

REPORT



EPBC Annual Compliance Report - 2020/8676

for Queensland Coking Coal

28/03/2023

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1 Introduction

This annual compliance report has been prepared on behalf of Queensland Coking Coal Pty Ltd (the Approval Holder) to review compliance with the conditions of the EPBC Approval 2020/8676 for the Vulcan Complex Project (the Project). This report has been prepared in accordance with approval condition 19. Details of the EPBC approval are provided in **Section 2**.

2 EPBC Approval Details

2.1 Person to Whom the Approval is Granted

Queensland Coking Coal (QCC) is the Approval Holder for the Project.

2.2 Approved Action

To construct and operate an open-cut coal mine, and associated infrastructure, located 35 kilometres south of Moranbah, Queensland (as described in EPBC Act referral 2020/8676).

2.3 Approval Decision of Controlling Provisions

Listed Threatened Species and Communities	Decision
Section 18	Approved
Section 18A	Approved

2.4 Period for which the Approval has effect

This approval has effect until 31 December 2045.

2.5 Date of Decision

The approval decision was made on 9 March 2022.

2.6 Reporting Period

This compliance report details the status and compliance of the Project for the reporting period between the 28 April 2022 and 31 March 2023.

3 Compliance Reporting Condition

Condition 19 of EPBC Approval 2020/8676, states:

The Approval Holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:

- a. publish each compliance report on the website within 60 business days following the relevant 12 month period;*
- b. notify the department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication;*
- c. keep all compliance reports publicly available on the website until this approval expires;*
- d. exclude or redact sensitive ecological data from compliance reports published on the website; and*
- e. 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.*

The conditions attached to the Project's EPBC approval, the status of compliance and additional comments, are provided in **Table 3-1** and **Appendix A**.

Table 3-1 Compliance of Approval Conditions

Condition Number	EPBC 2020/8676 Condition	Compliance Status	Comment/Evidence
PART A- CONDITIONS SPECIFIC TO THE ACTION			
Maximum Clearance Limits			
1	The approval holder must not clear outside the project area	Non-compliant	<p>Small areas of additional disturbance are present on ML700060, outside of the maximum disturbance footprint (EPBC 2020/8676 Attachment 1- Project Area). Importantly this disturbance:</p> <ul style="list-style-type: none"> remains within the total area (ha) of disturbance authorised; and has not impacted Matters of National Environmental Significance (MNES) beyond that authorised in the 2020/8676 approval conditions. <p>The reasons for the change in disturbance area are set out below:</p> <ul style="list-style-type: none"> The majority of the disturbance on the southern part of the south-western boundary was established as an alternative location to the authorised magazine. The proposed magazine location was required to be relocated further to the south, to maintain a larger exclusion zone from the office buildings in the north. The former magazine area has not been disturbed. The disturbance along the north-western boundary of the ML was required to maintain landholder fence lines. The disturbance immediately to the north-west of the authorised disturbance boundary is primarily attributable to small scale, low impact exploration activities deemed to be separate from the mining activities associated with 2020/8676. These partially utilise existing farm tracks and historical disturbance associated with borrow pits that were excavated for the construction of the flood levee in the 1970's. This disturbance area has subsequently been used for storage of mine equipment and materials. The disturbance to the south of the Out-of-pit Dump is also associated with small-scale exploration activities.

2	<p>The approval holder must not clear more than the following:</p> <ul style="list-style-type: none"> a. 203.5 ha of Koala (<i>Phascolarctos cinereus</i>) habitat b. 170.0 ha of Squatter Pigeon (southern) (<i>Geophaps scripta scripta</i>) breeding habitat; and c. 209.8 ha of Squatter Pigeon (southern) (<i>Geophaps scripta scripta</i>) foraging habitat 	Compliant	<p>In the reporting period, the following amount of clearing has been undertaken:</p> <ul style="list-style-type: none"> a. 138.7 ha of Koala (<i>Phascolarctos cinereus</i>) habitat; b. 122.2 ha of Squatter Pigeon (southern) (<i>Geophaps scripta scripta</i>) breeding habitat; and c. 144.9 ha of Squatter Pigeon (southern) (<i>Geophaps scripta scripta</i>) foraging habitat.
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Environmental Offset Requirements

3	<p>To compensate for the clearance of habitat for protected matters up to the limits specified in condition 2, the approval holder must, prior to the commencement of the action and for the duration of the approval, implement the Offset Area Management Plan (OAMP).</p>	Compliant	<p>The department was notified of the commencement of the action on 28 April 2022. Implementation of the Offsets Area Management Plan (OAMP) commenced prior to commencement of the action. Confirmation of commencement of OAMP implementation was provided by Earthtrade, the agent through which QCC had secured the offset area.</p>
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Offset Implementation Reporting

4	<p>Within 60 business days after the end of each 5 year period from the date of this approval, until the expiry of this approval, the approval holder must submit to the department and publish on the website for the remainder of the period of the approval, a report specifying in detail progress (or lack thereof) towards achieving and/or maintaining each of the completion criteria specified in the OAMP. The report must:</p> <ul style="list-style-type: none"> a. report the outcomes achieved in respect of each interim performance 	Compliant	<p>The first 5 year reporting period will end on 9 March 2027, based on the approval of 9 March 2022.</p>
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- target in the period since this approval decision;
- b. report in detail the outcomes achieved in respect of each interim performance target in the last five years;
 - c. describe the results and effectiveness of all management actions implemented during the last five years;
 - d. include all monitoring results, including all confirmed sightings of protected matters in a format consistent with the Guidelines for biological survey and mapped data;
 - e. detail any interim performance targets not met, describe all corrective actions taken and evaluate their effectiveness; and
 - f. identify any further corrective actions and/or adaptive management actions required to meet interim performance targets and/or completion criteria.

Once any completion criterion is achieved, the approval holder must manage the offset area(s) described in the OAMP to maintain that completion criterion for the remaining duration of this approval.

5

Within 60 business days after the end of 20 years from the date of this approval decision, the approval holder must submit a report that documents whether or not the entire offset area(s) described in the OAMP has/have fully

Compliant

The 20 year reporting period will end on 9 March 2042, based on the approval of 9 March 2022.

	achieved and maintained the completion criteria specified in the OAMP.		
6	If any completion criterion has not been achieved within 20 years from the date of this approval decision, the approval holder must, within 6 months after the end of 20 years from the date of this approval decision, submit to the department for the Minister's approval an Offset Management Plan to address the shortfall in environmental offsets consistent with the Environmental offsets policy.	Compliant	Not Applicable
7	If an Offset Management Plan is required in accordance with condition 6 and an Offset Management Plan has not been approved by the Minister in writing within 10 months of the end of 20 years from the date of this approval decision, and the Minister notifies the approval holder that no Offset Management Plan is suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the Offset Management Plan prepared or revised by the department. The approval holder must implement the approved Offset Management Plan, or any subsequent version of the Offset Management Plan approved by the Minister in writing, for the remaining duration of this approval.	Compliant	Not Applicable
Legal Securing of Offsets			
8	The approval holder must legally secure the offset area(s) described in the OAMP within 12	Partially compliant	An application to vary Condition 8 to allow additional time to secure offsets had been submitted to the department, with approval pending.

	months from the date of the commencement of the action. The OAMP must be attached to the legal mechanism used to legally secure the offset area(s).		
9	The approval holder must provide to the department evidence of the legal mechanism used to legally secure the offset area(s) within 12 months from the date of the commencement of the action.	Partially compliant	An application to vary Condition 9 to allow additional time to secure offsets and provide evidence had been submitted to the department, with approval pending.
10	The legal mechanism used to legally secure the offset area(s) described in the OAMP must remain in force from the date of obtaining legal security for at least the remaining period of effect of this approval.	Compliant	Not applicable at present.
Conservation of the Koala in the Bowen Basin			
11	The approval holder must contribute a single payment equivalent to the value of \$35,000 (GST exclusive and indexed in line with CPI on the date of this approval) to a program specified by the Minister in writing where the contribution will be used for the better protection and long-term conservation of the Koala (<i>Phascolarctos cinereus</i>) in the Bowen Basin.	Compliant	The Approval Holder will contribute \$35,000 (ex GST) to a program specified by the Minister. The Minister has not yet specified a program.
12	Within 3 months of the date the Minister specifies the program described in condition 11, the approval holder must provide notice to the department, with documentary evidence, that the payment required under condition 11 has been made.	Compliant	The Minister has not yet specified a program.

PART B- STANDARD ADMINISTRATIVE CONDITIONS

Notification of Date of Commencement of the Action

13	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	The department was notified on the 28th April 2022 that the action commenced on the same day.
14	If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister	Compliant	Not Applicable

Compliance Records

15	The approval holder must maintain accurate and complete compliance records.	Compliant	All records relevant to the conditions of approval are maintained by the Approval Holder. If required by the Minister, these records can be made available.
16	<p>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.</p> <p>Note: Compliance records may be subject to audit by the department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the department's website or through the general media.</p>	Compliant	Records will be made available upon request. No requests have been received.

Submission and Publication of Plans

17	The approval holder must:	Compliant	The approved OAMP has been published on Vitrinite's website.
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- a. submit plans electronically to the department;
- b. publish each plan on the website within 20 business days of the date:
 - ii) of this approval, if the version of the plan to be implemented is specified in these conditions; or
 - iii) the plan is approved by the Minister, if the plan requires the approval of the Minister.
- c. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and
- d. keep plans published on the website until the end date of this approval.

<p>18</p>	<p>The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under all plans is prepared in accordance with the department's Guidelines for biological survey and mapped data and submitted electronically to the department in accordance with the requirements of those plans.</p>	<p>Compliant</p>	<p>The approved OAMP has been prepared in accordance with the department's requirements.</p>
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Annual Compliance Reporting

<p>19</p>	<p>The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date</p>	<p>Partially compliant</p>	<p>This report has been prepared to comply with condition 19. The timing of its publication is the subject of a condition variation application with approved conditions pending.</p>
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that has been agreed to in writing by the Minister. The approval holder must:

- a. publish each compliance report on the website within 60 business days following the relevant 12 month period;
- b. notify the department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication;
- c. keep all compliance reports publicly available on the website until this approval expires;
- d. exclude or redact sensitive ecological data from compliance reports published on the website; and
- e. 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.

Note: Compliance reports may be published on the department's website.

Reporting Non-compliance

<p>20</p>	<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</p>	<p>Non-compliant</p>	<p>After becoming aware of the non-compliances with the conditions of approval, the Approval Holder has not notified the department within 2 business days of becoming aware.</p> <p>However, the non-compliances noted in this review are largely associated with issues raised with the department via an application to vary conditions prior to</p>
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later than 2 business days after becoming aware of the incident or non-compliance. The notification must specify:

- a. any condition which is or may be in breach;
- b. a short description of the incident and/or non-compliance; and
- c. the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.

them becoming non-compliances. The outcomes of that condition variation application are still pending.

21

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:

- a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;
- b. the potential impacts of the incident or non-compliance; and
- c. the method and timing of any remedial action that will be undertaken by the approval holder.

Non-compliant

Details of non-compliances have not been provided to the department within 10 business days.

However, the non-compliances noted in this review are largely associated with issues raised with the department via an application to vary conditions prior to them becoming non-compliances. The outcomes of that condition variation application are still pending.

Independent Audit

22	The approval holder must ensure that independent audits of compliance with the conditions are conducted when requested in writing by the Minister.	Compliant	The Minister has not requested an independent audit to be undertaken.
23	<p>For each independent audit, the approval holder must:</p> <ul style="list-style-type: none"> a. provide the name and qualifications of the independent auditor and the draft audit criteria to the department; b. only commence the independent audit once the audit criteria have been approved in writing by the department; and c. submit an audit report to the department within the timeframe specified in the approved audit criteria. 	Compliant	Not Applicable
24	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.	Compliant	Not Applicable
Revision of Management Plans			
25	The approval holder may, at any time, apply to the Minister for a variation to a plan approved by the Minister by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised plan then, from the date specified, the approval holder must implement the revised plan in place of the previous plan.	Compliant	No plan variations have been applied for.

**Completion of the
Action**

26	Within 30 days after the completion of the action, the approval holder must notify the department in writing and provide completion data.	Compliant	The department will be notified in writing and supplied with completion data within 30 days after the completion of the action.
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Appendix A-

EPBC Approval Conditions (EPBC 2020/8676)



APPROVAL

Vulcan Complex Project, near Moranbah, Queensland (EPBC 2020/8676)

This decision is made under sections 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (the EPBC Act). Note that section 134(1A) of the EPBC Act applies to this approval, which provides in general terms that if the approval holder authorises another person to undertake any part of the action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such condition.

Details

Person to whom the approval is granted (approval holder)	Queensland Coking Coal Pty Ltd
ABN of approval holder	71 129 600 004
Action	To construct and operate an open-cut coal mine, and associated infrastructure, located 35 kilometres south of Moranbah, Queensland [as described in EPBC Act referral 2020/8676].

Proposed Approval decision

My decision on whether or not to approve the taking of the action for the purposes of the controlling provision for the action is as follows.

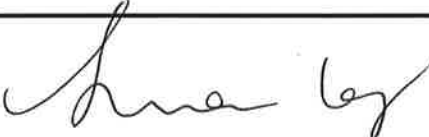
Controlling Provisions

Listed Threatened Species and Communities	
Section 18	Approve
Section 18A	Approve

Period for which the approval has effect

This approval has effect until 31 December 2045.

Decision-maker

Name and position	The Hon Sussan Ley MP Minister for the Environment
Signature	
Date of decision	9 th March 2022

Conditions of approval

This approval is subject to the conditions under the EPBC Act as set out in ANNEXURE A.

ANNEXURE A – CONDITIONS OF APPROVAL

Part A – Conditions specific to the action

Maximum Clearance Limits

1. The approval holder must not clear outside the **project area**.
2. The approval holder must not clear more than the following:
 - a. 203.5 ha of **Koala (*Phascolarctos cinereus*) habitat**;
 - b. 170.0 ha of **Squatter Pigeon (southern) (*Geophaps scripta scripta*) breeding habitat**; and
 - c. 209.8 ha of **Squatter Pigeon (southern) (*Geophaps scripta scripta*) foraging habitat**.

Environmental Offset Requirements

3. To compensate for the **clearance** of habitat for **protected matters** up to the limits specified in condition 2, the approval holder must, prior to the **commencement of the action** and for the duration of the approval, implement the **Offset Area Management Plan (OAMP)**.

Offset Implementation Reporting

4. Within 60 **business days** after the end of each 5 year period from the date of this approval, until the expiry of this approval, the approval holder must submit to the **department** and publish on the **website** for the remainder of the period of the approval, a report specifying in detail progress (or lack thereof) towards achieving and/or maintaining each of the completion criteria specified in the **OAMP**. The report must:
 - a. report the outcomes achieved in respect of each interim performance target in the period since this approval decision;
 - b. report in detail the outcomes achieved in respect of each interim performance target in the last five years;
 - c. describe the results and effectiveness of all management actions implemented during the last five years;
 - d. include all monitoring results, including all confirmed sightings of **protected matters** in a format consistent with the **Guidelines for biological survey and mapped data**;
 - e. detail any interim performance targets not met, describe all corrective actions taken and evaluate their effectiveness; and
 - f. identify any further corrective actions and/or adaptive management actions required to meet interim performance targets and/or completion criteria.

Once any completion criterion is achieved, the approval holder must manage the offset area(s) described in the **OAMP** to maintain that completion criterion for the remaining duration of this approval.

5. Within 60 **business days** after the end of 20 years from the date of this approval decision, the approval holder must submit a report that documents whether or not the entire offset area(s) described in the **OAMP** has/have fully achieved and maintained the completion criteria specified in the **OAMP**.
6. If any completion criterion has not been achieved within 20 years from the date of this approval decision, the approval holder must, within 6 months after the end of 20 years from the date of this approval decision, submit to the **department** for the **Minister's** approval an Offset Management Plan to address the shortfall in environmental offsets consistent with the **Environmental offsets policy**.

7. If an Offset Management Plan is required in accordance with condition 6 and an Offset Management Plan has not been approved by the **Minister** in writing within 10 months of the end of 20 years from the date of this approval decision, and the **Minister** notifies the approval holder that no Offset Management Plan is suitable for approval, the **Minister** may, at least two months after so notifying the approval holder, approve a version of the Offset Management Plan prepared or revised by the **department**. The approval holder must implement the approved Offset Management Plan, or any subsequent version of the Offset Management Plan approved by the **Minister** in writing, for the remaining duration of this approval.

Legal Securing of Offsets

8. The approval holder must **legally secure** the offset area(s) described in the **OAMP** within 12 months from the date of the **commencement of the action**. The **OAMP** must be attached to the legal mechanism used to **legally secure** the offset area(s).
9. The approval holder must provide to the **department** evidence of the legal mechanism used to **legally secure** the offset area(s) within 12 months from the date of the **commencement of the action**.
10. The legal mechanism used to **legally secure** the offset area(s) described in the **OAMP** must remain in force from the date of obtaining **legal security** for at least the remaining period of effect of this approval.

Conservation of the Koala in the Bowen Basin

11. The approval holder must contribute a single payment equivalent to the value of \$35,000 (GST exclusive and indexed in line with **CPI** on the date of this approval) to a program specified by the **Minister** in writing where the contribution will be used for the better protection and long-term conservation of the Koala (*Phascolarctos cinereus*) in the Bowen Basin.
12. Within 3 months of the date the **Minister** specifies the program described in condition 11, the approval holder must provide notice to the **department**, with documentary evidence, that the payment required under condition 11 has been made.

Part B – Standard administrative conditions

Notification of Date of Commencement of the Action

13. 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**.
14. If the **commencement of the action** does not occur within 5 years from the date of this approval, then the approval holder must not **commence the action** without the prior written agreement of the **Minister**.

Compliance Records

15. The approval holder must maintain accurate and complete **compliance records**.
16. 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.

Note: **Compliance records** may be subject to audit by the **department** or an independent auditor in accordance with section 458 of the **EPBC Act**, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the **department's** website or through the general media.

Submission and Publication of Plans

17. The approval holder must:
 - a. submit **plans** electronically to the **department**;

- b. publish each **plan** on the **website** within 20 **business days** of the date:
 - i. of this approval, if the version of the **plan** to be implemented is specified in these conditions; or
 - ii. the **plan** is approved by the **Minister**, if the **plan** requires the approval of the **Minister**.
- c. exclude or redact **sensitive ecological data** from **plans** published on the **website** or provided to a member of the public; and
- d. keep **plans** published on the **website** until the end date of this approval.

18. The approval holder must ensure that any **monitoring data** (including **sensitive ecological data**), surveys, maps, and other spatial and metadata required under all **plans** is prepared in accordance with the **department's Guidelines for biological survey and mapped data** and submitted electronically to the **department** in accordance with the requirements of those **plans**.

Annual Compliance Reporting

19. The approval holder must prepare a **compliance report** for each 12 month period following the date of **commencement of the action**, or otherwise in accordance with an annual date that has been agreed to in writing by the **Minister**. The approval holder must:
- a. publish each **compliance report** on the **website** within 60 **business days** following the relevant 12 month period;
 - b. notify the **department** by email that a **compliance report** has been published on the **website** and provide the weblink for the **compliance report** within 5 **business days** of the date of publication;
 - c. keep all **compliance reports** publicly available on the **website** until this approval expires;
 - d. exclude or redact **sensitive ecological data** from **compliance reports** published on the **website**; and
 - e. 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.

Note: Compliance reports may be published on the **department's** website.

Reporting Non-compliance

20. 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 2 **business days** after becoming aware of the **incident** or non-compliance. The notification must specify:
- a. any condition which is or may be in breach;
 - b. a short description of the **incident** and/or non-compliance; and
 - c. the location (including co-ordinates), date, and time of the **incident** and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.
21. 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:
- a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;
 - b. the potential **impacts** of the **incident** or non-compliance; and
 - c. the method and timing of any remedial action that will be undertaken by the approval holder.

Independent Audit

22. The approval holder must ensure that **independent audits** of compliance with the conditions are conducted when requested in writing by the **Minister**.
23. For each **independent audit**, the approval holder must:
- a. provide the name and qualifications of the independent auditor and the draft audit criteria to the **department**;
 - b. only commence the **independent audit** once the audit criteria have been approved in writing by the **department**; and
 - c. submit an audit report to the **department** within the timeframe specified in the approved audit criteria.
24. 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.

Revision of Management Plans

25. The approval holder may, at any time, apply to the **Minister** for a variation to a **plan** approved by the **Minister** by submitting an application in accordance with the requirements of section 143A of the **EPBC Act**. If the **Minister** approves a revised **plan** then, from the date specified, the approval holder must implement the revised **plan** in place of the previous **plan**.

Completion of the Action

26. Within 30 days after the **completion of the action**, the approval holder must notify the **department** in writing and provide **completion data**.

Part C – Definitions

In these conditions, except where contrary intention is expressed, the following definitions are used:

Business day means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.

Clear/ance means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation (but not including weeds – see the *Australian weeds strategy 2017 to 2027* for further guidance).

Commencement of the action/commence the action means the first instance of any specified activity associated with the action including **clearance** and **construction**. **Commencement of the action** does not include minor physical disturbance necessary to:

- i. undertake pre-clearance surveys or monitoring programs;
- ii. install signage and/or temporary fencing to prevent unapproved use of the **project area**;
- iii. protect environmental and property assets from fire, weeds and pests, including installation of temporary fencing, and maintenance of existing surface access tracks; or
- iv. install temporary site facilities for persons undertaking pre-commencement activities so long as these are located where they have no **impact** on **protected matters**.

Completion data means an environmental report and spatial data clearly detailing how conditions 1 and 2 of this approval have been met. The **department's** preferred spatial data format is **shapefile**. This includes, but is not limited to, the area of habitat **cleared** for each **protected matter**.

Completion of the action means the date on which all specified activities associated with the action have permanently ceased.

Compliance records means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the approval holder's possession or that are within the approval holder's power to obtain lawfully.

Compliance reports means written reports:

- i. providing accurate and complete details of compliance, **incidents**, and non-compliance with the conditions and the **plans**;
- ii. consistent with the **department's Annual Compliance Report Guidelines (2014)**;
- iii. include a **shapefile** of any **clearance** of any **protected matters**, or their habitat, undertaken within the relevant 12 month period; and
- iv. annexing a schedule of all **plans** prepared and in existence in relation to the conditions during the relevant 12 month period.

Construction means the erection of a building or structure that is or is to be fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; preliminary site preparation work which involves breaking of the ground (including pile driving); the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of temporary fences and signage.

CPI means the Consumer Price Index, sourced from the Australian Bureau of Statistics, based on the change for All Groups CPI over the June to June period (released at the end of June each year).

Department means the Australian Government agency responsible for administering the **EPBC Act**.

Environmental offsets policy means the **EPBC Act Environmental Offsets Policy (2012)**, or subsequent revision, including the **Offset assessment guide**.

EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

Guidelines for biological survey and mapped data means the department's *Guidelines for biological survey and mapped data (2018)*, or subsequent revision.

Impact (verb) means to cause any measurable direct or indirect disturbance or harmful change as a result of any activity associated with the action. **Impact(s)** (noun) means any measurable direct or indirect disturbance or harmful change as a result of any activity associated with the action.

Incident means any event which has the potential to, or does, **impact** on one or more **protected matter(s)** other than as authorised by this approval.

Independent audit means an audit conducted by an independent and **suitably qualified person** as detailed in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines (2019)*.

Koala (*Phascolarctos cinereus*) habitat means any forest or woodland (including remnant, regrowth and modified vegetation communities) containing species that are Koala food trees or any shrubland with emergent Koala food trees, shown marked within the **project area** on the map at Attachment 2 as 'Koala Habitat'.

Legally secure/ing means to provide ongoing conservation protection on the title of the land, under an enduring protection mechanism, such as a voluntary declaration under the *Vegetation Management Act 1999* (Qld) or another enduring protection mechanism agreed to in writing by the department, to provide in perpetuity protection for the site against development incompatible with conservation.

Monitoring data means the data required to be recorded under the conditions of this approval.

Minister means the Australian Government Minister administering the **EPBC Act** including any delegate thereof.

Offset Area Management Plan (OAMP) means the *Offset Area Management Plan Vulcan Complex Project* dated 24 November 2021, provided to the **department** on 25 November 2021, or a subsequent version currently approved by the **Minister** in writing.

Offset assessment guide means the guidance document titled *How to use the Offsets assessment guide* (2012), which includes the requirements for habitat quality scores, provided by the department to assist users of the **Environmental offsets policy**.

Plan(s) means any of the documents required to be prepared, approved by the **Minister**, implemented by the approval holder and/or published on the **website** in accordance with these conditions (includes action management plans and/or strategies).

Project area means the area within which the action as described in EPBC Act referral 2020/8676 will be undertaken, represented on the map at Attachment 1 as the zone enclosed by the green line designated 'VCP Revised Maximum Disturbance Footprint'.

Protected matter(s) means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

Sensitive ecological data means data as defined in the Australian Government Department of the Environment (2016) *Sensitive Ecological Data – Access and Management Policy V1.0*.

Shapefile means location and attribute information of the action provided in an Esri shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

Squatter Pigeon breeding (southern) (*Geophaps scripta scripta*) breeding habitat means any remnant or regrowth open-forest to sparse, open-woodland or scrub dominated by *Eucalyptus*, *Corymbia*, *Acacia* or *Callitris* species, on sandy or gravelly soils (including, but not limited to, areas mapped as Queensland land zones 3, 5 or 7) where groundcover vegetation covers less than 33% of the ground area, within 1 km of a suitable, permanent or seasonal waterbody, shown marked within the **project area** on the map at Attachment 3 as 'Breeding and Foraging' 'Squatter Pigeon Habitat'.

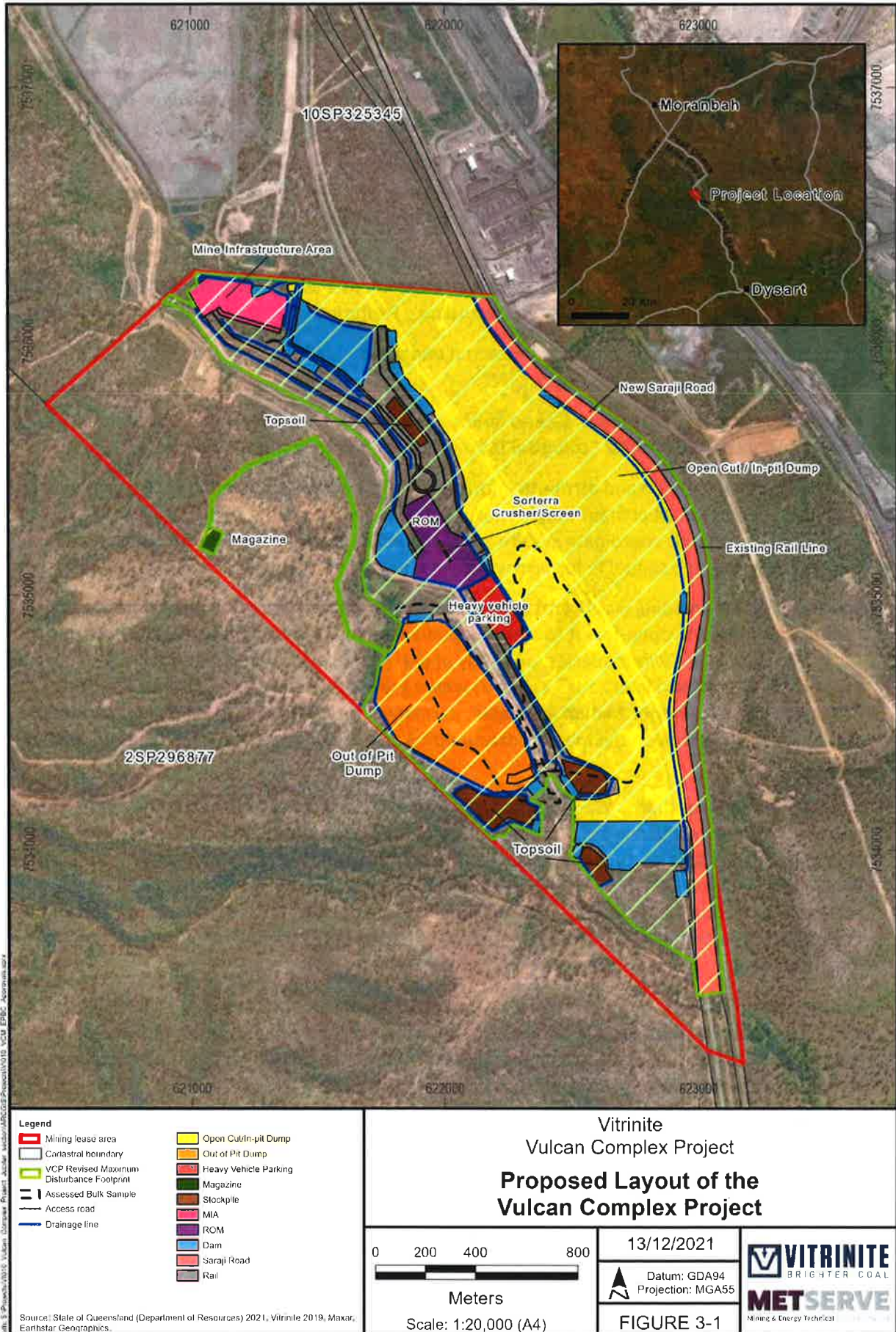
Squatter Pigeon (southern) (*Geophaps scripta scripta*) foraging habitat means any remnant or regrowth open-forest to sparse, open-woodland or scrub dominated by *Eucalyptus*, *Corymbia*, *Acacia* or *Callitris* species, on sandy or gravelly soils (including, but not limited to, areas mapped as Queensland land zones 3, 5 or 7) where groundcover vegetation covers less than 33% of the ground area, within 3 km of a suitable, permanent or seasonal waterbody, shown marked within the **project area** on the map at Attachment 3 as 'Breeding and Foraging' or 'Foraging' 'Squatter Pigeon Habitat'.

Suitably qualified person means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.

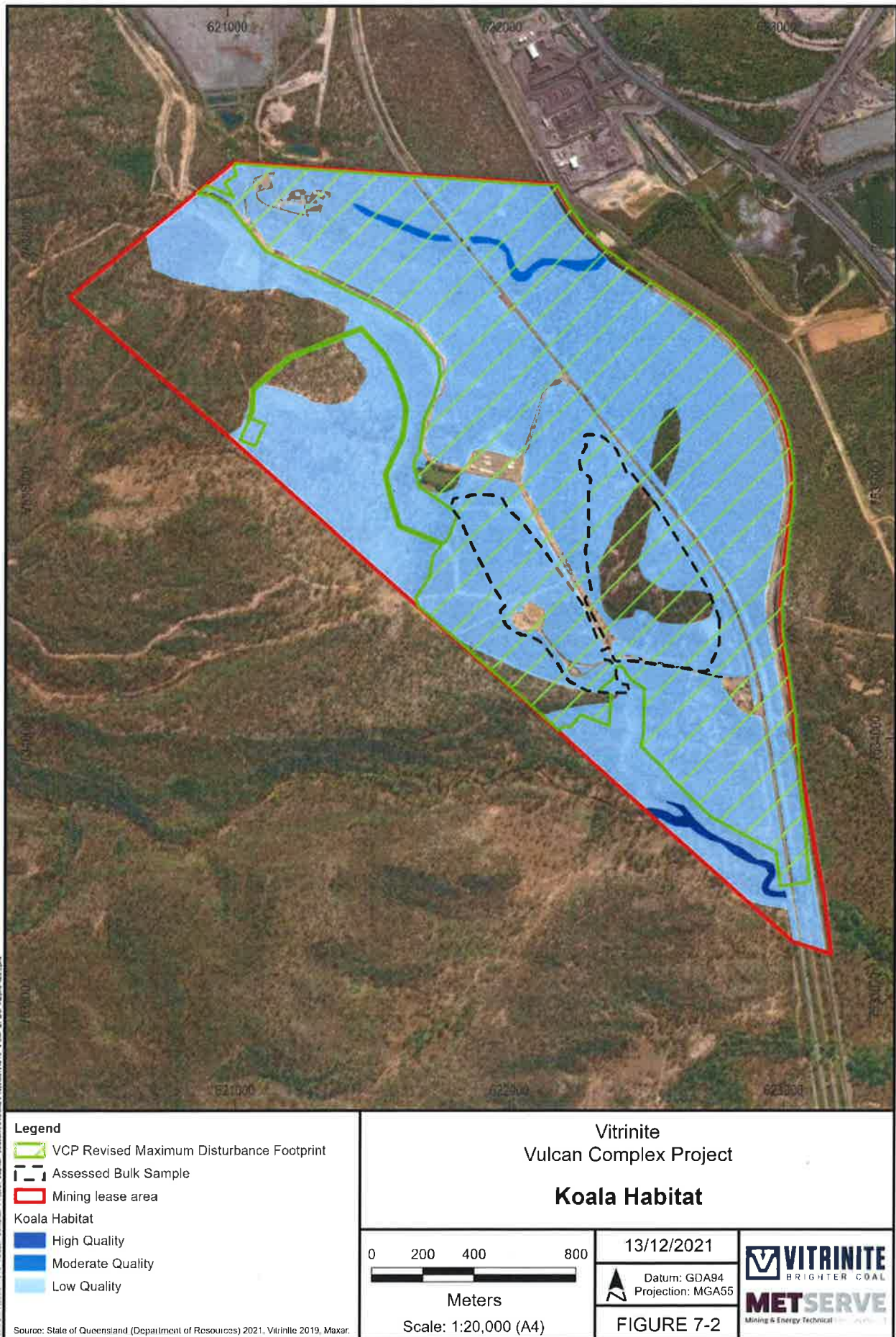
Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Part D – Attachments

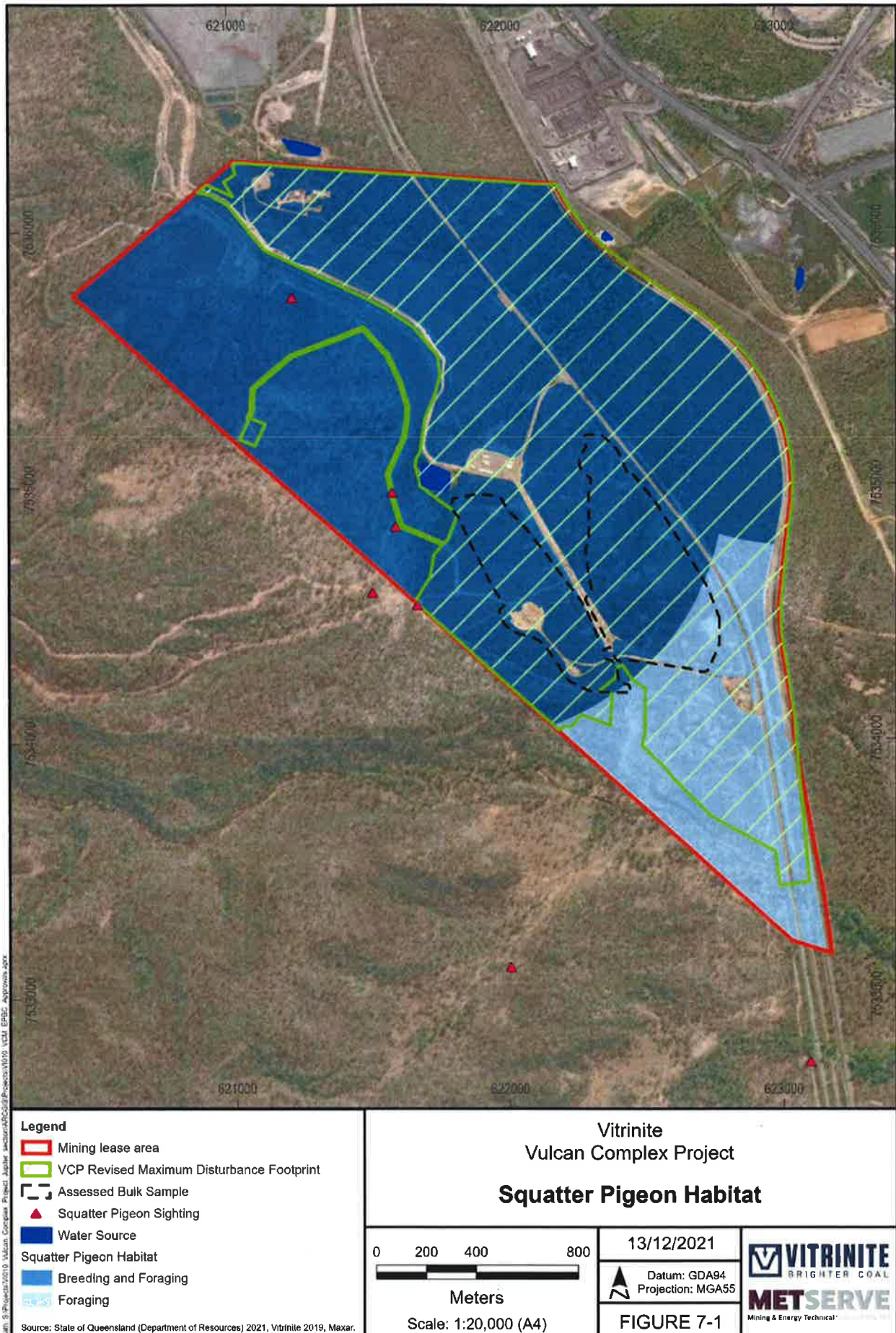
Attachment 1: Project area



Attachment 2: Koala (*Phascolarctos cinereus*) habitat



Attachment 3: Squatter Pigeon (southern) (*Geophaps scripta scripta*) habitat





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