



**APPROVAL**

**Saint Elmo Vanadium Project, 25 km east Julia Creek, QLD (EPBC 2017/8007)**

This decision is made under sections 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*. 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**

<b>Person to whom the approval is granted (approval holder)</b>	Multicom Resources Ltd
<b>ACN or ABN of approval holder</b>	51 605352 690
<b>Action</b>	To construct, operate and rehabilitate a vanadium mine and associated infrastructure on MLA 100162, 25 kilometres east of Julia Creek, Queensland. [See EPBC Act referral 2017/8007, the variation request dated 7 February 2019, and the variation request dated 6 December 2019].

**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**

<b>Listed Threatened Species and Communities</b>	
Section 18	Approve
Section 18A	Approve

**Period for which the approval has effect**

This approval has effect until 29 March 2061.

**Decision-maker**

<b>Name and position</b>	Andrew McNee Assistant Secretary Environment Assessments Queensland and Sea Dumping Branch
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**Signature** 

**Date of decision** 29 March 2021

**Conditions of approval**

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

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## ANNEXURE A – CONDITIONS OF APPROVAL

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### Part A – Conditions specific to the action

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#### Maximum clearance limits

1. To limit the impacts of the action on the Julia Creek Dunnart (*Sminthopsis douglasi*), the approval holder must not **clear** more than 7,419 hectares (ha) of **Julia Creek Dunnart habitat** within the **project area**.
2. The approval holder must not **clear** outside the **project area**.

#### Pre-clearance surveys and relocation program

3. To minimise the impacts of the action on Julia Creek Dunnarts, the approval holder must undertake pre-clearance surveys of all **Julia Creek Dunnart habitat** within the **project area**. Pre-clearance surveys must be undertaken within one month prior to **clearing** any area of **Julia Creek Dunnart habitat** and undertaken by a **suitably qualified field ecologist** in accordance with the **Survey Guidelines for Australia's threatened mammals** or in accordance with methodology endorsed by an **independent suitably qualified expert** in writing.
4. The approval holder must ensure that all **clearing** of **Julia Creek Dunnart habitat** within the **project area** is supervised by a **fauna spotter catcher** with sufficient authority to ensure that **clearing** activities do not cause injury or death of Julia Creek Dunnarts.
5. The approval holder must take all reasonable steps to capture all Julia Creek Dunnarts identified during pre-clearance surveys and/or **clearing** and release all captured Julia Creek Dunnarts within the **relocation site**. All capture and release of Julia Creek Dunnarts must be conducted by a **fauna spotter catcher** or **suitably qualified field ecologist**.
6. The approval holder must report the survey effort for pre-clearance surveys and all capture and release of Julia Creek Dunnarts in the next annual **compliance report** and upload all sighting records to the **Atlas of Living Australia**.

#### Environmental offsets

7. To compensate for the **clearance** of **Julia Creek Dunnart habitat** identified in condition 1, the approval holder must fully implement the **Saint Elmo Vanadium Project Offset Strategy**.
8. The approval holder must not **commence the action** until:
  - a. Contracts have been signed and exchanged between a **suitably qualified researcher** and the approval holder committing both parties to the **research program**;
  - b. Contracts have been signed and exchanged between a **suitably qualified environmental manager** and the approval holder committing both parties to the **threat abatement program**;
  - c. Funding for at least the first full year of the **research program** has been agreed upon between a **suitably qualified researcher** and the approval holder in line with the milestones outlined in the **Saint Elmo Vanadium Project Offset Strategy** and provided to the **suitably qualified researcher** by the approval holder;
  - d. Funding for at least the first full year of the **threat abatement program** has been agreed upon between a **suitably qualified environmental manager** and the approval holder in line with the milestones outlined in the **Saint Elmo Vanadium Project Offset Strategy** and provided to the **suitably qualified environmental manager** by the approval holder; and

- e. Evidence that conditions 8(a) to 8(d) have been complied with is provided to the **department** in writing.
9. The approval holder must ensure all research results from the **Saint Elmo Vanadium Project Offset Strategy** are published in research articles in a gold open access peer-reviewed journal relevant to the scientific discipline and location of the project.
10. The approval holder must provide annual reports to the **department** on progress towards the objectives of the **Saint Elmo Vanadium Project Offset Strategy** within 60 **business days** of each anniversary of the **commencement of the action** or an alternative date agreed to by the **department**.
11. The approval holder must publish the **Saint Elmo Vanadium Project Offset Strategy** on the **website** prior to **commencement of the action** and keep the **Saint Elmo Vanadium Project Offset Strategy** published on the **website** until the end date of this approval.

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## **Part B – Standard administrative conditions**

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### **Commencement of the action**

12. 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**.
13. If, at any time after five years from the date of this approval, the person taking the action has not substantially **commenced** the action, then the person taking the action must not **commence** the action without the written agreement of the **Minister**.

### **Compliance records**

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

### **Annual compliance reporting**

16. 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** and documentary evidence showing the date of publication within five **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**

17. 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 two **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.
18. 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**

19. The approval holder must ensure that **independent audits** of compliance with the conditions are conducted when requested in writing by the **Minister**.
20. 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.
21. 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.

#### **Completion of the action**

22. Within 20 **business days** after the **completion of the action**, the approval holder must notify the **department** in writing and provide **completion data**.

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## Part C - Definitions

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

**Atlas of Living Australia** means the open access biodiversity data repository at <https://www.ala.org.au/>.

**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/ing/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 **clearing** and construction of any infrastructure. Commencement of the action does not include minor physical disturbance necessary to:

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

**Completion data** means an environmental report and spatial data clearly detailing how the conditions of this approval have been met. The **department's** preferred spatial data format is **shapefile**.

**Completion of the action** means the time at 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:

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

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

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

**Fauna spotter catcher** means a person/s who has professional skills and experience in trapping and handling native animals using relevant protocols, standards and methods, who holds relevant animals ethics approvals and is licenced by the Queensland Government to handle native animals.

**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).

**Independent suitably qualified expert** means a person/s:

- a. that does not have individually, or by employment or family affiliation, any conflicting or competing interests with the approval holder or the **suitably qualified researcher**;
- b. with at least a postgraduate degree (or equivalent) relevant to Julia Creek Dunnart ecology; and
- c. with a minimum 5 years of experience relevant to Julia Creek Dunnart ecological research.

**Julia Creek Dunnart habitat** means all areas of Mitchell Grasslands with ashy and/or stony cracking clay soils and dominated by Mitchell Grass (*Astrebla* spp.) or Flinders Grass (*Iseilema* spp.), shown within the **project area** as:

- a. shaded pink and labelled as 'Julia Creek Dunnart Habitat' in Attachment A; and
- b. shaded grey and labelled as 'Julia Creek Dunnart Habitat' in Attachment B.

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

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

**Project area** means the areas where the construction and operation of the action will be undertaken, shown:

- a. marked with a red outline and labelled as 'ML100162' in Attachment A, and bounded by the coordinates labelled 'ML100162 (Mine lease area)' in Attachment C; and
- b. marked with a red outline and labelled as 'Multicom mining leases' in Attachment B, and bounded by the coordinates labelled 'MLA100245 (Pipeline MLA)', 'MLA100244 (OWSF MLA)', and 'MLA10246 (Aqueduct MLA)' in Attachment D.

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

**Relocation site** means an area/s of **Julia Creek Dunnart habitat** within Area 1 of the retained **Julia Creek Dunnart habitat** within the **project area** that is not to be **cleared**, shown within the **project area** outlined in yellow and marked with a yellow '1' and labelled as 'Retained Habitat' in Attachment A and bounded by the coordinates labelled 'Retained Habitat Area 1' in Attachment C, and assessed as suitable for release of captured Julia Creek Dunnart individuals by a **suitably qualified field ecologist**.

**Research program** means all components of the Julia Creek Dunnart Offset Project Action Plan that are identified as 'Field Surveys to Determine Distribution' and 'Population and Habitat

Monitoring' in Table 3 of the **Saint Elmo Vanadium Project Offset Strategy** and all activities outlined in sections 4.4.1 and 4.4.2 of the **Saint Elmo Vanadium Project Offset Strategy**.

**Saint Elmo Vanadium Project Offset Strategy** means the *Multicom Resources Limited Offset Strategy* dated 2 February 2021 (file name: DAWE - Offset Strategy\_Rev7-020221), or a subsequent version approved by the **Minister** in writing.

**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.

**Suitably qualified environmental manager** means a person/s who has professional qualifications and at least three (3) years of work experience designing and implementing relevant land management activities including weed and feral pest control, that will undertake the **threat abatement program**.

**Suitably qualified field ecologist** means a person who has professional qualifications and at least three (3) years of work experience designing and implementing surveys for the Julia Creek Dunnart, and can give an authoritative assessment and advice on the presence of the Julia Creek Dunnart using relevant protocols, standards, methods and/or literature. If the person does not have appropriate professional qualifications, the person must have at least five (5) years of work experience designing and implementing surveys for the Julia Creek Dunnart or other Dasyurid mammal species.

**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.

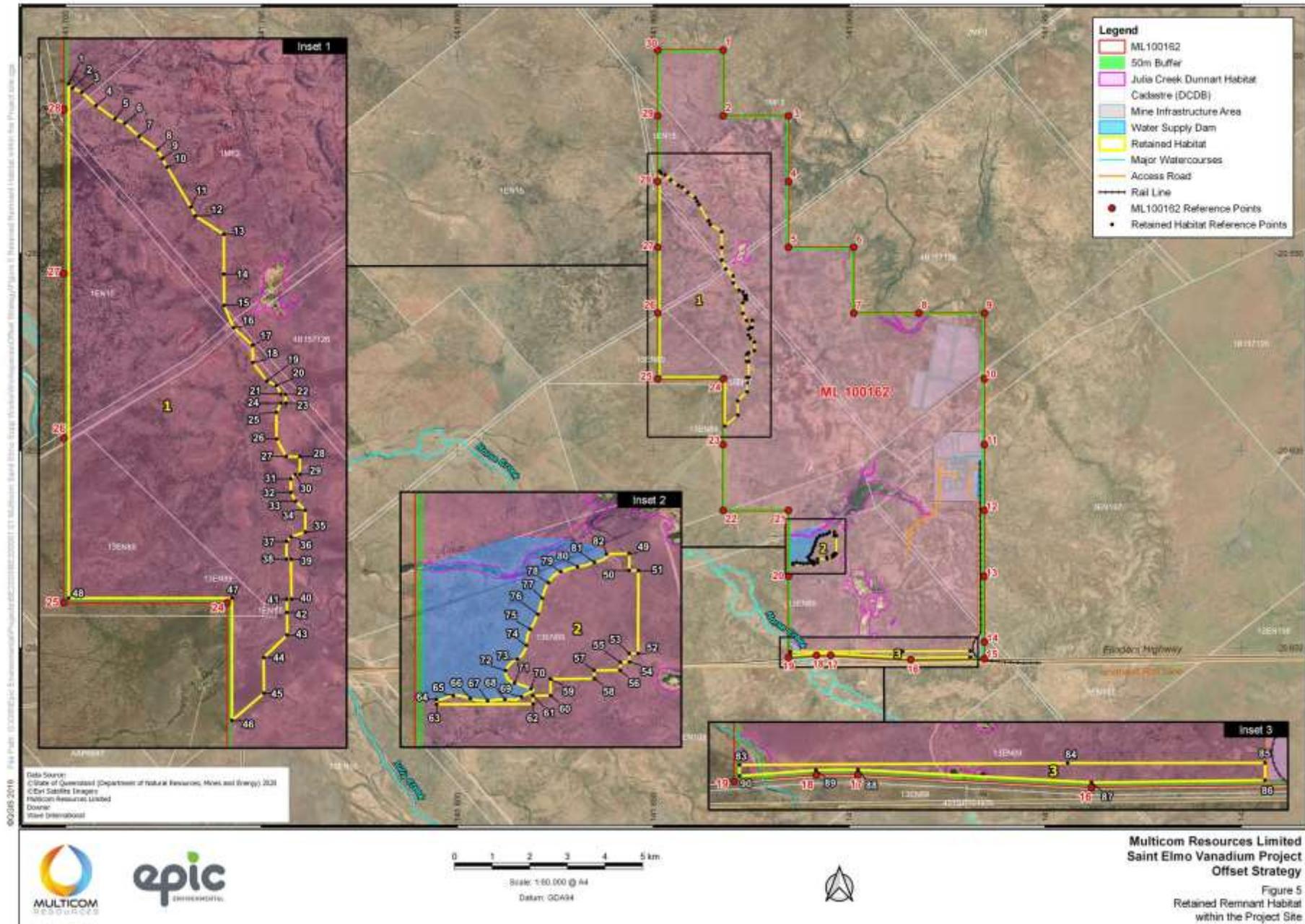
**Suitably qualified researcher** means a person/s who has academic qualifications and training, skills and/or experience related to the nominated subject matter, operating under the auspices of the University of Queensland (or another Australian public university agreed to in writing by the **department**), that will supervise the **research program**.

**Survey Guidelines for Australia's threatened mammals** means the *Survey Guidelines for Australia's threatened mammals*, Commonwealth of Australia (2011), or a subsequent version.

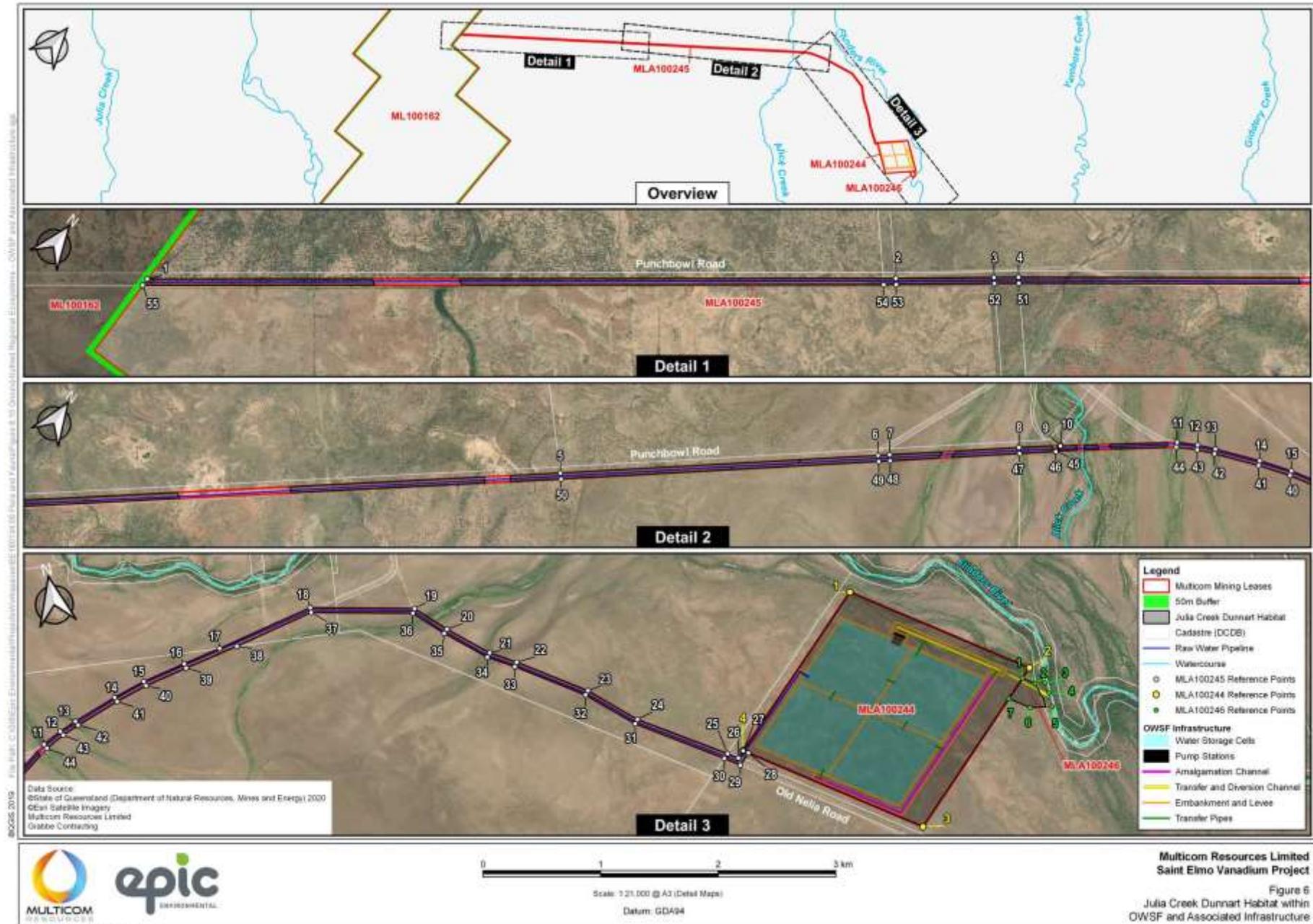
**Threat abatement program** means all components of the Julia Creek Dunnart Offset Project Action Plan that are identified as 'Threat Abatement' in Table 3 of the **Saint Elmo Vanadium Project Offset Strategy** and all activities outlined in section 4.4.3 of the **Saint Elmo Vanadium Project Offset Strategy**.

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

Attachment A: Project area, retention area and Julia Creek Dunnart habitat – mine site



Attachment B: Project area, retention area and Julia Creek Dunnart habitat – water pipeline and offsite water storage facility site



**Attachment C: Coordinates for reference points in Attachment A**

Section	ID	Easting (GDA94 MGA zone 54)	Northing (GDA94 MGA zone 54)
<b>ML100162 (Mine Lease area)</b>	1	590491.4014	7733113.9620
	2	590481.5829	7731269.3350
	3	592219.3951	7731260.0310
	4	592209.3808	7729415.3950
	5	592199.3587	7727570.7540
	6	593936.8014	7727561.2610
	7	593926.5889	7725716.6170
	8	595663.8480	7725706.9390
	9	597401.1132	7725697.0840
	10	597390.5120	7723852.4190
	11	597379.9026	7722007.7510
	12	597369.2861	7720163.0810
	13	597358.6602	7718318.4060
	14	597348.0262	7716473.7280
	15	597345.3191	7716004.3400
	16	595389.3832	7715988.4580
	17	593263.3606	7716122.5810
	18	592884.9711	7716121.6670
	19	592136.7187	7716065.0100
	20	592149.1690	7718347.5390
	21	592159.2229	7720192.1890
	22	590422.5468	7720201.5360
	23	590432.4017	7722046.1740
	24	590442.2490	7723890.8090
	25	588705.1987	7723899.9630
	26	588714.8485	7725744.5860
	27	588724.4910	7727589.2070
	28	588734.1363	7729433.8350
	29	588743.7753	7731278.4600
	30	588753.4070	7733123.0820
<b>Retained Habitat Area 1</b>	1	588785.6264	7729718.7690
	2	588825.5051	7729673.4830
	3	588925.3374	7729624.6930
	4	589075.4617	7729475.3200
	5	589276.5872	7729324.5420
	6	589379.2388	7729274.8300
	7	589529.5857	7729125.6960
	8	589727.2195	7728976.5610
	9	589775.7184	7728877.1380
	10	589827.8549	7728781.3530
	11	590078.8372	7728329.0990
	12	590124.9111	7728229.6760
	13	590426.8174	7728023.5560

	14	590425.1654	7727575.8860
	15	590425.9161	7727226.0970
	16	590526.0025	7726973.5180
	17	590725.3875	7726776.9950
	18	590729.2034	7726581.4260
	19	590878.0269	7726375.3630
	20	590978.1964	7726325.7550
	21	591026.8502	7726227.4930
	22	591072.6419	7726224.6310
	23	591074.5499	7726124.4620
	24	591027.8041	7726124.4620
	25	590975.3345	7726021.4300
	26	590976.2885	7725723.7840
	27	591078.3659	7725527.2610
	28	591224.3273	7725524.3990
	29	591223.3732	7725326.9220
	30	591175.6735	7725325.9670
	31	591125.1117	7725274.4520
	32	591126.0658	7725123.7200
	33	591175.6735	7725024.5050
	34	591277.7510	7724923.3810
	35	591276.7971	7724679.1590
	36	591125.1117	7724623.8270
	37	591076.4579	7724574.2190
	38	591074.5499	7724375.7880
	39	591123.2037	7724372.9260
	40	591125.1117	7723927.4100
	41	591075.5040	7723924.5480
	42	591077.1549	7723776.2290
	43	591077.1549	7723523.2710
	44	590826.4483	7723272.5640
	45	590827.1989	7722872.4840
	46	590485.2192	7722569.0590
	47	590492.5157	7723940.5460
	48	588755.4601	7723949.6990
Retained Habitat Area 2	49	593377.5137	7719577.0960
	50	593377.5137	7719475.3910
	51	593429.9075	7719473.8500
	52	593424.4133	7718975.4590
	53	593374.8723	7718974.7080
	54	593375.6230	7718925.1680
	55	593324.5809	7718922.9160
	56	593321.5784	7718876.3770
	57	593174.4570	7718875.6270
	58	593174.4570	7718826.8360
	59	592925.4824	7718824.3540
	60	592925.0178	7718725.3740
	61	592825.1087	7718724.9090

	62	592825.1087	7718675.6520
	63	592274.9116	7718676.1170
	64	592274.0789	7718705.8720
	65	592370.0793	7718727.9350
	66	592467.0255	7718710.1880
	67	592565.3205	7718695.6250
	68	592664.6889	7718703.2210
	69	592759.3485	7718718.3960
	70	592813.5436	7718767.3840
	71	592719.9627	7718802.1540
	72	592669.3352	7718877.0440
	73	592737.7048	7718945.6110
	74	592787.4139	7719028.6590
	75	592810.4810	7719124.9500
	76	592854.5901	7719214.3920
	77	592880.6465	7719310.7620
	78	592915.5218	7719404.0210
	79	592987.4351	7719469.6360
	80	593082.6081	7719499.4790
	81	593178.6349	7719524.9290
	82	593248.4310	7719575.0800
Retained Habitat Area 3	83	592187.5903	7716224.6580
	84	595174.9723	7716225.2800
	85	596971.9543	7716217.5430
	86	596970.4977	7716051.3140
	87	595390.7566	7716038.4720
	88	593264.8764	7716172.5860
	89	592883.0200	7716171.6630
	90	592187.0137	7716118.9610

**Attachment D: Coordinates for reference points in Attachment B**

<b>Section</b>	<b>ID</b>	<b>Easting (GDA94 MGA zone 54)</b>	<b>Northing (GDA94 MGA zone 54)</b>
<b>MLA100245 (Pipeline MLA)</b>	1	592203.4684	7728327.1690
	2	596992.5638	7732120.7370
	3	597616.3481	7732624.3990
	4	597772.0874	7732750.1400
	5	602024.8276	7736095.5160
	6	604055.7284	7737708.7400
	7	604129.3114	7737767.1900
	8	604956.8140	7738424.5080
	9	605225.0560	7738636.0100
	10	605224.4917	7738629.8340
	11	605983.6002	7739202.6500
	12	606132.8459	7739280.6610
	13	606267.6932	7739334.9760
	14	606613.5792	7739460.6230
	15	606868.3842	7739538.5400
	16	607212.7312	7739611.4890
	17	607514.8565	7739672.7530
	18	608289.7069	7739843.5010
	19	609100.3169	7739647.8630
	20	609317.6293	7739419.5660
	21	609609.8029	7739148.8990
	22	609805.2457	7739023.5980
	23	610310.9058	7738660.3230
	24	610647.5153	7738334.6280
	25	611291.1754	7737890.7060
	26	611367.4896	7737835.6760
	27	611417.3196	7737886.2860
	28	611454.4511	7737858.5620
	29	611371.1420	7737772.8790
	30	611257.3184	7737857.7130
	31	610621.8950	7738303.7500
	32	610285.2141	7738629.5200
	33	609782.7228	7738990.5160
	34	609585.2373	7739117.1040
	35	609289.5113	7739391.0830
	36	609079.3726	7739611.7690
	37	608289.2934	7739802.5060
	38	607652.6130	7739659.8710
	39	607220.8512	7739572.3210
	40	606878.3979	7739499.7720
	41	606626.2654	7739422.6730
	42	606281.9990	7739297.6150
	43	606149.6251	7739244.2960
	44	605999.2388	7739165.6890
	45	605219.5284	7738575.4540
	46	605218.9173	7738568.8500

	47	604987.9134	7738385.3570
	48	604160.4109	7737728.0390
	49	604086.8279	7737669.5890
	50	602055.8343	7736056.2910
	51	597803.2185	7732711.0130
	52	597647.6032	7732585.3730
	53	597023.8187	7732081.7100
	54	596944.3314	7732017.5310
	55	592203.1128	7728262.0080
<b>MLA100244 (OWSF MLA)</b>	1	612519.1231	7738995.5520
	2	613788.6312	7738048.9440
	3	612689.0706	7736936.6380
	4	611417.3196	7737886.2860
<b>MLA10246 (Aqueduct MLA)</b>	1	613717.79810	7737976.69500
	2	613806.80570	7737910.21200
	3	613884.81150	7737896.27600
	4	613896.53740	7737803.82200
	5	613899.24330	7737690.17200
	6	613725.58780	7737721.52500
	7	613575.42710	7737832.55700