

Middlemount Coal Mine

Compliance Report –

North-eastern Extension (EPBC 2016/7717)

Offset Management Plan

29 March 2017 to 17 September 2017

Environmental Protection and Biodiversity Conservation Act 1999

November 2017

About this report

In accordance with condition 3 of the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval for Middlemount Coal Mine (North-eastern Extension 2016/7717) – the Commonwealth Approval), the purpose of this Report is to provide an update of the project's compliance against the relevant approval conditions. Table 1 below provides detail of Project compliance with each condition.

Table 1 – Compliance Status

Condition Number	Condition	Compliance	Evidence
1	The approval holder must not, as a result of the action, disturb more than 181 ha of native vegetation within and adjacent to the project site, as shown in Figure 1.	Compliant.	Middlemount Coal Mine's current Plan of Operations details disturbance areas, with no more than 181 ha of native vegetation in the approved project area to be disturbed.
2	<p>To compensate for the loss of 181 ha of habitat for the squatter pigeon and south-eastern long-eared bat, the approval holder must:</p> <p>a) Legally secure and implement the offset of at least 532 ha within the offset site, as shown in Figure 2. The offset mechanism used to legally secure the offset site must be in place within two years from the date of approval and must remain in place for the life of the approval. The condition targets listed in condition 2d, must be listed in the outcomes of the offset mechanism.</p> <p>b) Ensure the Offset Management Plan used to legally secure the offset site includes the Vertebrate Pest Management Strategy that aims to reduce and minimise the presence of vertebrate pest species, including, but not limited to rabbits, cats, and red foxes within the offset site. The Offset Management Plan must be published on the approval holders website within 1 month of the offset mechanism being granted by the Queensland Governments</p>	In progress - Voluntary Declaration process commenced	<p>a) A voluntary declaration of at least 532 ha will be secured within 2 years of the date of the approval, i.e. by 29 March 2019.</p> <p>b) The offset management plan will include a Vertebrate Pest Management Strategy. The offset management plan used to legally secure the offset site is currently under development.</p> <p>c) The Offset Baseline Report was submitted to DoEE on 12 December 2017.</p> <p>d) Not applicable at this stage.</p>

	<p>c) Conduct a baseline Survey of the offset site and provide an Offset Baseline Report detailing the results of the Baseline Survey to the Department within 12 months of the commencement. The Offset Baseline Report must be prepared by a suitably trained ecologist/s, provide a geo-referenced map showing the location of the survey site, provide written descriptions about the baseline health and quality of each Regional Ecosystem Mapping index area within the offset site, and provide the statistics recorded during the Baseline Survey. The Baseline Survey, including the selection of survey site and Offset Baseline Report must be undertaken and prepared in accordance with the Queensland Governments Guide to determining terrestrial habitat quality.</p> <p>d) Ensure that by the 15 year anniversary of commencement of the action, the offset site meets the following condition targets:</p> <ul style="list-style-type: none"> i. Each area designated by Regional Ecosystem Mapping in Figure 2 must have a weed cover of 20% or less; ii. Areas identified as regional ecosystems 11.5.2a, 11.7.2 and 11.7.4 in Figure 2 must each have at least 30% shrub canopy cover; and iii. Areas designated by Regional Ecosystem Mapping in Figure 2 as non-remnant must be of a condition that is eligible to be mapped as a remnant woody regional ecosystem (as defined under the Queensland Vegetation Management Act 1999) where Eucalypts, Corymbia, Acacia or Callitris spp. are the dominant canopy species. <p>e) Ensure weed cover in any Regional Ecosystem Mapping index area of the offset site does not exceed the baseline condition for each Regional Ecosystem Mapping index area described in the Offset Baseline Report required under condition 2c of this approval for the life</p>		
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	<p>of the approval.</p> <p>f) Ensure that the condition targets do not decline for the remainder of the approval once the condition targets have been met.</p> <p>g) Make application to the Queensland Government to have areas show in Figure 2 identified as non-remnant to be listed as remnant vegetation under the Vegetation Management Act 1999 prior to the 15th anniversary of commencement of the action.</p>		
3	<p>By 17 December 2017, the approval holder must submit to the Department an Annual Compliance Report covering the period from the date of this approval to 17 September 2017. By December 2017 of every following year, the approval holder must submit to the Department an Annual Compliance Report covering the period of 18 September of the previous year to 17 September of that year. The Annual Compliance Report must:</p> <p>a) Address compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions.</p> <p>b) Provide evidence of the progress achieved by the approval holder in reaching the condition targets of the offset site. The report must include benchmarks, prepared by a suitably trained ecologist/s, that provide clear and measureable goals that will indicate whether the offsets are on-track to be delivered by the 15-year anniversary of commencement of the action. The report must state whether each benchmark has been met, If the benchmarks have not been met, the report must state what measures are being taken to ensure that the condition targets will be met by the 15-year anniversary of commencement</p>	Compliant.	Compliance Report issued to DoEE 15 December 2017.

	of the action.		
4	Unless otherwise agreed to in writing the Minister, the approval holder must publish the Annual Compliance Report referred to in these conditions of approval on its website. The Annual Compliance Report must be published on the approval holders website within 1 month of being provided to the Department. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department in the following Annual Compliance Report. The Minister may provide written consent to cease the Annual Compliance Report if satisfied that the action is complete and there are no further outstanding requirements.	Compliant.	Compliance Report published on website on 15 December 2017. This document is the report. See website http://www.middlemountcoal.com.au
5	Within 30 days after the commencement of that action, the approval holder must advise the Department in writing of the actual date of commencement of the action.	Compliant.	In a letter dated to DoEE 16 August 2017, the commencement date of the action was 16 August 2017.
6	If, at any time after 5 years from the date of this approval, the approval holder has not substantially commenced the action, then the approval holder must not substantially commence the action without the written agreement of the Minister.	Not applicable.	Action commenced on 16 August 2017
7	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the offsets, monitoring results and the Annual Compliance Report required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	Accurate records are being maintained.	Records to be maintained of all activities in accordance with the approved management plan.

8	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor and the audit criteria must be approved by the Minister prior to the beginning of the audit. The audit report must address the criteria to the satisfaction of the Minister.	Not yet applicable.	No requests received to date.
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