



Middlemount Coal Mine

Compliance Report –

Offset Management Plan

Environmental Protection and Biodiversity Conservation Act 1999

December 2014

About this report

In accordance with condition 7 of the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval for Middlemount Coal Mine (Stage 2) (ref 2010/5394 – 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	<p>To offset the impacts to EPBC listen threatened species and ecological communities, the person taking the action must submit to the Minister for approval an Offset Management Plan within 12 months of the date of this approval. The Offset Management Plan must include, but not be limited to the following:</p> <ul style="list-style-type: none"> a. details of management actions to protect and enhance the extent and condition of the threatened species habitat values including rehabilitation, weed control, fire management, erosion and sediment control, management of livestock and restrictions to access of no less than: <ul style="list-style-type: none"> i) 1670 ha of Ornamental snake habitat; ii) 3280 ha of Squatter Pigeon habitat; and iii) 150 ha of Brigalow ecological community b. the desired outcomes/objectives of implementing the plan; c. the timing, responsibilities and performance criteria for such actions; d. a monitoring plan including ecological surveys that must be undertaken to assess the success of the management measures against identified milestones and objectives; e. a clear definition of the location and boundaries of the offset area, through maps and/or textual descriptions as well as accompanying shapefiles; f. a process to report to the Department the management actions undertaken in the offset areas and the outcome of those actions, including identifying any need for improved management. g. a description of the potential risks to 	Yes - Offset Management Plan Approved.	Middlemount Coal Mine Offset Management Plan was originally approved by SEWPaC on 30 November 2012. The plan was revised to reflect VDec notice and the updated plan was approved by DotE 18 March 2014.

	<p>successful management and rehabilitation in the offset areas, and a description of the contingency measures that would be implemented to mitigate these risks;</p> <p>h. details of parties responsible for monitoring, reviewing and implementing the plan;</p> <p>and</p> <p>i. what would be the contingency strategy in the event that a third party impacts the offset site</p>		
2	<p>To offset the impacts to EPBC listed threatened species and ecological communities, the person taking the action must register a legally binding conservation mechanism over a minimum of 1670 ha of Ornamental Snake, 3280 ha of Squatter Pigeon and 150 ha of Brigalow ecological community (the offset area) as identified in the offset management plan. The mechanism/s must provide enduring protection for protection for the offset areas and be registered within 12 months of the date of this approval.</p>	Yes - Voluntary Declaration Secured.	<p>A voluntary declaration on Lot 2 on SP248577 - Isaac Regional Council, after liaison with QLD government, was certified by DNRM on 25 November 2013.</p>
7	<p>Within three months of every 12 months anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.</p>	Yes - Compliance Report published on website.	<p>In a letter dated to SewPAC 28 September 2012, the commencement date of the action was 17 September 2012. This document is the report. See website http://www.middlemountcoal.com.au</p>
8	<p>Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of the approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to the Minister and the audit report must address the criteria to the satisfaction of the Minister.</p>	Not yet applicable.	No direction received to date.

9	<p>If the person taking the action wishes to carry out any activity otherwise than in accordance with the plan referred to in condition 1, the person taking the action must submit for the Ministers written approval a revised version of any such plan. The varied activity shall not commence until the Minister has approved the varied plan in writing. If the Minister approves such a revised plan, the plan must be implemented in place of the plan originally approved. Unless the Minister has approved the revised plan, then the person taking the action must continue to implement the plan originally approved, referred to in condition 1.</p>	<p>Yes – revised offset management plan approved by DotE 18 March 2014.</p>	<p>As part of the QLD government process to secure the offset area, some revisions to the offset management area were required.</p> <p>The revised offset management plan was approved by DNRM on 25 Nov 2013. Consequently, the revised plan was submitted to the Commonwealth Minister for approval, granted 18 March 2014.</p>
10	<p>If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and communities to do so, the Minister may request that the person taking the action make specified revisions to the plan pursuant to condition 1 and submit the revised plan for the Ministers written approval. The person taking the action must comply with any such request. The revised approved plan must be implemented. Unless the Minister has approved the revised plan then the person taking the action must continue to implement the plan originally approved, referred to in condition 1.</p>	<p>Not yet applicable.</p>	<p>No requests received to date.</p>
12	<p>The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the above conditions of approval, including measures taken to implement the management plans required by this approval, and make them available upon request to the Department. Such reports 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 Departments website. The results of audits may also be publicised through the general media.</p>	<p>Accurate records are being maintained.</p>	<p>Records to be maintained of all activities in accordance with the approved management plan.</p>
13	<p>Unless otherwise agreed to in writing by the Minister, the person taking the action must publish the management plan, referred to in condition 1, of approval on their website. Each plan must be published on the website within one month of being approved.</p>	<p>Yes – Revised Offset Management Plan published on website.</p>	<p>The revised Offset Management Plan was published on the website 10 April 2014, within one month of approval http://www.middlemountcoal.com.au</p>