contractor, applying a range of techniques ..	Not verified	Whilst activities have been occurring, as documented in the Annual Reviews, there is insufficient evidence of these being undertaken in accordance with the commitments.	<p>Refer to line 6.3.2.2 above for further information</p> <p>WCPL Remedial/ Improvement Actions</p> <ol style="list-style-type: none"> Future invoices for weed control will detail breakdown of costs and number of hours spent in each RWEA, to enable assessment against this requirement. A weed management report will be prepared annually by the qualified bush regeneration contractor to document that the works have been undertaken in accordance with the required actions.
	<p>Management Effort Required:</p> <p>RWEAs A-D: between approximately 300 and 500 hours up to a maximum of \$30,000/year (depending on contract rate and chemical requirement).</p> <p>RWEA Coal terminal: between approximately 100 and 167 hours up to a maximum of \$10,000/year (depending on contract rate and chemical requirement).</p>	Not verified	No detailed breakdown of costs for each RWEA exists and therefore there is insufficient evidence that targets have been met.	
Fencing	Erect/repair and maintain stock proof fencing on boundaries of RWEAs.	Not verified	Management indicated fencing activities (removal, repair, installation) undertaken in 2015, 2016, 2017 and 2018, however unclear if all works were for the RWEAs.	<p>Refer to line 6.3.1 above for further information</p> <p>WCPL Remedial/ Improvement Actions</p> <ol style="list-style-type: none"> Future invoices for fencing will include details on location and type of fencing work completed. Repairs, maintenance and new fencing will continue to finalise the requirement of this commitment.
	<p>RWEAs A-D: Erect 2450 metres stock proof fence on boundary of RWEAs and repair 2.1 km of existing fence on other boundaries of the RWEAs as required.</p> <p>RWEA Coal terminal: Erect 340 metres stock proof fence on boundary of RWEA and repair 3.82</p>			

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	km of existing fence on other boundaries of the RWEA as required. RWEA E: Erect fencing on the boundary of the RWEA and/or repair existing fencing as required.			