



EPBC Annual Compliance Report 2020/8676

2024



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1. Introduction

This annual compliance report has been prepared by Queensland Coking Coal Pty Ltd (QCC) to review compliance with the conditions of EPBC Approval 2020/8676 for the Vulcan Complex Project (the Project). The Project was originally approved on 9 March 2022, with a variation to the approval received from the Department of Climate Change, Energy, Environment and Water (DCCEW) on 22 July 2024. This report has been prepared in accordance with Condition 19 of the varied approval. Details of the EPBC approval are provided in **Section 2** below.

2. EPBC 2020/8676 Details

2.1 Entity to Whom the Approval is Granted

Queensland Coking Coal Pty Ltd (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 Controlling Provisions

Impacts to Listed Threatened Species and Communities as described in Section 18 and 18A have been approved.

2.4 Date of Decision and Period for which the Approval Has Effect

EPBC 2090/8676 was originally approved on 9 March 2022, and the variation was approved on 22 July 2024. The approval has effect until 31 December 2045.

2.5 Reporting Period

This report details the compliance with the conditions of the approval for a reporting period between 31 March 2023 and 28 April 2024.



3. Compliance Reporting Conditions

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 the 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 EPBC approval have been provided in **Table 1** below. A copy of EPBC 2020/8676 as currently in force has been provided as **Appendix A..**



Table 1 – EPBC 2020/8676 Compliance with Conditions

Condition #	Condition Wording	Compliance Status	Comments
1	Maximum Clearance Limits The approval holder must not clear outside the project area.	Compliant	No clearing has been undertaken outside of the project area during the Annual Compliance Report period.
2	The approval holder must not clear more than the following within the project area: 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. c. 209.8 ha of Squatter Pigeon (southern) (<i>Geophaps scripta scripta</i>) foraging habitat.	Compliant	The following areas have been cleared within the project area: a. 153.4 ha of Koala (<i>Phascolarctos cinereus</i>) habitat. b. 136.9 ha of Squatter pigeon (southern) (<i>Geophaps scripta scripta</i>) breeding habitat. c. 159.6 ha of Squatter pigeon (southern) (<i>Geophaps scripta scripta</i>) foraging habitat.
3	Environmental Offset Requirements The approval holder must implement the Offset Area Management Plan until an Offset Management Plan is approved by the Minister in accordance with condition 3A of this approval.	Compliant	The original Offset Area Management Plan as approved by the Minister at the same time as the original approval of EPBC 2020/8676 (on 9 March 2022) continues to be implemented until an Offset Management Plan is approved by the Minister in accordance with Condition 3A.
3A	By 1 February 2026, the approval holder must submit to the department for the Minister's approval, an Offset Management Plan (OMP) for an offset area or areas at Lot 13 Red Hill Road, Burton, Qld 4742 (Lot 13 SP178466), and/or another offset property approved by the Minister, that contain(s) at a minimum: a. 778.4 ha of Squatter Pigeon (southern) (<i>Geophaps scripta scripta</i>) breeding habitat with a minimum habitat quality of 6; b. 748.6 ha of Squatter Pigeon (southern) (<i>Geophaps scripta scripta</i>) foraging habitat with a minimum habitat quality of 6; and c. 782.5 ha of Koala (<i>Phascolarctos cinereus</i>) habitat with a minimum habitat quality of 5.	Not yet applicable	An Offset Management Plan will be submitted for the Minister's approval on or before 1 February 2026.

3B	<p>The OMP submitted for the Minister's approval must be prepared by an independent suitably qualified ecologist, and include:</p> <ul style="list-style-type: none"> a. a general description of the offset area that includes its location and size and the historical and current land uses of the offset area and adjacent properties; b. maps that clearly show: <ul style="list-style-type: none"> i. the boundaries of the offset area; ii. the boundaries of the property on which the offset area exists; iii. the offset area in a regional context, including proximity to known areas of habitat for each protected matter outside the offset area; and iv. the area and habitat quality of habitats within the offset area for each protected matter; c. a baseline assessment of habitat quality for each protected matter at the offset area; d. measurable completion criteria to be achieved and maintained for the duration of this approval, that: <ul style="list-style-type: none"> i. are specific to the offset area and derived from habitat quality for each protected matter at the offset area; ii. include but are not limited to improving habitat quality for each protected matter within the offset area from baseline by 1 habitat quality score out of 10. iii. will be achieved by 9 March 2042, and subsequently maintained or improved at least until the expiry of this approval; e. measurable interim performance targets, derived from the completion criteria, that will be achieved to demonstrate the likely achievement of the completion criteria; 	Not yet applicable	An Offset Management Plan will be submitted for the Minister's approval on or before 1 February 2026.
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	<p>f. an Offset Outcomes Assurance Statement (OOAS) that includes:</p> <ul style="list-style-type: none">i. evidence of feasible and effective offset management measures that, if implemented as a program, are highly likely to achieve the completion criteria within the specified timeframes;ii. evidence of feasible and scientifically robust offset monitoring activities that, if implemented as a program of activities, are capable of demonstrating attainment and maintenance the completion criteria;iii. evidence of adaptive management systems capable of responding to reasonably foreseeable events and circumstance that may prejudice attainment and maintenance of the compliance criteria; andiv. a signed statement by an independent suitably qualified ecologist verifying the above measures and activities as feasible, effective and reliable programs to implement the offset and achieve the completion criteria. <p>g. details of the management measures, including the timeframes and circumstances for the implementation of those measures, that will be implemented to achieve and maintain the interim performance targets and completion criteria;</p> <p>h. timeframes for the achievement of the completion criteria and interim performance targets, including scientific justification for the specified timeframes and associated management actions;</p> <p>i. details of monitoring measures, including the timeframes and circumstances for the implementation of those measures, that will:</p>		
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	<ul style="list-style-type: none"> i. detect changes in habitat quality from the baseline assessment; ii. demonstrate progress against achieving the interim performance targets and completion criteria; and iii. demonstrate the maintenance of the completion criteria, once achieved, at least until the expiry of this approval; j. details of corrective measures, including timeframes for the implementation of those measures, that will be implemented in the event: <ul style="list-style-type: none"> i. habitat quality decreases from the baseline level, to measurably improve habitat quality to or beyond the baseline assessment; ii. interim performance targets are not achieved, to ensure the subsequent interim performance target or completion criterion will be achieved; k. a risk management strategy that includes: <ul style="list-style-type: none"> i. an assessment of the events or circumstances (risk event(s)) that may prejudice the successful implementation of the OMP and achievement of the completion criteria; ii. a risk rating for each identified risk event based on the likelihood and consequence of occurrence; iii. measures that will mitigate identified risk events (mitigation measures) by reducing the likelihood and/or lessening the consequence of occurrence for each risk event; iv. details including the timeframes and circumstances for the implementation of mitigation measures; 		
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	<ul style="list-style-type: none">v. a rating of the residual risk for each risk event, based on the likelihood and consequence of occurrence with mitigation measures in place;l. a table comprised of the time-bound management measures, monitoring activities and corrective measures specified in the OMP and a reference to where those actions and activities are detailed in the OMP.		
3C	The approval holder must submit to the department, with the OMP, shapefiles and offset attributes of the offset area detailed in the OMP.	Not yet applicable	An Offset Management Plan will be submitted for the Minister's approval on or before 1 February 2026.
3D	Following submission of the OMP, if the Minister makes a written request to the approval holder to make specified revisions to the OMP, the approval holder must revise the OMP and submit the revised OMP to the department in accordance with any such request.	Not yet applicable	An Offset Management Plan will be submitted for the Minister's approval on or before 1 February 2026.
3E	The approval holder must implement the OMP as, and from when, it is approved in writing by the Minister. The approval holder must continue to implement the OMP approved by the Minister until the expiry of this approval.	Not yet applicable	An Offset Management Plan will be submitted for the Minister's approval on or before 1 February 2026.
4	<p>Offset Implementation Reporting</p> <p>Within 60 business days after the end of each 5 year period from the date of the Minister's written approval of the OMP, or otherwise in accordance with a calendar date every 5-years that has been agreed to in writing by the Minister, the approval holder must publish on the website a Vulcan Complex Offset Report (VCOR). An additional VCOR must be prepared and published within 60 business days of 9 March 2042. Each VCOR must:</p> <ul style="list-style-type: none">a. present and analyse the results the monitoring required by the OMP approved by the Minister specifying:	Not yet applicable	The first offset implementation reporting will be undertaken in 2026 for the originally approved OMP.

	<ul style="list-style-type: none"> i. the habitat quality of the areas of each of the habitat types at the offset area detailed in the OMP approved by the Minister; and ii. progress towards achieving and/or maintaining each of the completion criteria specified in the OMP approved by the Minister; and <p>b. include an assessment of the effectiveness of all management, monitoring and corrective measures implemented during the relevant 5-year period and</p> <p>c. remain published on the website until the expiry of this approval.</p>		
4A	The approval holder must notify the department in writing that a VCOR has been published on the website, and provide a weblink to the published VCOR within 5 business days of the date each VCOR is published on the website in accordance with condition 4 of this approval.	Not yet applicable	The first offset implementation reporting will be undertaken in 2026.
6	The approval holder must achieve all the completion criteria specified in the OMP approved by the Minister by 9 March 2042, and, as each completion criterion is achieved, then maintain or exceed it at least until the expiry of this approval.	Not yet applicable	This condition will take effect once completion criteria are achieved.
8	Legal Securing of Offsets The approval holder must legally secure the offset area specified in the OMP approved by the Minister, within 12-months of the Minister approving the OMP in writing.	Not yet applicable	The offsets will be legally secured within 12 months of the OMP as required by Conditions 3A to 3E being approved by the Minister.
8A	The approval holder must ensure the OMP approved in writing by the Minister is attached to the legal mechanism used to legally secure the offset area detailed in the OMP.	Not yet applicable	Offsets not yet legally secured.
9	The approval holder must provide to the department written evidence that the offset area detailed in the	Not yet applicable	Offsets not yet legally secured.



	OMP approved by the Minister has been legally secured within 10 business days of the offset area being legally secured.		
10	The approval holder must ensure the mechanism used to legally secure the offset area detailed in the OMP approved by the Minister, remains in force from the date of execution at least until the expiry of this approval	Not yet applicable	Offsets not yet legally secured.
11	Conservation of the Koala in the Bowen Basin The approval holder must, within 30 business days of receiving notice from the Minister, contribute a single payment equivalent to the value of \$110,000 (GST exclusive and indexed in line with CPI) on the date of this approval) to a program specified by the Minister in the notice 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.	Not yet applicable	The Minister has not yet provided notice of where the contribution is to be made.
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.	Not yet applicable	The Minister has not yet provided notice of where the contribution is to be made.
13	Notification of Date of Commencement of the Action 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 28 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.
15	Compliance Records 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	If the department makes a request in writing, the approval holder must provide electronic copies of	Not yet applicable	No requests for electronic copies of compliance records have been made by the Department to date. Records are available on request.

	<p>compliance records to the department within the timeframes 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 results of an audit may be published on the department's website or through the general media.</p>		
17	<p>Submission and Publication of Plans</p> <p>The approval holder must:</p> <ul style="list-style-type: none"> a. submit plans electronically to the department; b. publish each plan on the website within 20 business days of the date: <ul style="list-style-type: none"> 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 the plans published on the website or provided to a member of the public; and d. keep plans published on the website until the end of this approval. 	Compliant	<p>Plans have been submitted electronically to the department as required. These plans are also published and maintained on the Vitrinite website at:</p> <p>https://vitrinite.com.au/community/sustainability/environment/</p> <p>No sensitive ecological data is present in the documents, as such, no redaction or exclusion has been required.</p>
18	<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>	Compliant	<p>The approved OMP has been prepared in accordance with the department's requirements</p>



19	<p>Annual Compliance Monitoring</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 that has been agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none">a. publish each compliance report and a shapefile showing all clearing of protected matters, and their habitat, undertaken within the relevant 12 month period, on the website within 60 business days following the relevant 12 month period;b. notify the department by email that a compliance report and shapefile have been published on the website and provide the weblinks for the compliance report and shapefile within 5 business days of the date of publication;c. keep all compliance reports and shapefiles publicly available on the website until this approval expires;d. exclude or redact sensitive ecological data from compliance reports and shapefiles published on the website; ande. where any sensitive ecological data has been excluded or redacted from the compliance reports and shapefiles published on the website, submit the full compliance report and shapefile to the department within 5 days of publication. <p>Note: Compliance reports may be published on the department's website.</p>	Non-compliant	The 2024 annual compliance report and associated shapefile were due on 19 July 2024. This report will not be uploaded to the website until 26 May 2025. The department will be notified immediately by email with a weblink once the report and associated shapefile are available.
20	<p>Reporting Non-compliance</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</p>	Compliant	This Annual Compliance Report relates to the period 31 March 2023 to 28 April 2024. Vitrinite was not aware of any reportable non-compliances during the period.

	<p>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:</p> <ul style="list-style-type: none"> a. any condition which is or may 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	<p>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:</p> <ul style="list-style-type: none"> 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. 	Not yet applicable	No reporting of non-compliance occurred during the annual report period.
22	<p>Independent Audit The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every 5-year period following the commencement of the action until this approval expires, or as otherwise requested in writing by the Minister.</p>	Not yet applicable	No independent audit is required until 28 April 2027.
23	For each independent audit, the approval holder must:	Not yet applicable	No independent audit is required until 28 April 2027.



	<p>a. provide the name and qualifications of the nominated independent auditor, the draft audit criteria, and proposed timeframe for submitting the audit report to the department prior to commencing the independent audit;</p> <p>b. only commence the independent audit once the nominated independent auditor, audit criteria and timeframe for submitting the audit report have been approved in writing by the department;</p> <p>c. submit the audit report to the department for approval within the timeframe specified and approved in writing by the department;</p> <p>d. publish each audit report on the website within 15 business days of the date of the Minister's approval of the audit report; and</p> <p>e. keep every audit report published on the website until this approval expires.</p>		
23A	Each audit report must report for the 5-year period preceding that audit report.	Not yet applicable	No independent audit is required until 28 April 2027.
25	Revision of Management Plans 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.	Not yet applicable	No variations to plans approved by the minister have been requested to date.
26	Completion of the Action Within 30 days after the completion of the action, the approval holder must notify the department in writing and provide completion data.	Not yet applicable	The action has not been completed.



Appendix A – EPBC 2020/8676 (as varied on 22 July 2024)



Australian Government

Department of Climate Change, Energy,
the Environment and Water**Vulcan Complex Project, near Moranbah, Queensland (EPBC 2020/8676)**

This decision to vary conditions of approval is made under section 143(1)(a) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action

approval holder	Queensland Coking Coal Pty Ltd ABN: 71 129 600 004
approved action	To construct and operate an open-cut coal mine, and associated infrastructure, located 35 kilometres south of Moranbah, Queensland. See EPBC Act referral 2020/8676.

Variation**The variation is:**


Delete conditions 2, 3, 4, 6, 8, 9, 10, 11, 19, 22 and 23, and the definitions for **Business day**, **Compliance reports**, **CPI**, **Environmental offsets policy**, **Independent audit** and **Offset Area Management Plan (OAMP)** attached to the approval, and substitute them with those specified in the tables below.

Add conditions 3A, 3B, 3C, 3D, 3E, 4A, 8A, 23A and 23B, and definitions for **Habitat quality**, **Independent**, **Offset attributes** and **Suitably qualified ecologist** to the approval, as specified in the tables below.

Revoke conditions 5, 7 and 24 and the definitions for **Offset assessment guide** attached to the approval.

date of effect	This variation has effect on the date this instrument is signed.
period for which this approval has effect	This approval has effect until 31 December 2045

Person authorised to make decision

name and position	Sam Hush Acting Branch Head Compliance and Enforcement Branch
signature	
date of decision	22 July 2024

date of decision	conditions attached to approval
Original dated 9 March 2022	Maximum Clearance Limits 1. The approval holder must not clear outside the project area .
As varied on the date this instrument is signed	2. The approval holder must not clear more than the following within the project area : <ol style="list-style-type: none"> 203.5 ha of Koala (<i>Phascolarctos cinereus</i>) habitat. 170.0 ha of Squatter Pigeon (southern) (<i>Geophaps scripta scripta</i>) breeding habitat. 209.8 ha of Squatter Pigeon (southern) (<i>Geophaps scripta scripta</i>) foraging habitat.
As varied on the date this instrument is signed	Environmental Offset Requirements 3. The approval holder must implement the Offset Area Management Plan until an Offset Management Plan is approved by the Minister in accordance with condition 3A of this approval.
As varied on the date this instrument is signed	3A. By 1 February 2026, the approval holder must submit to the department for the Minister's approval, an Offset Management Plan (OMP) for an offset area or areas at Lot 13 Red Hill Road, Burton, Qld 4742 (Lot 13 SP178466), and/or another offset property approved by the Minister , that contain(s) at a minimum: <ol style="list-style-type: none"> 778.4 ha of Squatter Pigeon (southern) (<i>Geophaps scripta scripta</i>) breeding habitat with a minimum habitat quality of 6; 748.6 ha of Squatter Pigeon (southern) (<i>Geophaps scripta scripta</i>) foraging habitat with a minimum habitat quality of 6; and 782.5 ha of Koala (<i>Phascolarctos cinereus</i>) habitat with a minimum habitat quality of 5.
As varied on the date this instrument is signed	3B. The OMP submitted for the Minister's approval must be prepared by an independent suitably qualified ecologist , and include: <ol style="list-style-type: none"> a general description of the offset area that includes its location and size and the historical and current land uses of the offset area and adjacent properties; maps that clearly show: <ol style="list-style-type: none"> the boundaries of the offset area; the boundaries of the property on which the offset area exists; the offset area in a regional context, including proximity to known areas of habitat for each protected matter outside of the offset area; and the area and habitat quality of habitats within the offset area for each protected matter;

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- c. a baseline assessment of **habitat quality** for each **protected matter** at the offset area;
 - d. measurable completion criteria to be achieved and maintained for the duration of this approval, that:
 - i. are specific to the **offset area** and derived from **habitat quality** for each **protected matter** at the offset area;
 - ii. include but are not limited to improving the **habitat quality** for each **protected matter** within the offset area from baseline by 1 **habitat quality** score out of 10
 - iii. will be achieved by 9 March 2042, and subsequently maintained or improved at least until the expiry of this approval;
 - e. measurable interim performance targets, derived from the completion criteria, that will be achieved to demonstrate the likely achievement of the completion criteria;
 - f. an Offset Outcomes Assurance Statement (OOAS) that includes:
 - i. evidence of feasible and effective offset management measures that, if implemented as a program, are highly likely to achieve the completion criteria within the specified timeframes;
 - ii. evidence of feasible and scientifically robust offset monitoring activities that, if implemented as a program of activities, are capable of demonstrating attainment and maintenance the completion criteria;
 - iii. evidence of adaptive management systems capable of responding to reasonably foreseeable events and circumstance that may prejudice attainment and maintenance of the completion criteria; and
 - iv. a signed statement by an **independent suitably qualified ecologist** verifying the above measures and activities as feasible, effective and reliable programs to implement the offset and achieve the completion criteria.
 - g. details of the management measures, including the timeframes and circumstances for the implementation of those measures, that will be implemented to achieve and maintain the interim performance targets and completion criteria;
 - h. timeframes for the achievement of the completion criteria and interim performance targets, including scientific justification for the specified timeframes and associated management actions;
 - i. details of monitoring measures, including the timeframes and circumstances for the implementation of those measures, that will:
 - i. detect changes in **habitat quality** from the baseline assessment;
 - ii. demonstrate progress against achieving the interim performance targets and completion criteria; and
 - iii. demonstrate the maintenance of the completion criteria, once achieved, at least until the expiry of this approval;
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- j. details of corrective measures, including timeframes for the implementation of those measures, that will be implemented in the event:
 - i. **habitat quality** decreases from the baseline level, to measurably improve **habitat quality** to or beyond the baseline assessment;
 - ii. interim performance targets are not achieved, to ensure the subsequent interim performance target or completion criterion will be achieved;
 - k. a risk management strategy that includes:
 - i. an assessment of the events or circumstances (risk event(s)) that may prejudice the successful implementation of the OMP and achievement of the completion criteria;
 - ii. a risk rating for each identified risk event based on the likelihood and consequence of occurrence;
 - iii. measures that will mitigate identified risk events (mitigation measures) by reducing the likelihood and/or lessening the consequence of occurrence for each risk event;
 - iv. details including the timeframes and circumstances for the implementation of mitigation measures;
 - v. a rating of the residual risk for each risk event, based on the likelihood and consequence of occurrence with mitigation measures in place;
 - l. a table comprised of the time-bound management measures, monitoring activities and corrective measures specified in the OMP and a reference to where those actions and activities are detailed in the OMP.
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As varied on the date
this instrument is
signed

3C. The approval holder must submit to the **department**, with the OMP, **shapefiles** and **offset attributes** of the offset area detailed in the OMP.

As varied on the date
this instrument is
signed

3D. Following submission of the OMP, if the **Minister** makes a written request to the approval holder to make specified revisions to the OMP, the approval holder must revise the OMP and submit the revised OMP to the **department** in accordance with any such request.

As varied on the date
this instrument is
signed

3E. The approval holder must implement the OMP as, and from when, it is approved in writing by the **Minister**. The approval holder must continue to implement the OMP approved by the **Minister** until the expiry of this approval.

As varied on the date
this instrument is
signed

Offset Implementation Reporting

4. Within 60 **business days** after the end of each 5 year period from the date of the **Minister's** written approval of the OMP, or otherwise in accordance with a calendar date every 5-years that has been agreed to in writing by the **Minister**, the approval holder must publish on the **website** a Vulcan Complex Offset Report (VCOR). An additional VCOR must be prepared and published within 60 **business days** of 9 March 2042. Each VCOR must:

	<p>a. present and analyse the results the monitoring required by the OMP approved by the Minister specifying:</p> <ul style="list-style-type: none"> i. the habitat quality of the areas of each of the habitat types at the offset area detailed in the OMP approved by the Minister; and ii. progress towards achieving and/or maintaining each of the completion criteria specified in the OMP approved by the Minister; and <p>b. include an assessment of the effectiveness of all management, monitoring and corrective measures implemented during the relevant 5-year period and</p> <p>c. remain published on the website until the expiry of this approval.</p>
As varied on the date this instrument is signed	4A. The approval holder must notify the department in writing that a VCOR has been published on the website , and provide a weblink to the published VCOR within 5 business days of the date each VCOR is published on the website in accordance with condition 4 of this approval.
As varied on the date this instrument is signed	5. Revoked.
As varied on the date this instrument is signed	6. The approval holder must achieve all the completion criteria specified in the OMP approved by the Minister by 9 March 2042, and, as each completion criterion is achieved, then maintain or exceed it at least until the expiry of this approval.
As varied on the date this instrument is signed	7. Revoked.
As varied on the date this instrument is signed	<p>Legal Securing of Offsets</p> <p>8. The approval holder must legally secure the offset area specified in the OMP approved by the Minister, within 12-months of the Minister approving the OMP in writing.</p>
As varied on the date this instrument is signed	8A. The approval holder must ensure the OMP approved in writing by the Minister is attached to the legal mechanism used to legally secure the offset area detailed in the OMP.
As varied on the date this instrument is signed	9. The approval holder must provide to the department written evidence that the offset area detailed in the OMP approved by the Minister has been legally secured within 10 business days of the offset area being legally secured .
As varied on the date this instrument is signed	10. The approval holder must ensure the mechanism used to legally secure the offset area detailed in the OMP approved by the Minister , remains in force from the date of execution at least until the expiry of this approval
As varied on the date this instrument is signed	<p>Conservation of the Koala in the Bowen Basin</p> <p>11. The approval holder must, within 30 business days of receiving notice from the Minister, contribute a single payment equivalent to the value of \$110,000 (GST exclusive and indexed in line with CPI) on the date of this approval) to a program specified by the Minister in the notice 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.</p>

Original dated 9 March 2022	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.
Original dated 9 March 2022	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 .
Original dated 9 March 2022	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 .
Original dated 9 March 2022	Compliance Records 15. The approval holder must maintain accurate and complete compliance records .
Original dated 9 March 2022	16. If the department makes a request in writing, the approval holder must provide electronic copies of compliance records to the department within the timeframes 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 results of an audit may be published on the department's website or through the general media.
Original dated 9 March 2022	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 the plans published on the website or provided to a member of the public; and d. keep plans published on the website until the end of this approval.
Original dated 9 March 2022	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 .
As varied on the date this instrument is signed	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 and a shapefile showing all clearing of protected matters , and their habitat, undertaken within the relevant 12 month period, on the website within 60 business days following the relevant 12 month period; b. notify the department by email that a compliance report and shapefile have been published on the website and provide the weblinks for the compliance report and shapefile within 5 business days of the date of publication;

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- c. keep all **compliance reports** and **shapefiles** publicly available on the **website** until this approval expires;
 - d. exclude or redact **sensitive ecological data** from **compliance reports** and **shapefiles** published on the **website**; and
 - e. where any **sensitive ecological data** has been excluded or redacted from the **compliance reports** and **shapefiles** published on the **website**, submit the full **compliance report** and **shapefile** to the **department** within 5 **business days** of publication.

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

Original dated 9
March 2022

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.
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Original dated 9
March 2022

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.
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As varied on the date
this instrument is
signed

Independent Audit

22. The approval holder must ensure that an **independent audit** of compliance with the conditions is conducted for every 5-year period following the **commencement of the action** until this approval expires, or as otherwise requested in writing by the **Minister**.

As varied on the date
this instrument is
signed

23. For each **independent audit**, the approval holder must:

- a. provide the name and qualifications of the nominated **independent auditor**, the draft audit criteria, and proposed timeframe for submitting the **audit report** to the **department** prior to commencing the **independent audit**;
 - b. only commence the **independent audit** once the nominated **independent auditor**, audit criteria and timeframe for submitting the **audit report** have been approved in writing by the **department**;
 - c. submit the **audit report** to the **department** for approval within the timeframe specified and approved in writing by the **department**;
 - d. publish each **audit report** on the **website** within 15 **business days** of the date of the **Minister's** approval of the **audit report**; and
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	e. keep every audit report published on the website until this approval expires.
As varied on the date this instrument is signed	23A. Each audit report must report for the 5-year period preceding that audit report.
As varied on the date this instrument is signed	23B. Each audit report must be completed to the satisfaction of the Minister and be consistent with the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> , Commonwealth of Australia 2019.
As varied on the date this instrument is signed	24. Revoked.
Original dated 9 March 2022	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 .
Original dated 9 March 2022	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 .
date of decision	definitions attached to approval
In these conditions, except where contrary intention is expressed, the following definitions are used:	
As varied on the date this instrument is signed	Business day means a day that is not a Saturday, a Sunday or a public holiday in the state of Queensland.
Original dated 9 March 2022	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 <i>Australian weeds strategy 2017 to 2027 for further guidance</i>)
Original dated 9 March 2022	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: <ol style="list-style-type: none"> undertake pre-clearance surveys or monitoring programs; install signage and/or temporary fencing to prevent unapproved use of the project area; protect the environmental and property assets from fire, weeds and pests, including installation of temporary fencing, and maintenance of existing surface access tracks; or install temporary site facilities for persons undertaking pre-commencement activities so long as these are located where they have no impact on protected matters.
Original dated 9 March 2022	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 .

Original dated 9 March 2022	Completion of the action means the date on which all specified activities associated with the action have permanently ceased.
Original dated 9 March 2022	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.
As varied on the date this instrument is signed	Compliance report(s) means written reports that: <ul style="list-style-type: none"> a. are consistent with the department's Annual Compliance Report Guidelines (2014); b. include a schedule of all plans prepared and in existence in relation to the conditions during the relevant 12 month period; and c. provide accurate and complete details of: <ul style="list-style-type: none"> i. compliance and non-compliance with the conditions of approval and plans during the relevant 12 month period; and ii. any incidents that occurred during the relevant 12 month period.
Original dated 9 March 2022	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 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.
As varied on the date this instrument is signed	CPI means the Consumer Price Index (State), sourced from the Queensland Treasury, based on the change for Brisbane updated every quarter.
Original dated 9 March 2022	Department means the Australian Government agency responsible for administering the EPBC Act .
As varied on the date this instrument is signed	Environmental offsets policy means the <i>Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy</i> , Commonwealth of Australia (2012).
Original dated 9 March 2022	EPBC Act means the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> (Cth)
Original dated 9 March 2022	Guidelines for biological survey and mapped data means the department's Guidelines for biological survey and mapped data (2018), or subsequent revision.
As varied on the date this instrument is signed	Habitat quality means a measure of the overall viability of a site and its capacity to support each protected matter , expressed as a score on a scale of 0 to 10, comprising 3 points for site condition, 3 points for site context, and 4 points for species stocking rate, with zero representing a site of no value for the protected matters and ten representing ideal habitat.
Original dated 9 March 2022	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.
Original dated 9 March 2022	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.
As varied on the date this instrument is signed	<p>Independent means a person or firm who does not have any individual, financial*, employment* or family affiliation or any conflicting interests with the action, the approval holder or the approval holder's staff, representatives, or associated persons.</p> <p>*Other than for the purpose of undertaking the role for which an independent person or firm is required</p>
As varied on the date this instrument is signed	Independent audit means an audit conducted in accordance with the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> (2019), by an independent person or firm 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.
Original dated 9 March 2022	Koala (<i>Phascolarctos cinereus</i>) 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 <u>Attachment 2</u> as 'Koala Habitat'.
Original dated 9 March 2022	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 <i>Vegetation Management Act 1999</i> (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.
Original dated 9 March 2022	Minister means the Australian Government Minister administering the EPBC Act including any delegate thereof.
Original dated 9 March 2022	Monitoring data means the data required to be recorded under the conditions of this approval.
As varied on the date this instrument is signed	Offset Area Management Plan means the document titled <i>Offset Area Management Plan Vulcan Complex Project</i> dated 24 November 2021, provided to the department on 25 November 2021.
As varied on the date this instrument is signed	Offset assessment guide – Revoked.

As varied on the date
this instrument is
signed

Offset attributes means an '.xls' file capturing relevant attributes of the offset area(s), including:

- i. **EPBC Act** reference number;
- ii. physical address;
- iii. coordinates of the boundary points in decimal degrees;
- iv. **protected matters** that the **offset area** compensates for
- v. all **protected matters** known to occur on the **offset area**;
- vi. all **protected matters** known to have habitat present on the **offset area**;
and
- vii. size of the **offset area** in hectares.

Original dated 9
March 2022

Plan(s) means any 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).

Original dated 9
March 2022

Project area means the area within which the action 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'.

Original dated 9
March 2022

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

Original dated 9
March 2022

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*.

Original dated 9
March 2022

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/geographical coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

Original dated 9
March 2022

Squatter Pigeon (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 1km 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'.

Original dated 9
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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 3km 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'.

As varied on the date
this instrument is
signed

Suitably qualified ecologist means a person who has relevant professional qualifications and:

- i. at least three (3) years of cumulative work experience writing and implementing plans for the management of **Koala (*Phascolarctos cinereus*) habitat, Squatter Pigeon (southern) (*Geophaps scripta scripta*) breeding habitat and Squatter Pigeon (southern) (*Geophaps scripta scripta*) foraging habitat;**
 - ii. has implemented and reported on management plans for **Koala (*Phascolarctos cinereus*) habitat, Squatter Pigeon (southern) (*Geophaps scripta scripta*) breeding habitat and Squatter Pigeon (southern) (*Geophaps scripta scripta*) foraging habitat** and can demonstrate the implementation of those plans achieved the required **site habitat quality**; and
 - iii. can give an authoritative assessment and advice on offset management to habitat quality for **Koala (*Phascolarctos cinereus*) habitat, Squatter Pigeon (southern) (*Geophaps scripta scripta*) breeding habitat and Squatter Pigeon (southern) (*Geophaps scripta scripta*) foraging habitat** using relevant protocols, standards, methods and/or literature.
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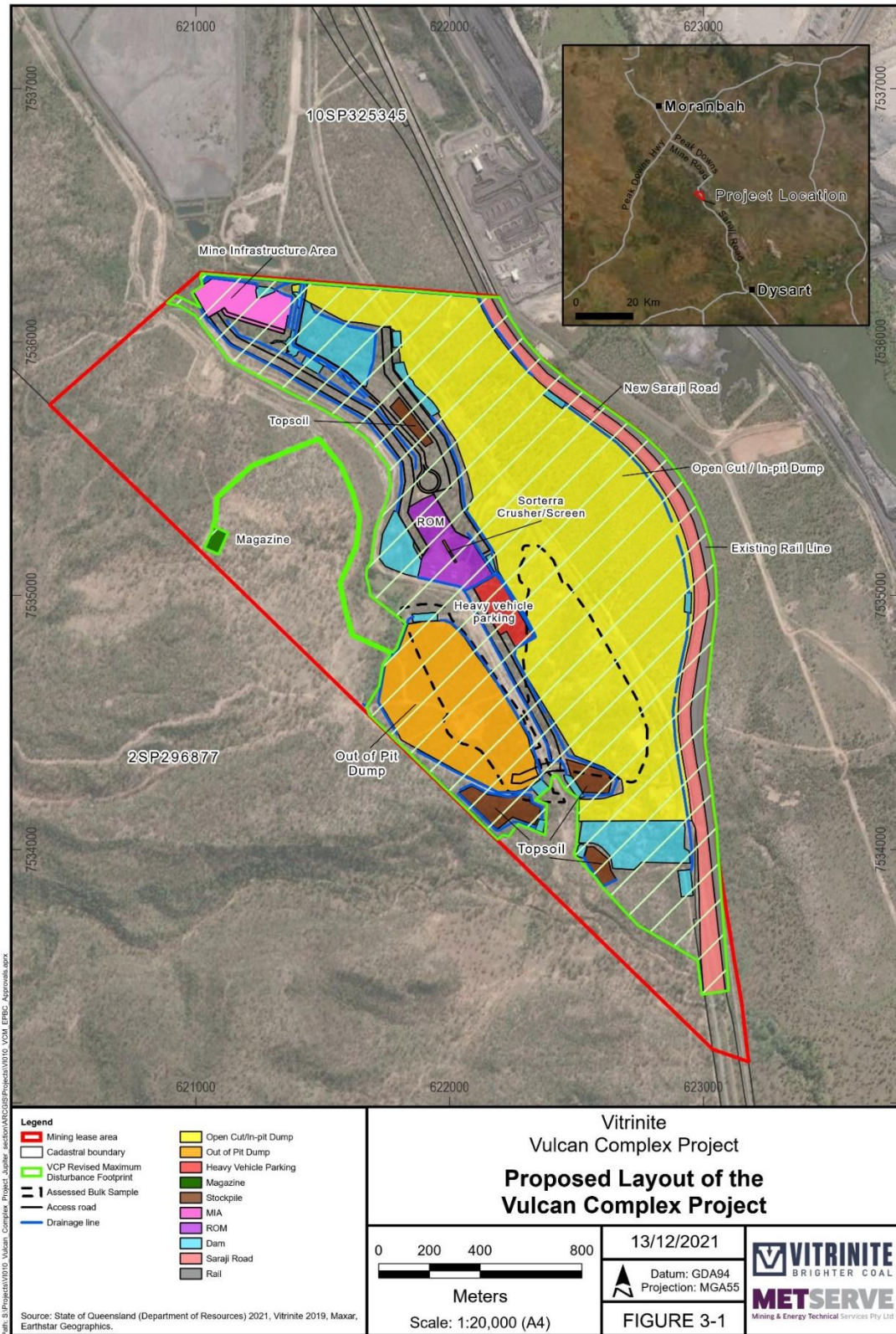
As varied on the date
this instrument is
signed

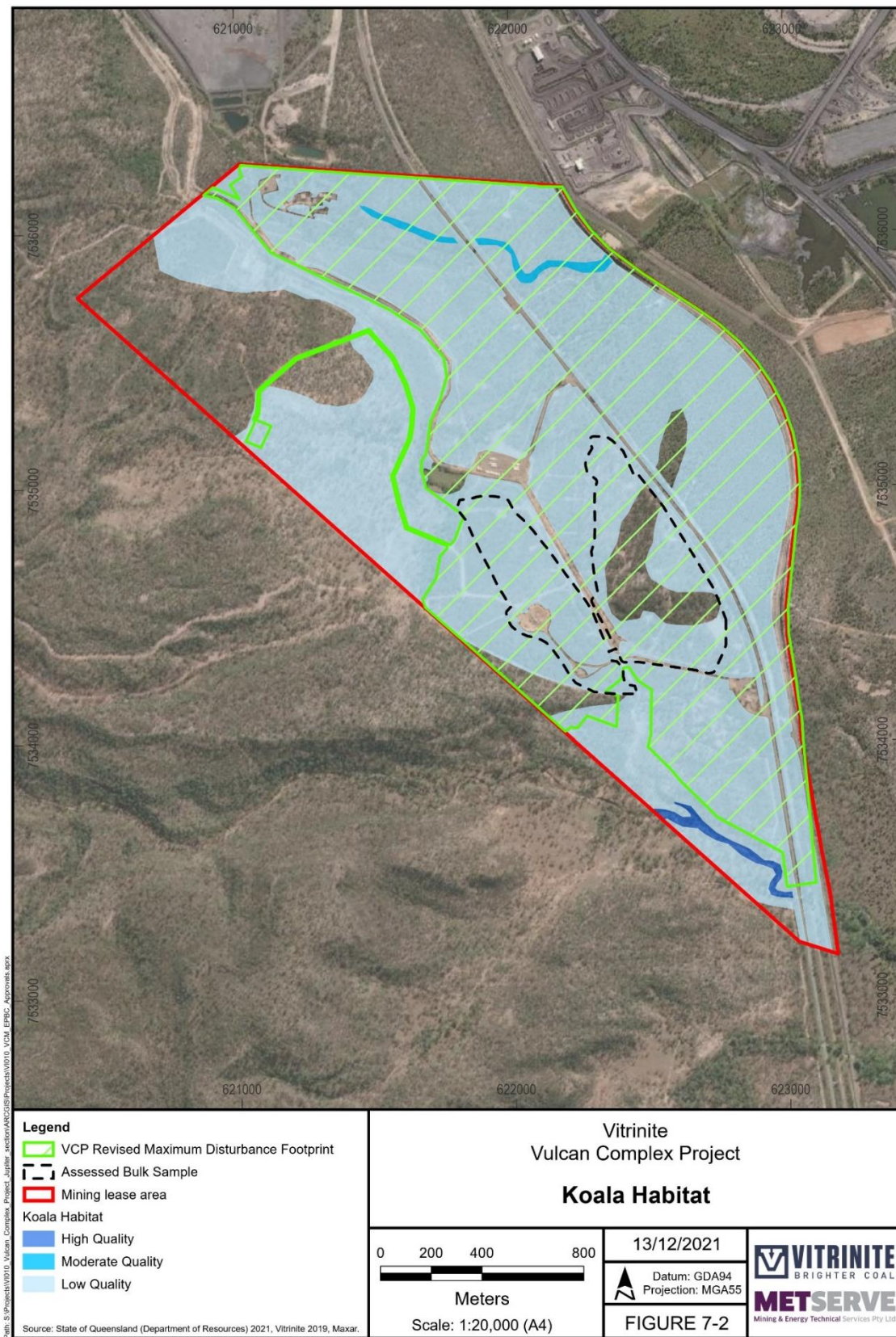
Suitably qualified person – Revoked.

Original dated 9
March 2022

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

date of decision	Attachments
Original dated 9 March 2022	<u>Attachment 1</u> : Project area





Original dated 9
March 2022

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

