



## Approval

### Development of 25 coal seam gas wells and associated infrastructure (ATP1188 Anya), 30 km west of Dalby, Queensland (EPBC 2015/7463)

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

#### Proposed action

<b>person to whom the approval is granted</b>	QGC Pty Limited
<b>proponent's ACN</b>	089 642 553
<b>proposed action</b>	Development of 25 coal seam gas wells and associated infrastructure (ATP1188 Anya), 30 km west of Dalby, Queensland [See EPBC Act referral 2015/7463].

#### Approval decision

Controlling Provision	Decision
Listed threatened species and communities (sections 18 & 18A)	Approved

#### conditions of approval

This approval is subject to the conditions specified below.

#### expiry date of approval

This approval has effect until 3 March 2052.

#### Decision-maker

<b>name and position</b>	James Barker Assistant Secretary Assessments and Sea Dumping Branch
<b>signature</b>	
<b>date of decision</b>	17 / 3 / 2017

## Conditions attached to the approval

1. For the protection of **EPBC Act listed threatened species and communities**, the approval holder must not take the proposed action outside the **project area**.
2. The approval holder must not clear more than:
  - a) 54 hectares (ha) of Koala (*Phascolarctos cinereus*) (combined populations of Qld, NSW and the ACT) habitat;
  - b) 5 ha of Kogan Waxflower (*Philotheca sporadica*) habitat;
  - c) 5.4 ha of Yakka Skink (*Egernia rugosa*) habitat; and
  - d) 3.4 ha of Dunmall's Snake (*Furina dunmalli*) habitat.
- 2A. The approval holder must avoid all habitat for the vulnerable Five-clawed Worm-Skink (*Anomalopus mackayi*) in the **project area**.
3. The approval holder must update the **Constraints Planning and Field Development Protocol QCLNG-BX00-ENV-PLN-000023, Revision 5, November 2015 (Protocol)** approved under conditions 3 to 6 attached to EPBC approval 2008/4398 to include the **project area** and reflect the commitments made in the **preliminary documentation**. The updated **Protocol** must be submitted to the **Department** for the **Minister's** written approval prior to the **commencement** of the action. The approved **Protocol** must be implemented.
4. To manage **impacts** to **EPBC Act listed threatened species and communities**, the approval holder must implement the significant species management plans included in the **preliminary documentation**.
5. The approval holder must submit an Offset Management Plan for the written approval of the **Minister**. The approval holder must ensure that environmental offsets comply with the principles of the **EPBC Act Environmental Offsets Policy**. The Offset Management Plan must include:
  - a) an environmental offset for **impacts** to the Koala (*Phascolarctos cinereus*) (combined populations of Qld, NSW and the ACT);
  - b) a detailed baseline description of the offset area, including surveys undertaken and the condition of existing **Koala habitat**;
  - c) how the offset areas provide connectivity with other habitats and biodiversity corridors;
  - d) performance and completion criteria for evaluating the management of the offset area, and criteria for triggering remedial action (if necessary);
  - e) a description of the management measures that will be implemented for the improvement of **Koala habitat** proposed in the **preliminary documentation**;
  - f) details demonstrating that the management actions and measures proposed take into account relevant **conservation advice**;
  - g) a program to monitor and report on the effectiveness of these management actions and measures against performance and completion criteria; and
  - h) a timeline for when actions identified in the Offset Management Plan will be implemented for the offset area and the proposed mechanism to **legally secure** the offset area as required under condition 7.

6. The approval holder must not **commence** the action until the Offset Management Plan is approved by the **Minister** in writing. The approved Offset Management Plan must be implemented.
7. The approval holder must register and **legally secure**, in accordance with Queensland legislation, offsets for **impacts** described in the Offset Management Plan within two (2) years of the **commencement** of the action.

### **Administrative Conditions**

8. Within 20 days after the **commencement** of the action, the approval holder must advise the **Department** in writing of the actual date of **commencement**.
9. 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 management plans and the **Protocol** 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.
10. Within three months of every 12 month anniversary of the **commencement** of the action, the approval holder must publish a report (the Annual Compliance Report) on its website describing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions (and the **Protocol** required under condition 3) during the previous 12 months. 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. The approval holder must continue to publish the Annual Compliance Report each year until such time as agreed to in writing by the **Minister**.
11. The approval holder must report any contravention of the conditions of this approval to the **Department** within five (5) business days of the approval holder becoming aware of a contravention.
12. 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 approval holder must not commence the audit until the **Minister** approves the independent auditor and audit criteria in writing. The audit report must address the criteria to the satisfaction of the **Minister**.
13. The approval holder may choose to revise a plan approved by the **Minister** under conditions 3 and 4 without submitting it for approval under section 143A of the **EPBC Act**, if the taking of the action in accordance with the revised plan would not be likely to have a **new or increased impact**. If the approval holder makes this choice they must:
  - a) notify the **Department** in writing that the approved plan has been revised and provide the **Department**, at least four weeks before implementing the revised plan, with:
    - i. an electronic copy of the revised plan;
    - ii. an explanation of the differences between the revised plan and the approved plan; and

- iii. the reasons the approval holder considers the taking of the action in accordance with the revised plan would not be likely to have a **new or increased impact**.

13A. The approval holder may revoke its choice under condition 13 at any time by notice to the **Department**. If the approval holder revokes the choice to implement a revised plan, without approval under section 143A of the **EPBC Act**, the plan approved by the **Minister** must be implemented.

13B. If the **Minister** gives a notice to the approval holder that the **Minister** is satisfied that the taking of the action in accordance with the revised plan would be likely to have a **new or increased impact**, then:

- a) condition 13 does not apply, or ceases to apply, in relation to the revised plan; and
- b) the approval holder must implement the plan approved by the **Minister**.

To avoid any doubt, this condition does not affect any operation of conditions 13 and 13A in the period before the day the notice is given.

At the time of giving the notice, the **Minister** may also notify that for a specified period of time that condition 13 does not apply for one or more specified plans required under the approval.

13C. Conditions 13, 13A and 13B are not intended to limit the operation of section 143A of the **EPBC Act** which allows the approval holder to submit a revised plan to the **Minister** for approval.

14. If, at any time after five (5) years from the date of this approval, the approval holder has not **commenced** the action, then the approval holder must not **commence** the action without the written agreement of the **Minister**.

15. Unless otherwise agreed to in writing by the **Minister**, the approval holder must publish all management plans referred to in these conditions of approval (including the **Protocol** required under condition 3) on its website. These documents must be published on the website within one month of being approved by the **Minister** or being submitted under condition 13.i. All published reports must remain on the website for the lifetime of the approval unless otherwise agreed to in writing by the **Minister**.

## Definitions

**Commence/commencement:** The first instance of any specified activity associated with the proposed action, including clearance of vegetation or construction of any infrastructure. Commencement does not include minor physical disturbance necessary to undertake pre-clearance surveys or monitoring programs or to protect environmental and property assets from fire, weeds and pests.

**Conservation advice:** A conservation advice approved by the **Minister** under section 266B(2) of the **EPBC Act**.

**Constraints Planning and Field Development Protocol QCLNG-BX00-ENV-PLN-000023, Revision 5, November 2015 (Protocol):** The most recent version of the Protocol approved by the **Department** under conditions 3 to 6 of EPBC approval 2008/4398 (revision 5, dated November 2015).

**Department:** The Australian Government Department or agency responsible for administering the **EPBC Act** from time to time.

**EPBC Act:** The *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

**EPBC Act Environmental Offsets Policy (2012):** The **EPBC Act** Environmental Offsets Policy (October 2012), or subsequent revision, including the Offsets Assessment Guide. Available at: [www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy](http://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy).

**EPBC Act listed threatened species and communities:** A threatened flora or fauna species listed under the **EPBC Act** and/or an endangered ecological community listed under the **EPBC Act** for which this approval has effect, including the:

- Koala (*Phascolarctos cinereus*) (combined populations of Qld, NSW and the ACT);
- Kogan Waxflower (*Philotheca sporadica*);
- Yakka Skink (*Egernia rugosa*);
- Dunmall's Snake (*Furina dunmalli*); and
- Five-clawed Worm-skink (*Anomalopus mackayi*).

**Impact/s:** As defined in section 527E of the **EPBC Act**.

**Koala habitat:** As described in *EPBC Act referral guidelines for the vulnerable koala (combined populations of Qld, NSW and the ACT)*, Commonwealth of Australia, 2014.

**Legally secure:** Secure a covenant or similar legal agreement in relation to a site to provide enduring protection for the site against development incompatible with conservation.

**Minister:** The **Minister** administering the **EPBC Act** and includes a delegate of the **Minister**.

**New or increased impact:** A new or increased **impact** on any matter protected by the controlling provisions for the action, when compared to the environmental impact or risk resulting from implementing the plan that has been approved by the **Minister**.

**Preliminary documentation:** The *Anya Project, Department of the Environment Preliminary Documentation Response* (August 2016). QGC Pty Ltd. As provided to the Department of the Environment.

**Project area:** Authority to Prospect (ATP) 1188 on Lot/Plan 4FTY475, 30 km west of Dalby, Queensland. As described in the **preliminary documentation** and shown by the blue boundary at Attachment A.



Attachment A:

