

## Approval Decision

Kevin's Corner Project, Open Cut and Underground Coal Mine and Associated Infrastructure, 50km north of Alpha township, Galilee Basin, Queensland (EPBC 2009/5033)

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

### Proposed action

person to whom the approval is granted Hancock Galilee Pty Ltd

approval holder's ACN (if applicable) ACN: 136 381 970

proposed action To construct and operate an open cut and underground coal mining operation, involving the construction and operation of a coal processing plant, tailings storage facility, service road access, haul road, 15km rail loop and spur and other major infrastructure services and utilities associated with the project [See EPBC Act Referral 2009/5033].

### Approval decision

Controlling Provision	Decision
Listed threatened species and communities (sections 18 & 18A)	Approved
Listed migratory species (sections 20 & 20A)	Approved
A water resource, in relation to coal seam gas development and large coal mining development (sections 24D & 24E)	Approved

### conditions of approval

This approval is subject to the conditions specified below.

### expiry date of approval

This approval has effect until 30 October 2073.

### Decision-maker

name and position The Hon Greg Hunt MP  
Minister for the Environment

### signature



### date of decision

1:11:2013

## Conditions of Approval

1. The **Minister** may determine that a plan, strategy or program approved by the Queensland Government satisfies a plan, strategy or program required under these conditions.

## Project area

2. The **project area** is:
  - a) The area depicted at Attachment A (mine footprint) and is contained within the mine lease application (MLA) 70245 with an area of 37,380 ha. This area includes the following leases (as they are at the date of the decision to which these conditions are attached):
    - i. Exploration Permit Coal 1210/ MLA 70425; and
    - ii. Mineral development lease (MDL) 333.
  - b) The off-lease road and rail spur as depicted in Maps 1 and 2 at Attachment B.
3. For the purpose of the action, the **approval holder** must not clear outside the **project area**.
4. Within 12 months from the date of approval and each 12 months thereafter, the **approval holder** must publish maps verifying compliance with Condition 2 on their website until the expiry date of approval.
5. The **approval holder** must notify the **department** of the information being published on their website, and provide the **department** with a copy of this information, within 1 week of the information being placed on their website.

## Disturbance Limits

6. Where habitat for an **EPBC Act listed species or community** not previously identified and reported to the **department** is found in the **project area**, the **approval holder** must notify the **department** in writing within five business days of finding this habitat, and within 20 business days of finding this habitat outlining in writing how these conditions of approval will still be met.
7. The maximum disturbance limits in Table 1 apply to authorised **impacts** on **EPBC listed species** as a result of exploration, construction, operation and decommissioning of the mine, associated infrastructure and off-lease road and rail within the **project area** (i.e. they are 'whole of project' disturbance limits) for the duration of project approval.

**Table 1: Maximum Disturbance limits for EPBC listed species**

Species	Mine disturbance: High value Habitat	Subsidence disturbance: High value Habitat
Threatened species - avian species		
<b>Black-throated Finch</b>	730 hectares	270 hectares
<b>Squatter Pigeon</b>	882 hectares	276 hectares
<b>Red Goshawk</b>	917 hectares	284 hectares
Threatened species - reptile species		
<b>Yakka Skink</b>	1410 hectares	5 hectares
<b>Ornamental Snake</b>	602 hectares	242 hectares

Species	Mine disturbance: High value Habitat	Subsidence disturbance: High value Habitat
Migratory species		
<b>Eastern Great Egret</b>	619 hectares	143 hectares
<b>Cattle Egret</b>	619 hectares	143 hectares
<b>Rainbow Bee-eater</b>	344 hectares	n/a

Note 1: Table 1 is derived from information provided in the SEIS (AMEC 2012), and the Coordinator-General's assessment report (Qld Government 2013) with rounding to the nearest hectare applied.

#### King Blue-grass (*Dichanthium queenslandicum*)

8. The **approval holder** must not adversely **impact** more than 59 hectares of **suitable habitat for King Blue-grass**.
9. The **approval holder** must undertake pre-clearance surveys for **King Blue-grass** within the **project area** prior to commencement of **Project Stage 2**.
10. The **approval holder** must present a methodology for pre-clearance surveys for **King Blue-grass**, including justification for this methodology by a **suitably qualified ecologist** approved by the **department** in writing, to the **Minister** for approval before undertaking pre-clearance surveys.
11. The **approval holder** must provide the pre-clearance surveys, and a summary of the results of pre-clearance surveys, to the **department** in writing within 30 calendar days of completing the pre-clearance surveys.
12. If **King Blue-grass** is found during pre-clearance surveys the **approval holder** must:
  - a) include management measures for **King Blue-grass** in the **MNES Management Plan**;
  - b) submit proposed offsets for **impacts to King Blue-grass** in accordance with the **EPBC Act Offsets Policy**, including a timetable to implement these offsets;
  - c) meet the conditions of this approval relating to offsets; and
  - d) not **commence** the action prior to the **Minister** approving in writing the quantity of the offset required for **impacts on King Blue-grass** and a timetable to implement offsets.

#### Disturbance to habitat

13. If disturbance limits for **EPBC listed species and communities** set in Table 1 are exceeded, or predicted to be exceeded, the **approval holder** must:
  - a) contact the **department** in writing before reaching the disturbance limit in Table 1 and provide the actual amount of disturbance in hectares for each species;
  - b) provide a new offset requirement for each species;
  - c) offsets must be in accordance with the **EPBC Act Offsets Policy**;
  - d) offsets must be provided and approved by the **Minister** in writing before the **approval holder** reaches the disturbance limit in Table 1; and
  - e) a timeframe for implementing these offsets must be approved by the **Minister** in writing before the **approval holder** reaches the disturbance limit in Table 1.
14. If disturbance limits set in Table 1 are exceeded the **Minister** may require additional direct or indirect offsets for any additional disturbance to habitat for **EPBC listed threatened species or communities**.

#### **MNES Management Plan**

15. The **approval holder** must submit a **MNES Management Plan (MMP)** for the approval of the

**Minister** which maximises the ongoing protection and long term conservation of **EPBC listed species and communities** within the **project area**.

16. The MMP must include:

- a) a description of the habitat (including **High Value Habitat**) to be impacted, including size in hectares, habitat quality and features, and maps of habitat, for each species listed in Table 1;
- b) a summary of the results of any pre-clearance surveys and **ecological equivalence surveys** and how these have been used to determine the distribution and extent of species and their habitat, including any changes to predicted **impacts**;
- c) details of the specific potential **impacts** to **MNES** and their habitat resulting from each **Project Stage**, including **impacts** from:
  - i. vegetation clearing;
  - ii. **subsidence** from underground mining;
  - iii. mine dewatering **impacts** on perched aquifers;
  - iv. ecological function changes to habitat, including habitat connectivity, species' function and behaviour, composition and size of populations, and death or injury to individuals;
  - v. hydrological changes due to stream diversions, and flood levees; and
  - vi. weeds and pests.
- d) measures that will be undertaken to avoid, mitigate and manage **impacts** resulting from the action. These measures must include:
  - i. the implementation of those measures contained in relevant guidelines, policies and plans (such as recovery plans) to determine measures specific for each species affected by the proposed action;
  - ii. the use of fauna spotters prior to and during all clearing activities to ensure **impacts on EPBC listed species and communities** are minimised (**EPBC listed fauna species** must be removed and relocated to adjacent suitable habitat unless this is not possible due to stress or injury);
  - iii. measures to prevent stress, injury and mortality of **EPBC listed fauna species** during **Project Stages**;
  - iv. measures to protect **EPBC listed species and communities** and their habitat located in the **project area**, including adjacent to cleared areas;
  - v. buffer zones for trees identified as nesting sites for the Red Goshawk which are endorsed in writing by a **suitably qualified expert**;
  - vi. measures to rehabilitate all areas of **MNES** habitat disturbed during **Project Stages**; and
  - vii. measures to allow fauna to escape from pits or trenches;
  - viii. measures to determine whether **EPBC listed fauna species** that are injured or stressed should be rehabilitated or euthanised, and if a species dies, measures to determine whether and how their bodies should be made available for scientific research;
  - ix. measures to report on the occurrence, circumstances and outcomes for casualties that are **EPBC listed fauna species**;
- e) details of how the MMP will be updated to incorporate and address outcomes from research undertaken for **EPBC listed threatened species** under this approval;
- f) a monitoring program to determine the success of mitigation and management



measures. The monitoring program must;

- i. clearly set out performance indicators or criteria for assessing the success of management measures;
- ii. measure the success of the management measures against stated performance criteria as applied to the **project area**;
- iii. include monitoring parameters, frequencies, triggers, corrective actions, timing and scope for the duration of project approval; and

g) outline how milestones and compliance will be reported on.

17. Where **EPBC listed species** share similar habitat and management requirements, such as migratory shorebird species, the requirements of these **EPBC listed species** may be addressed together as a component of the MMP.
18. The **approval holder** cannot commence **Project Stage 2** of the action until the MMP is approved by the **Minister** in writing.
19. The **approval holder** must publish the MMP on their website within 10 business days from the day of receiving the **Minister's** approval of the MMP in writing.

### **Biodiversity Offset Strategy**

20. To compensate for any authorised unavoidable **impacts** on **MNES** (see Table 1) a Biodiversity Offset Strategy must be submitted for approval by the **Minister**.
21. The **approval holder** cannot commence **Project Stage 2** until the Biodiversity Offset Strategy is approved by the **Minister** in writing.
22. The Biodiversity Offset Strategy must identify land within the Galilee Basin region that is identified by the **approval holder** for acquisition and will be managed for environmental gain and protected by covenant until 2073.
23. The Biodiversity Offset Strategy must provide details of the offset areas including maps and site descriptions, environmental values relevant to **MNES**, amounts of **high value habitat** for each **MNES** (in hectares), connectivity with other habitats and biodiversity corridors, a rehabilitation program, and conservation and management measures for long term protection.
24. The following table specifies the minimum offsets which must be secured for unavoidable authorised disturbance to **EPBC listed threatened species** in respect of **impacts** estimated in Table 1:

**Table 2: Offsets required for EPBC listed threatened fauna species**

<b>Species</b>	<b>Required offset: High Value Habitat</b>
<b>Black-throated Finch</b>	3170 hectares
<b>Yakka Skink</b>	3400 hectares
<b>Red Goshawk</b>	2802 hectares
<b>Ornamental Snake</b>	3606 hectares

25. An offset must be secured for unavoidable authorised disturbance to the **Squatter Pigeon** (see Table 1). The **approval holder** must propose an offset for impacts to **Squatter Pigeon** in the Biodiversity Offset Strategy.

*Note 4: Offsets for some species may be accommodated within ecological communities or overlap State approval requirements or other species habitat requirements, as long as they meet the requirements of these conditions of approval in respect of each individual species being offset.*

## Biodiversity Offset Funding and Administration

26. In addition to the Biodiversity Offset Strategy requirements of these conditions of approval, the **approval holder** must establish or contribute to a pool of funds and administrative arrangements established for the better protection and long term conservation of **EPBC listed threatened species** in the Galilee Basin as listed in Table 1.
27. The mechanism to establish or contribute to a pool of funds, including terms of reference to support a regional approach, funding mechanisms and an initial work plan, must be agreed by the **Minister** in writing and may be in the form of a trust fund, or other mechanisms as agreed by the **Minister** in writing.
28. The **approval holder** must contribute \$100,000 per annum from the commencement of **Project Stage 2** (GST exclusive) for 10 consecutive years to the pool of funds.
29. These funds must facilitate the development and implementation of research programs identified as a priority to manage development **impacts** on **EPBC listed threatened species** in the Galilee Basin and which are consistent with, and take into consideration, any Recovery Plans, Threat Abatement Plans and/or Conservation Advices for relevant **EPBC listed threatened species**. Research programs must include:
  - a) methodologies for a baseline survey that will report on each species' movement patterns, habitat requirements and population dynamics. Survey methodologies must be in accordance with the **department's survey guidelines** or alternative best practice methodologies and endorsed by a **suitably qualified ecologist**;
  - b) an ongoing monitoring program (developed from the baseline monitoring) for each species, to continue for the duration of the project approval, with annual reporting to the **department**;
  - c) commitments, including financial commitments and associated timeframes, that will be implemented by the **approval holder** to support the undertaking of research;
  - d) the time frames for undertaking each research component;
  - e) timing and methods of reporting research outcomes to the **Minister**, the scientific community and the public; and
  - f) outcomes of consultation with the **department** on how the proposed Research Plans align with other studies for **EPBC listed threatened species**.
30. Research programs must be approved by the **Minister** in writing prior to research commencing.
31. To ensure funding is adequate, a review of funding contributions must be undertaken 5 years after the establishment of the pool of funds or as otherwise agreed by the **Minister** in writing. This review must take into account progress of the research programs and any subsequent onground actions, as well as the involvement of other approval holders in funding and administrative arrangements.
32. The **approval holder** must establish the pool of funds and administrative arrangements for the pool of funds prior to commencement of **Project Stage 2**, and provide notice of the establishment of the pool of funds and the administrative arrangements to the **department** in writing within 30 calendar days of establishment.
33. Identification of priority actions for funding must be decided by representatives including: the **approval holder**, **Queensland Department of Environment and Heritage Protection**, members of relevant Recovery Teams, and the **department**. Priority actions must make reference to, and be consistent with, relevant Recovery Plans, Threat Abatement Plans and Conservation Advices.
34. Documentary evidence must be provided to the **department** showing that the annual financial contributions to the fund have been provided within 30 calendar days of each payment.

## Offset Management Plan

35. The **approval holder** must submit an Offset Management Plan to the **Minister** for approval. The Offset Management Plan must include:

- a) a detailed survey and description of the condition of the offset area prior to any management activities, including existing **MNES** habitat and vegetation which has the potential to be restored or improved (the baseline condition). This must be accompanied with the offset attributes and maps in electronic Geographic Information System (GIS) format;
  - b) a description of the potential risks to the successful implementation of the Offset Management Plan, and include a description of the contingency measures that would be implemented to mitigate against these risks;
  - c) management measures for **MNES** and **MNES** habitat identified within the Biodiversity Offset Strategy with written evidence of input from a **suitably qualified expert** who has relevant expertise in the management of native vegetation of the Galilee Basin;
  - d) a monitoring program for the offset site/s. The monitoring program must:
    - i. clearly set out performance indicators;
    - ii. measure the success of the management measures against stated performance criteria;
    - iii. include monitoring parameters, frequencies, triggers, corrective actions, timing and scope for the duration of project approval;
  - e) details of how the plan will be updated to incorporate and address outcomes from research undertaken for **EPBC listed threatened species** under this approval;
  - f) an outline of how milestones and compliance will be reported on; and
  - g) details of who would be undertaking monitoring, reviewing, and implementing the Offset Management Plan (if this person is not the **approval holder**).
36. The Offset Management Plan must include, in writing, commitments from the **approval holder** that demonstrate that the offset areas required in Table 2 will be met.
37. The Offset Management Plan must be approved by the **Minister** in writing within 12 months from the commencement of **Project Stage 2**.
38. Offsets detailed in the Offset Management Plan must be secured within three years of commencement of **Project Stage 2** or as required under relevant Queensland legislation, whichever is earlier.

### Rehabilitation Management Plan

39. The **approval holder** must submit a Rehabilitation Management Plan (RMP) to the **Minister** for approval for the entire **project area**. The RMP will be based upon the *Updated Rehabilitation Management Plan, May 2013 (Post-SEIS Supplementary Documents to CG)* and must include:
- a) maps of habitat for **EPBC listed species** resulting from any pre-clearance surveys and **ecological equivalence surveys**;
  - b) rehabilitation measures for impacted **EPBC listed species and communities** and their habitat (including from **subsidence**). These measures must follow best practice restoration techniques (e.g. as outlined by the Society for Ecological Restoration), and include reference sites for informing rehabilitation activities and measuring success;
  - c) management measures for **MNES** habitat endorsed by a **suitably qualified expert/s**;
  - d) a monitoring program that:
    - i. measures the success of the management measures against stated performance criteria;
    - ii. includes monitoring parameters, frequencies, triggers, corrective actions, timing and scope for the duration of project approval;
    - iii. outlines how milestones and compliance will be reported on; and
  - e) clear performance indicators such as goals, objectives and targets, including that disturbed areas are rehabilitated to the same vegetation structural integrity and complexity that existed prior to disturbance.
40. The approved Rehabilitation Management Plan must be implemented.

## Rewan Formation Connectivity Research Plan

41. The **approval holder** must submit for the approval of the **Minister** a **Rewan Formation Connectivity Research Plan** ('Research Plan') that characterises the Rewan Formation within the area **impacted** by the mine, for the **Minister's** approval. The Research Plan must include but is not limited to the following:
- a) research aims;
  - b) personnel responsible for conducting research and their qualifications;
  - c) timeframes for research and reporting;
  - d) methods, including seismic surveys to determine the type, extent and location of faulting and fracturing and an examination of the hydraulic properties of the Rewan Formation, to better characterise the Rewan Formation and the contribution of fractures and faults to connectivity;
  - e) research to inform the future **Bioregional Assessment for the Galilee Basin sub-region and the Lake Eyre Basin**; and
  - f) outputs to inform the **Water Monitoring and Management Plan**.
42. The Research Plan must be peer reviewed by a **suitably qualified expert** approved by the **Minister** in writing. The peer review and the Research Plan must be submitted together to the **Minister** for approval.
43. The findings of the research outputs of the **Rewan Formation Connectivity Research Plan** must be published on the **approval holder's** website and submitted to the department in accordance with the timeframes approved by the **Minister** for reporting.
44. **Project Stage 2** cannot commence until the **Rewan Formation Connectivity Research Plan** has been approved by the **Minister** in writing.
45. The approved **Rewan Formation Connectivity Research Plan** must be implemented.

## Water Monitoring and Management Plan

### *Baseline monitoring network*

46. The approval holder must submit a **Water Monitoring and Management Plan (WMMP)** for the **Minister's** approval.
47. The **WMMP** must:
- a) include details of a best practice baseline monitoring network that will enable the identification of spatial and temporal changes, as a result of project activities, to:
    - i. surface water;
    - ii. groundwater;
    - iii. cumulative impacts; and
    - iv. **subsidence**.
  - b) include a rationale for the suitability of the proposed monitoring network; and
  - c) use the findings of the conceptual and numerical groundwater model for the project where relevant.

Note 5: To ensure efficiency the approval holder may prepare and align the WMMP with the requirements of the Queensland Government, as long as the relevant matters under the conditions of this approval are clearly and adequately addressed.

Note 6: Information about cumulative impacts must include publicly available information and other related project information available to the proponent.

48. The **WMMP** must include parameters and a sampling regime to establish baseline data for:
- a) water quality and quantity for surface water;
  - b) water quality, water levels and/or pressures for groundwater;
  - c) connectivity between surface and groundwater; and



- d) connectivity between the following formations: Alluvial deposits; Tertiary deposits; Bandanna Formation; Colinslea Sandstone; Joe Joe Formation; and the Clematis Sandstone and Rewan Formation of the Great Artesian Basin.

- 49. The **WMMP** must include timeframes for construction of the monitoring network.
- 50. The **WMMP** must be peer reviewed by a **suitably qualified expert** approved by the **Minister** in writing. The peer review must be submitted to the **Minister** at the same time the **WMMP** is submitted to the **Minister** for approval.
- 51. **Project Stage 2** cannot commence until the **WMMP** has been approved by the **Minister** in writing.
- 52. The approved **WMMP** must be implemented.

#### *Numerical Groundwater Model*

- 53. To predict impacts to water resources so they can be avoided or minimised, the **approval holder** must develop a **numerical groundwater model**. The **approval holder** must:
  - a) review and update the **numerical groundwater model** over the life of the project within timeframes specified by the **Minister** in writing. The **Minister** may consider the requirements to update the **numerical groundwater model** under Queensland Government regulations in specifying timeframes; and
  - b) use the outcomes of the **numerical groundwater model** in reviewing and revising the **WMMP** in accordance with these conditions.

Note 6: To ensure efficiency the approval holder may prepare and align the numerical model required under these conditions with the requirements of the Queensland Government, as long as the relevant matters under the conditions of this approval are clearly and adequately addressed.

#### *Monitoring Network*

- 54. The **WMMP** must:
  - a) review and update the monitoring network described in the **WMMP** to reflect changes in understanding of impacts to water resources from:
    - i. the results of baseline monitoring;
    - ii. the research from the **Rewan Formation Connectivity Research Plan**; and
    - iii. changes to the **conceptual groundwater model** and **numerical groundwater model** and outputs; and
  - b) provide details of an ongoing monitoring program that addresses potential surface water impacts, groundwater impacts, cumulative impacts and **subsidence**, spanning all project activities including construction, operation and decommissioning/closure of the mine; and also including monitoring of downstream impacts resulting from the release of mine-affected water and pit/void water. The **WMMP** must include a rationale for the suitability of the proposed ongoing monitoring network.

#### *Threshold and exceedance limits*

- 55. The **WMMP** must identify, provide a rationale for, and implement, thresholds and limits in respect of the project's **impact** on surface water and groundwater. This includes but is not limited to:
  - i. in relation to **impacts** on surface water - thresholds and limits for water quantity and availability; stressors and contaminants; annual loads of salinity; and sediment; and
  - ii. in relation to **impacts** on groundwater – thresholds and limits for water quality and drawdown.

Note 8: Threshold values identified in the plan and during the life of the approval and related conditions may be varied by the Minister on advice from an expert panel to reflect the best available data and scientific information.

- 56. Limits in the approved **WMMP** must not be exceeded.

## *Management and response actions*

57. The **approval holder** must develop a risk based exceedance response that details the actions the **approval holder** will take and the timeframes in which those actions will be undertaken if:
- a) threshold values contained in the **WMMP** are exceeded;
  - b) **subsidence** or surface deformation occurs which substantially impacts on surface or groundwater hydrology; and / or
  - c) there are any unforeseen emergency discharges.
58. The approval holder must:
- a) report exceedances to the department within 10 business days of the monitored exceedance; and
  - b) provide written advice to the department, within 90 calendar days of the occurrence of the monitored exceedance, stating the direct cause of, and the actions taken in response to, the exceedance and management responses.
59. The Minister may by written request, require the **WMMP** be reviewed by a **suitably qualified expert**. Within 6 months of the review, the **approval holder** must revise and update the **WMMP** for the **Minister's approval**.

## **Final Void Water Monitoring and Management Plan**

60. The **approval holder** must develop a **Final Void Water Monitoring and Management Plan**, which must include:
- a) an environmental risk assessment of both open final void and backfilling options; and
  - b) justification for the preferred option that demonstrates there will be no unacceptable impacts on **MNES**.
61. The **Final Void Water Monitoring and Management Plan** must be peer reviewed by a **suitably qualified expert**. The peer review must be submitted to the **Minister** for approval at the same time the **Final Void Water Monitoring and Management Plan** is submitted to the Minister for approval.
62. The **approval holder** must not commence **Project Stage 4** until the **Minister** has approved the **Final Void Water Monitoring and Management Plan** in writing.
63. The approved **Final Void Water Monitoring and Management Plan** must be implemented.

Note 9: The Minister may throughout the project life seek advice from experts, or an expert panel. As a consequence specific matters identified through such advice may need to be addressed in the Plan. Where such advice is sought the approval holder would be provided with opportunity to submit information and respond to the specific matters identified, in order to ensure the Plan is based on the best available information. Review requirements will facilitate adaptive management, alignment with Queensland Government approval requirements, and account for potential cumulative impacts as new scientific information becomes available over the life of the project.

## **Date of commencement**

64. Within 30 calendar days after the **commencement** of the action, the **approval holder** must advise the **department** in writing of the actual date of **commencement**.

## **General**

65. The **approval holder** must notify the department in writing of non-compliance with any condition of this approval as soon as practical and within no later than two business days of becoming aware of the non-compliance.

The notice provided to the Department under this condition must specify:

- i. the condition which the **approval holder** has potentially breached;
- ii. the nature of the non-compliance;
- iii. when and how the **approval holder** became aware of the non-compliance;
- iv. how the non-compliance will affect the approved action;

- v. how the non-compliance will affect the anticipated impacts of the approved action, in particular how the non-compliance will affect the impacts on the MNES;
  - vi. the measures the **approval holder** will take to address the impacts of the non-compliance on the MNES and rectify the non-compliance; and
  - vii. the time by when the **approval holder** will rectify the non-compliance.
66. 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 plans, strategies or programs 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.
67. Within three months of every 12 month anniversary of the **commencement** of the action, the **approval holder** must publish a report on its website addressing compliance with each of the conditions of this approval, including implementation of any plans, strategies or programs 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.
68. 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 must be approved by the **Minister** prior to the commencement of the audit. Audit criteria must be agreed to by the **Minister** and the audit report must address the criteria to the satisfaction of the **Minister**.
69. If the **approval holder** wishes to carry out any activity otherwise than in accordance with a plan, strategy or program as specified in the conditions, the **approval holder** must submit to the **department** for the **Minister's** written approval a revised version of that plan, strategy or program. The varied activity shall not **commence** until the **Minister** has approved the varied plan, strategy or program in writing. The **Minister** will not approve a varied plan, strategy or program unless the revised plan, strategy or program would result in an equivalent or improved environmental outcome over time. If the **Minister** approves the revised plan, strategy or program, that plan, strategy or program must be implemented in place of the plan, strategy or program originally approved.
70. If the **Minister** believes that it is necessary or convenient for the better protection of **EPBC listed species or communities** or a water resource to do so, the **Minister** may request that the **approval holder** make specified revisions to a plan, strategy or program specified in the conditions and submit the revised plan, strategy or program for the **Minister's** written approval. The **approval holder** must comply with any such request. The revised approved plan, strategy or program must be implemented. Unless the **Minister** has approved the revised plan, strategy or program, then the **approval holder** must continue to implement the plan, strategy or program originally approved, as specified in the conditions.
71. If, at any time after five years from the date of this approval, the **approval holder** has not **substantially commenced Project Stage 1**, then the **approval holder** must not **substantially commence** the action without the written agreement of the **Minister**.
72. Unless otherwise agreed to in writing by the **Minister**, the **approval holder** must publish all plans, strategies or programs referred to in these conditions of approval on their website. Each plan, strategy or program must be published on the website within 1 month of being approved (unless otherwise specified in these conditions) and remain on the website for the duration of project approval.

## DEFINITIONS

**Approval holder:** means the person to whom the approval is granted.

**Bioregional Assessment for the Galilee Basin sub-region and the Lake Eyre Basin:** will be conducted in conjunction with relevant state and territory government agencies and natural resource management bodies and entails a scientific analysis of the ecology, hydrology and geology for the purpose of assessing the potential risks to water resources in the area as a result of the direct and indirect impacts of coal seam gas development or large coal mining development.

**Black-throated Finch:** means the Black-throated Finch (Southern), *Poephila cincta cincta*, listed as endangered under the EPBC Act.

**Cattle Egret:** means the Cattle Egret, *Ardea ibis*, listed as a migratory species under the EPBC Act.

**Commence/Commencement/Commencing:** means any physical disturbance including clearing of vegetation that is an EPBC listed species or community or that is habitat for a EPBC listed species or community or new road works, new rail works, new camps, development of mining associated infrastructure and mining operations. Commencement does not include:

- a. minor physical disturbance necessary to undertake pre-clearance surveys or establish monitoring programs or associated with the mobilisation of the plant, equipment, materials, machinery and personnel prior to the start of railway and road development or construction; or
- b. activities that are critical to commencement that are associated with mobilisation of plant and equipment, materials, machinery and personnel prior to the start of railway or road development or construction only if such activities will have no adverse impact on MNES, and only if the approval holder has notified the department in writing before an activity is undertaken.

**Conceptual groundwater model:** must include, but not be limited to; the identification the physical geology, water balance, connectivity between surface water and groundwater systems and movement of water through the system

**Department:** means the Australian Government Department administering the *Environment Protection and Biodiversity Conservation Act 1999*.

**Eastern Great Egret:** means the Eastern Great Egret, *Ardea modesta*, listed as a migratory Species under the EPBC Act.

**Ecological equivalence survey/s:** means surveys undertaken by the approval holder as part of its Ecological Equivalence Assessment required by the Queensland Government Environmental Authority for this project.

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

**EPBC listed fauna species:** means a threatened fauna species listed under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

**EPBC Act Offsets Policy:** means the *Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy* (October 2012).

**EPBC Act listed species or community/ies:** means a threatened species or community, or a migratory species listed under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

**Final Void Water Monitoring and Management Plan** as specified within these conditions.



#### Black-throated Finch high value habitat

Black-throated Finch high value habitat means

- remnant vegetation coverage of >60% comprised of grassy woodland vegetation; and
- located within 3 km of a permanent water source; and
- containing suitable nesting sites within 400 m of a water source.

#### Squatter Pigeon high value habitat

Squatter Pigeon high value habitat means all remnant vegetation within QLD Regional Ecosystem's 10.3.12a, 10.3.13a, 10.3.14, 10.3.27a, 10.3.28a, 10.5.1c, 10.5.12, 10.5.5a, 10.9.3, 11.5.5b and 11.8.4:

- within 1km of permanent water; and
- with 10-80% cover of vegetation.

Squatter Pigeon High Value Habitat also means remnant vegetation within 1 km of permanent water with 10 – 80% cover of vegetation.

#### Yakka Skink high value habitat

Yakka Skink high value habitat means QLD Regional Ecosystem's 10.3.3a, 10.3.4, 10.3.12a, 10.3.13a, 10.3.27a, 10.3.28a, 10.4.5, 10.5.1c, 10.5.5a, 10.5.12, 10.7.3b, 10.7.5, 10.7.7, 10.7.11, 10.9.3, 10.10.1b, 10.10.4, 11.3.2, 11.5.5b and 11.8.4:

- with 10 – 80% cover of leaf litter and sticks; or
- large rocks (greater than 50cm) and/or abundant rock outcrops or crevices; or
- logs greater than 30cm in diameter with a high abundance (greater than 10 per 100 metres x 100 metres); or
- present and common burrows.

#### Ornamental Snake high value habitat

Ornamental Snake high value habitat means QLD Regional Ecosystem's 10.3.3a, 10.3.4, 10.3.14, 11.3.2, 11.8.11 or remnant vegetation on QLD Regional Ecosystem Land Zone 3, 4 and 8 with wetland or watercourses greater than Department of Environment and Heritage Protection mapped Stream Order 4 and:

- greater than 80% cover of leaf litter and sticks; or
- logs greater than 30cm in diameter and high abundance (greater than 10 per 100 metres x 100 metres).

#### Red Goshawk high value habitat

Red Goshawk high value habitat means QLD Regional Ecosystem's 10.3.12a, 10.3.13a, 10.3.14, 10.3.27a, 10.3.28a, 10.5.1c, 10.5.12, 10.5.5a, 10.9.3, 11.3.2, 11.5.5b and 11.8.4:

- within 1 km from permanent water; and
- within vegetation that has a patch size greater than 5 ha; and
- with moderate or high connectivity with 10 – 100% of the perimeter of patch adjoining adjacent remnant vegetation.

#### Eastern Great Egret high value habitat

Cattle Egret high value habitat means QLD Regional Ecosystem's 10.3.13a, 10.3.14, 10.3.27a, 10.3.28a, 11.3.2, 10.3.3a, 10.3.4 and 10.3.12a where there is moderate or