



**BOWEN
COKING
COAL**

L I M I T E D

EPBC 2013/7064

ANNUAL COMPLIANCE REPORT

December 2022 to December 2023

BLUFF MINE

Bowen PCI Pty Ltd

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1 INTRODUCTION

The Bluff open cut coal mine (the “Project”) is located in Central Queensland approximately 20 km east of Blackwater and 1.5 km south-east of the town of Bluff. The township of Bluff is approximately 95 km east of Emerald, and 175 km west of Rockhampton. The Project consists of a 1,088-ha mining lease (ML) area (ML 80194), referred to in this report as the “Project area” (Figure 1).

The *Environment Protection and Biodiversity Act 1999* (EPBC Act) controlled action approval 2013/7064 was granted on 31 July 2014, for the construction and operation of the open cut coal mine, with specified conditions (“the EPBC Approval”).

The Project commenced in December 2018 under the ownership of Carabella Resources Pty Ltd. The Project was placed into care and maintenance in November 2020. The EPBC Approval was varied and transferred to Bowen PCI Pty Ltd on 13 September 2022. Due to subdued pulverised coal injection prices and higher costs of mining the Project was placed in into care and maintenance in November 2023.

Condition 14 of the EPBC Approval states: “The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise agreed in writing by the Minister”.

The purpose of this compliance report is to meet requirements of Condition 14 for the period of 19 December 2022 to 31 December 2023 (“the reporting period”).

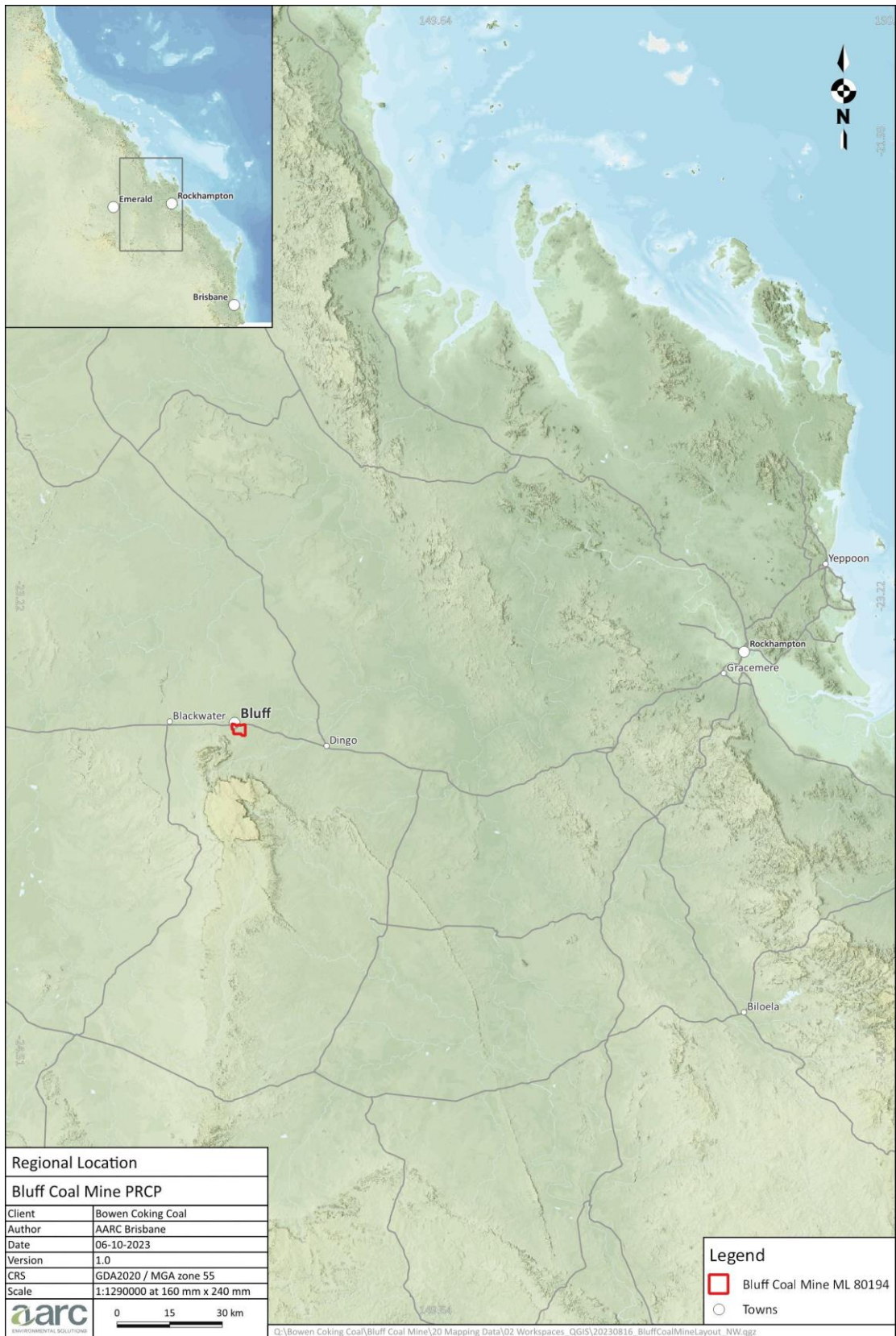


Figure 1: Location of the Project

1.1 Description of Activities

1.1.1 Overview

EPBC Number	2013/7064
Project name	Bluff open cut coal mine, 1785 km to the west of Rockhampton, Queensland.
Approval holder ACN or ABN	Bowen PCI Pty Ltd ACN 653 260 809
Approved action	To construct and operate an open cut coal mine 175 km to the west of Rockhampton, Queensland.
Location of project	Approximately 175 km to the west of Rockhampton, to the southern of the town of Bluff, Queensland
Person accepting responsibility for the report	See Section 1.2 – Signed declaration.
Dates for the reporting period of the report	19 December 2022 to 31 December 2023.
Date of preparation of the report	27 March 2024

1.1.2 Details of Mining Activities Undertaken During Report Period


Activities carried out for the reporting period, in accordance with conditions of the EPBC Approval, and other environmental approvals, were:

- Civil works associated with mine infrastructure area, pits, mine road network, dams and draining works;
- Continuing excavation of the open cut pit and placement of overburden waste within the pit and on dedicated waste rock dumps;
- Rehabilitation works;
- Coal mining, crushing, screening and loading for transport;
- Drilling and servicing of groundwater monitoring bore network;
- Environmental monitoring and management related activities; and
- Removing equipment upon entering Care and Maintenance.

1.2 Declaration of Accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both.

I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signature of authorised reporting officer:	 <small>Michael McKee (Mar 27, 2024 11:01 GMT+10)</small>
Full name of authorised reporting officer:	Michael McKee
Position of authorised reporting officer:	Chief Operating Officer
Organisation name:	Bowen PCI Pty Ltd
Organisation ABN:	16 653 260 809
Date:	27 March 2024

2 COMPLIANCE WITH CONDITIONS

This section includes a table that addresses compliance with each of the conditions of the EPBC Approval, including implementation of any management plans as specified in the conditions.

This compliance report has been prepared in accordance with the *Annual Compliance Report Guidelines* (DoE, 2014) and included a desktop study and site assessment.

2.1 Desktop Study

A review of the following documents was undertaken to support this compliance report:

- EPBC Approval: *Bluff open cut coal mine, 175km to the west of Rockhampton, Queensland* (EPBC 2013/7064), 13 September 2022 (Attachment 1);
- Gaia Environmental Consulting. *Bluff Coal Project – Carabella Resources Koala Management Plan (KMP)*, 23 September 2019;
- AARC Environmental Solutions. *2023 Annual Koala Report*, Revision 1, 6 February 2024;
- Permit to disturb documentation within the compliance period; and
- All historical correspondence and supporting information related to the submission of the EPBC Approval.

2.2 Site Assessment

Verification of site conditions consisted of the following site inspections of the Project area:

- Scientist/Ecologist on 6 to 10 March 2023; and
- Scientist/Ecologist on 18 to 21 September 2023.

2.3 Audit Criteria

In accordance with Section 3.7 of the *Annual Compliance Report Guidelines* (DoE, 2014) the designations outlined in Table 1 were used to the record findings of this compliance report.

Table 1: Designation of Findings

Criteria Classification	Description
Compliant	'Compliance' is achieved when all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.
Not Compliant	A designation of 'non-compliant' must be given where the requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.
Not Applicable	A designation of 'not applicable' must be given where the requirements of a condition or elements of a condition fall outside of the scope of the current reporting period. For example, a condition that applies to an activity that has not yet commenced.

Designations applied are based on the evidence provided at the time of the inspection or in documentation provided prior to, or subsequent to, the inspection. All relevant evidence, observations and, where required, additional management are provided in the following subsections.

2.4 EPBC Approval Compliance

Table 2: EPBC Approval Conditions Compliance Table

EPBC Approval Condition #	EPBC Condition	Compliance Designation	Evidence / comments
1	REVOKED	Not applicable	
2	<p>Disturbance Area For the purpose of the action, the person taking the action must not clear more than 450 hectares of Koala habitat, including 250 hectares of critical Koala habitat from the project area. The person taking the action must not clear outside the project area.</p>	Compliant	<p>The approved disturbance area totals approximately 248 hectares (ha) of critical Koala habitat and 131 ha of Koala habitat (AARC 2024).</p> <p>To verify that the person taking the action has not cleared more than 450 ha of Koala habitat (including 250 ha of critical Koala habitat) from the project area, aerial imagery dated September 2022, January 2023 and December 2023 were reviewed. Site inspections and the supplied Permit to Disturb documentation, were then used to confirm disturbance during the reporting period.</p> <p>These confirmed that, during the reporting period, disturbance was limited to the construction of three (3) drill pads for the installation of replacement groundwater bores. These areas were 15 m by 15 m pads, totalling 0.07 ha, and included:</p> <ul style="list-style-type: none"> • Bore MB14 to north of pit – imagery shows the disturbance associated with this bore was completed in already disturbed area; • Bore MB13 to the south-east of the pit – imagery shows new disturbance of <0.1 ha. This disturbance was not within critical or potential Koala habitat; and • Bore MB12 to the south of the pit – imagery shows new disturbance of <0.1 ha. This disturbance is not within critical or potential Koala habitat. <p>During this reporting period, 0 ha of Koala habitat were disturbed, including critical Koala habitat.</p>

EPBC Approval Condition #	EPBC Condition	Compliance Designation	Evidence / comments
3	REVOKED	Not Applicable	
4	<p>Koala (<i>Phascolarctos cinereus</i>) Protection and Management For the purpose of the action, the person taking the action must implement protocols to prevent injury and fatalities to Koala when undertaking clearing.</p>	Compliant	<p>Mitigation and management measures were implemented during the reporting period implement protocols to prevent injury and fatalities to Koala and fauna generally when undertaking clearing. These are described in the Koala Management Plan (Gaia 2019) and Annual Koala Monitoring Report (AARC 2024).</p> <p>The following mitigation and management measures were confirmed as being implemented via site personnel interviews and aerial imagery reviews:</p> <ul style="list-style-type: none"> • limiting clearing to only the extent necessary for safe operations; • conducting pre-clearing inspections to identify the presence of any Koalas; • no felling of trees; and • no clearing of Koala habitat.
5	<p>Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must report the results of pre-clearance surveys and relocation activities including, but not limited to, the provision of the following details to be recorded if any Koalas are captured during relocation activities: sex, age class, time and date of capture, method of capture, location of capture (Global Positioning System) and location of relocation sites (Global Positioning System).</p>	Compliant	<p>The results of pre-clearance surveys were recorded during the reporting period and are reported in Attachment 2. Clearing did not occur in mapped Koala habitat. No Koalas were captured or relocated during the reporting period.</p>
6	<p>Within 6 months of the commencement of the action, the person taking the action must prepare and submit a Koala Management Plan to the Minister for written approval. The Koala Management Plan must provide for Koala management and protection on the project area during commencement of the action, construction and operation; including:</p>	Compliant	<p>The Koala Management Plan was approved by the then-administering authority for the <i>Environment Protection and Biodiversity Conservation Act 1999</i>, as meeting the requirements of Condition 6, on 24 October 2019.</p>

EPBC Approval Condition #	EPBC Condition	Compliance Designation	Evidence / comments
	<p>a) control of animal, pest and weed species currently found on the project site. This should include commitments to reduce the overall occurrence, abundance and diversity of pest animal and weed species;</p> <p>b) management of bushfires within the project site</p> <p>c) details of road design and road operation procedures to minimise the risk of Koala strike including the implementation of appropriate vehicle speed limits.</p> <p>d) details of the management, monitoring and reporting actions to be undertaken to ensure that the quality of retained vegetation on the project site is either maintained or improved. This must include clear objectives and performance indicators for the measures referred to in the Koala Management Plan;</p> <p>e) include specific and measurable trigger levels that will result in corrective actions being implemented to prevent the objectives referred to in Koala Management Plan being compromised; and</p> <p>f) include corrective actions to be taken should the trigger levels established in Koala Management Plan be exceeded. These must be clear, measurable, auditable and time bound.</p> <p>The approved Koala Management Plan must be implemented.</p>		<p>A review of the Koala Management Plan was completed during the reporting period. The review confirmed the plan addresses Conditions 6(a) to 6(f) and were implemented during the reporting period.</p>

EPBC Approval Condition #	EPBC Condition	Compliance Designation	Evidence / comments
7	<p>Biodiversity Offset Management Plan The person taking the action must prepare and submit a Biodiversity Offset Management Plan (BOMP) to the Minister for approval. The BOMP must include:</p> <ul style="list-style-type: none"> a) details of known critical Koala habitat to compensate for the loss of 250 hectares of critical Koala habitat in the project area; b) identify the extent of Squatter Pigeon habitat within the offset area, as established by Condition 7(a); c) details of the offset attributes (including maps in electronic Geographic Information System (GIS) format with accompanying shapefiles), site descriptions, environmental values relevant to Koala, connectivity with other Koala habitat and biodiversity corridors, a rehabilitation program, and conservation and management measures for long-term protection; d) a detailed survey and description of the proposed offset site to clearly identify baseline conditions, establish performance indicators and discuss methods for adaptive management. This must include: <ul style="list-style-type: none"> i. a description (prior to any management activities, hence a baseline) of the current condition of the extant vegetation of each offset area. location of survey points (GPS reference); ii. the quantity of habitat for Koala (in hectares), found within the offset area; iii. the condition class of habitat for Koala found within the offset area; iv. vegetation condition mapping; v. photo reference points; vi. tree age class representation; and 	Compliant	A Biodiversity Offset Management Plan was submitted to the administering authority for the <i>Environment Protection and Biodiversity Conservation Act 1999</i> on 9 October 2019. An updated BOMP was submitted to the administering authority on 19 September 2022 and 12 January 2024. A review of the BOMP has confirmed that this management plan addresses Conditions 7(a) to 7(e) of the EPBC Approval.

EPBC Approval Condition #	EPBC Condition	Compliance Designation	Evidence / comments
	<ul style="list-style-type: none"> vii. description of Koala habitat including condition, type and connectivity. e) details of measures to be undertaken to maintain and improve Koala habitat within the Offset Area in line with the Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016 (or successor management plan), including measures to ensure: <ul style="list-style-type: none"> i. a map showing areas to be managed; ii. management actions for each area and details of methods to be used. These must include measures to reduce and control weeds. iii. timing of management activity for each area; iv. performance criteria for each area; v. a monitoring plan to assess the success of the management activities measured against the baseline condition. The monitoring must be statistically robust and able to quantify change in the condition of the critical Koala habitat. This must include, but not be limited to, control sites and periodic ecological surveys to be undertaken by a suitably qualified ecologist; vi. a description of the potential risks to successful management against the performance criteria, and a description of the contingency measures that would be implemented to mitigate these risks; vii. a process to report to the Department, the progress of management activities undertaken in the offset areas and the outcome of those activities, including identifying any need for improved management and activities to undertake such improvement; viii. details of the various parties responsible for management, monitoring and implementing the 		

EPBC Approval Condition #	EPBC Condition	Compliance Designation	Evidence / comments
	<p>management activities, including their position or status as a separate contractor;</p> <p>ix. regeneration, if utilised, must be with a similar composition of over storey species (type, density and diversity) compared to the local variant of Regional Ecosystem (RE) found in or adjacent to the nominated offset area and demonstrated to be Koala habitat; and</p> <p>x. trees used during rehabilitation have been propagated from local seed stock, where possible.</p>		
8	The approved BOMP must be implemented.	Not Applicable	Not triggered during the reporting period.
9	The approval holder must, by 31 March 2023 register a legally binding conservation mechanism to provide long-term protection to the offset area/s approved by the Minister in the BOMP.	Not Applicable	A legally binding conservation mechanism to provide long-term protection to the proposed offset area will be registered after the BOMP is approved by the Minister (Condition 7).
10	<p>The most recent approved version of the BOMP must remain accessible to the public on the website for the duration of the action.</p> <p>Note 1: To ensure efficiency the approval holder may prepare and align the BOMP required under the conditions of approval with the requirements of the Biodiversity Offset Strategy required under the Queensland Environmental Authority, as long as the relevant matters under the conditions of this approval are clearly and adequately addressed.</p>	Not Applicable	Not triggered during the reporting period.

EPBC Approval Condition #	EPBC Condition	Compliance Designation	Evidence / comments
	GENERAL		
11	Within 14 days after the commencement of the action, the person taking the action, must advise the Department in writing of the actual date of commencement.	Compliant	It is understood that the previous person taking the action advised the administering authority for the <i>Environment Protection and Biodiversity Conservation Act 1999</i> in writing of the commencement, being 19 December 2018.
12	REVOKED	Not Applicable	
13	REVOKED	Not Applicable	
14	<p>Annual compliance reporting</p> <p>The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise agreed in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> 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 within five business days of the date of publication. This notification must include documentary evidence 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. 	Compliant	<p>This document reports about compliance for the reporting period, which is the 12-month period from 19 December 2022 to 31 December 2023.</p> <p>The annual compliance report for the previous period has been available at https://www.bowencokingcoal.com.au/bluff-mine throughout the reporting period. This annual compliance report was published on the same website from 27 March 2024.</p>

EPBC Approval Condition #	EPBC Condition	Compliance Designation	Evidence / comments
	Note: Compliance reports may be published on the Department's website.		
15	REVOKED	Not Applicable	
16	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 must 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.	Compliant	<p>This did not occur during the reporting period.</p> <p>The activities have been undertaken in accordance with the existing management plans specified in the conditions of the approval for this reporting period.</p> <p>No request to vary the existing management plans was requested or required by the approval holder during the reporting period.</p>
17	If the Minister believes that it is necessary or convenient for the better protection of EPBC Act listed species or communities 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.	Compliant	This did not occur during the reporting period.

EPBC Approval Condition #	EPBC Condition	Compliance Designation	Evidence / comments
18	If, at any time after five 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.	Compliant	The Project commenced operations on 19 December 2018.
19	<p>Submission and publication of plans/strategies The approval holder must:</p> <ul style="list-style-type: none"> a) submit plans electronically to the Department. b) unless otherwise agreed to in writing by the Minister, publish each plan on the website within 20 business days of the date: <ul style="list-style-type: none"> xi. of this approval, if the version of the plan to be implemented is specified in these conditions; or xii. that the plan is submitted to the Minister or the Department if the plan does not require the approval of the Minister but was not finalised before the date of this approval; or xiii. that the plan is approved by the Minister in writing, if the plan requires the approval of the Minister; c) exclude or redact sensitive ecological data from plans that are to be published on the website or provided to a member of the public; and d) keep plans published on the website until the end date of this approval. <p>The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under conditions of this approval, is prepared in accordance with the Department's <i>Guidelines for biological survey and mapped data (2018)</i> and submitted electronically to the Department.</p>	Compliant	The Koala Management Plan has been published on the company website throughout the reporting period at https://www.bowencokingcoal.com.au/bluff-mine

EPBC Approval Condition #	EPBC Condition	Compliance Designation	Evidence / comments
20	<p>Compliance records The approval holder must maintain accurate and complete compliance records. 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.</p> <p>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.</p>	Compliant	It has been verified that during the reporting period the approval holder has maintained accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans, monitoring records and reviews.
21	<p>Reporting non-compliance 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 5 business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> 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. 	Compliant	The approval holder has not triggered the requirement.

EPBC Approval Condition #	EPBC Condition	Compliance Designation	Evidence / comments
22	<p>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 21 business days after becoming aware of the incident or non-compliance, specifying:</p> <ul style="list-style-type: none"> 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. 	Compliant	The approval holder has not triggered the requirement.
23	<p>Independent audit The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.</p>	Compliant	Independent audits of compliance with conditions have not been requested in writing by the Minister.
24	<p>For each independent audit, the approval holder must:</p> <ul style="list-style-type: none"> 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. 	Compliant	Independent audits of compliance with conditions have not been requested in writing by the Minister.
25	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.	Compliant	Independent audits of compliance with conditions have not been requested in writing by the Minister.

EPBC Approval Condition #	EPBC Condition	Compliance Designation	Evidence / comments
26	<p>Completion of the action</p> <p>Within 20 business days after the completion of the action, the approval holder must notify the Department in writing of the completion of the action and provide completion data.</p>	Compliant	The Project was placed into care and maintenance in November 2023. The approval holder plans to re-commence mining activities when market conditions improve.

3 CONCLUSION

A desktop review and site inspection of the Project concluded that:

- The holder is compliant with the conditions of the EPBC Approval;
- No new risks have become apparent during the reporting period; and
- The holder continues to operate in accordance with the conditions of Approval, while the Project is in care and maintenance.

4 REFERENCES

Department of the Environment (DoE) 2014, *Annual Compliance Report Guidelines*. Australian Government, Canberra.

ATTACHMENT 1 - EPBC APPROVAL 2013/7064



VARIATION OF CONDITIONS ATTACHED TO APPROVAL

Bluff open cut coal mine, 175km to the west of Rockhampton, Queensland (EPBC 2013/7064)

This decision to vary conditions of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action

Person to whom the approval is granted Bowen PCI Pty Ltd
ACN: 653 260 809

Approved action To construct and operate an open cut coal mine 175 km to the west of Rockhampton, Queensland [See EPBC Act referral 2013/7064].

Variation

Variation of conditions attached to approval The variation is:

Delete conditions 8, 9, 10, 14 and 19 and substitute with conditions 8, 9, 10, 14 and 19 as specified in the table below.

Revoke conditions 1, 3, 12, 13 and 15.

Add conditions 20, 21, 22, 23, 24, 25, 26 as specified in the table below.

Revoke the definition of Approval holder.

Add definitions of Business Day, Clear, Clearance and Clearing, Completion data, Completion of the action, Compliance record(s), Compliance report(s), Environmental Offsets Policy, Incident, Independent audit, Plan, Project area, Protected matter, Sensitive ecological data, Shapefiles, Suitably qualified person and Website.

Date of effect This variation has effect on the date the instrument is signed

Person authorised to make decision

Name and position Kim Farrant
Assistant Secretary
Environment Assessments (Vic, Tas) and Post Approvals Branch

Signature

Date of decision 13 September 2022

Date of decision	Conditions attached to approval
As varied on the date this decision was signed	1. REVOKED
Original dated 31/07/2014	<p>Disturbance Area</p> <p>2. For the purpose of the action, the person taking the action must not clear more than 450 hectares of Koala habitat, including 250 hectares of critical Koala habitat from the project area.</p> <p>The person taking the action must not clear outside the project area.</p>
As varied on the date this decision was signed	3. REVOKED
Original dated 31/07/2014	<p>Koala (<i>Phascolarctos cinereus</i>) Protection and Management</p> <p>4. For the purpose of the action, the person taking the action must implement protocols to prevent injury and fatalities to Koala when undertaking clearing.</p>
Original dated 31/07/2014	<p>5. Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must report the results of pre-clearance surveys and relocation activities including, but not limited to, the provision of the following details to be recorded if any Koalas are captured during relocation activities: sex, age class, time and date of capture, method of capture, location of capture (Global Positioning System) and location of relocation sites (Global Positioning System).</p>
Original dated 31/07/2014	<p>6. Within 6 months of the commencement of the action, the person taking the action must prepare and submit a Koala Management Plan to the Minister for written approval. The Koala Management Plan must provide for Koala management and protection on the project area during commencement of the action, construction and operation; including:</p> <ul style="list-style-type: none"> a) control of animal, pest and weed species currently found on the project site. This should include commitments to reduce the overall occurrence, abundance and diversity of pest animal and weed species; b) management of bushfires within the project site; c) details of road design and road operation procedures to minimise the risk of Koala strike including the implementation of appropriate vehicle speed limits. d) details of the management, monitoring and reporting actions to be undertaken to ensure that the quality of retained vegetation on the project site is either maintained or improved. This must include clear objectives and performance indicators for the measures referred to in the Koala Management Plan; e) include specific and measurable trigger levels that will result in corrective actions being implemented to prevent the objectives referred to in Koala Management Plan being compromised; and f) include corrective actions to be taken should the trigger levels established in Koala Management Plan be exceeded. These must be clear, measurable, auditable and time bound. <p>The approved Koala Management Plan must be implemented.</p>

Date of decision	Conditions attached to approval
Original dated 31/07/2014	<p>Biodiversity Offset Management Plan</p> <p>7. The person taking the action must prepare and submit a Biodiversity Offset Management Plan (BOMP) to the Minister for approval. The BOMP must include:</p> <ul style="list-style-type: none"> a) details of known critical Koala habitat to compensate for the loss of a maximum of 250 hectares of critical Koala habitat in the project area; b) identify the extent of Squatter Pigeon habitat within the offset area, as established by Condition 7(a); c) details of the offset attributes (including maps in electronic Geographic Information System (GIS) format with accompanying shapefiles), site descriptions, environmental values relevant to Koala, connectivity with other Koala habitat and biodiversity corridors, a rehabilitation program, and conservation and management measures for long-term protection; d) a detailed survey and description of the proposed offset site to clearly identify baseline conditions, establish performance indicators and discuss methods for adaptive management. This must include: <ul style="list-style-type: none"> i. a description (prior to any management activities, hence a baseline) of the current condition of the extant vegetation of each offset area. location of survey points (GPS reference); ii. the quantity of habitat for Koala (in hectares), found within the offset area; iii. the condition class of habitat for Koala found within the offset area; iv. vegetation condition mapping; v. photo reference points; vi. tree age class representation; and vii. description of Koala habitat including condition, type and connectivity. e) details of measures to be undertaken to maintain and improve Koala habitat within the Offset Area in line with the <i>Nature Conservation (Koala) Conservation Plan 2006 and Management Program 2006-2016</i> (or successor management plan), including measures to ensure: <ul style="list-style-type: none"> i. a map showing areas to be managed; ii. management actions for each area and details of methods to be used. These must include measures to reduce and control weeds. iii. timing of management activity for each area; iv. performance criteria for each area; v. a monitoring plan to assess the success of the management activities measured against the baseline condition. The monitoring must be statistically robust and able to quantify change in the condition of the critical Koala habitat. This must include, but not be limited to, control sites and periodic ecological surveys to be undertaken by a suitably qualified ecologist; vi. a description of the potential risks to successful management against the performance criteria, and a description of the contingency measures that would be implemented to mitigate these risks; vii. a process to report to the Department, the progress of management activities undertaken in the offset areas and the outcome of those activities, including identifying any need for improved management and activities to undertake such improvement; viii. details of the various parties responsible for management, monitoring and implementing the management activities, including their position or status as a separate contractor;

Date of decision	Conditions attached to approval
	<ul style="list-style-type: none"> ix. regeneration, if utilised, must be with a similar composition of over storey species (type, density and diversity) compared to the local variant of Regional Ecosystem (RE) found in or adjacent to the nominated offset area and demonstrated to be Koala habitat; and x. trees used during rehabilitation have been propagated from local seed stock, where possible.
As varied on the date this decision was signed	8.The approved BOMP must be implemented.
As varied on the date this decision was signed	9. The approval holder must, by 31 March 2023, register a legally binding conservation mechanism to provide long-term protection to the offset area/s approved by the Minister in the BOMP.
As varied on the date this decision was signed	<p>10. The most recent approved version of the BOMP must remain accessible to the public on the website for the duration of the action.</p> <p>Note 1: To ensure efficiency the approval holder may prepare and align the BOMP required under the conditions of approval with the requirements of the Biodiversity Offset Strategy required under the Queensland Environmental Authority, as long as the relevant matters under the conditions of this approval are clearly and adequately addressed.</p>
	General
Original dated 31/07/2014	11. Within 14 days after the commencement of the action , the person taking the action must advise the Department in writing of the actual date of commencement .
As varied on the date this decision was signed	12. REVOKED
As varied on the date this decision was signed	13. REVOKED
As varied on the date this decision was signed	<p><u>Annual compliance reporting</u></p> <p>14. The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise agreed in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> 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 within five business days of the date of publication. This notification must include documentary evidence 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

Date of decision	Conditions attached to approval
	<p>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.</p> <p>Note: Compliance reports may be published on the Department's website.</p>
As varied on the date this decision was signed	15. REVOKED
Original dated 31/07/2014	<p>16. 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 must 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.</p>
Original dated 31/07/2014	<p>17. If the Minister believes that it is necessary or convenient for the better protection of EPBC Act listed species or communities 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.</p>
Original dated 31/07/2014	<p>18. If, at any time after five 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.</p>
As varied on the date this decision was signed	<p>Submission and publication of plans</p> <p>19. The approval holder must:</p> <ol style="list-style-type: none"> a. submit plans electronically to the Department; b. unless otherwise agreed to in writing by the Minister, publish each plan on the website within 20 business days of the date: <ol style="list-style-type: none"> i. of this approval, if the version of the plan to be implemented is specified in these conditions; or ii. that the plan is submitted to the Minister or the Department if the plan does not require the approval of the Minister but was not finalised before the date of this approval; or iii. that the plan is approved by the Minister in writing, if the plan requires the approval of the Minister; b. exclude or redact sensitive ecological data from plans that are to be published on the website or provided to a member of the public; and c. keep plans published on the website until the end date of this approval. <p>The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under conditions of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically</p>

Date of decision	Conditions attached to approval
	to the Department .
As varied on the date this decision was signed	<p>Compliance records</p> <p>20. The approval holder must maintain accurate and complete compliance records. 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.</p> <p>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.</p>
As varied on the date this decision was signed	<p>Reporting non-compliance</p> <p>21. 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 5 business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ol style="list-style-type: none"> 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.
As varied on the date this decision was signed	<p>22. 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 21 business days after becoming aware of the incident or non-compliance, specifying:</p> <ol style="list-style-type: none"> 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.
As varied on the date this decision was signed	<p>Independent audit</p> <p>23. The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.</p>
As varied on the date this decision was signed	<p>24. For each independent audit, the approval holder must:</p> <ol style="list-style-type: none"> 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.
As varied on the date this decision was signed	<p>25. 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.</p>

Date of decision	Conditions attached to approval
As varied on the date this decision was signed	<p>Completion of the action</p> <p>26. Within 20 business days after the completion of the action, the approval holder must notify the Department in writing of the completion of the action and provide completion data.</p>

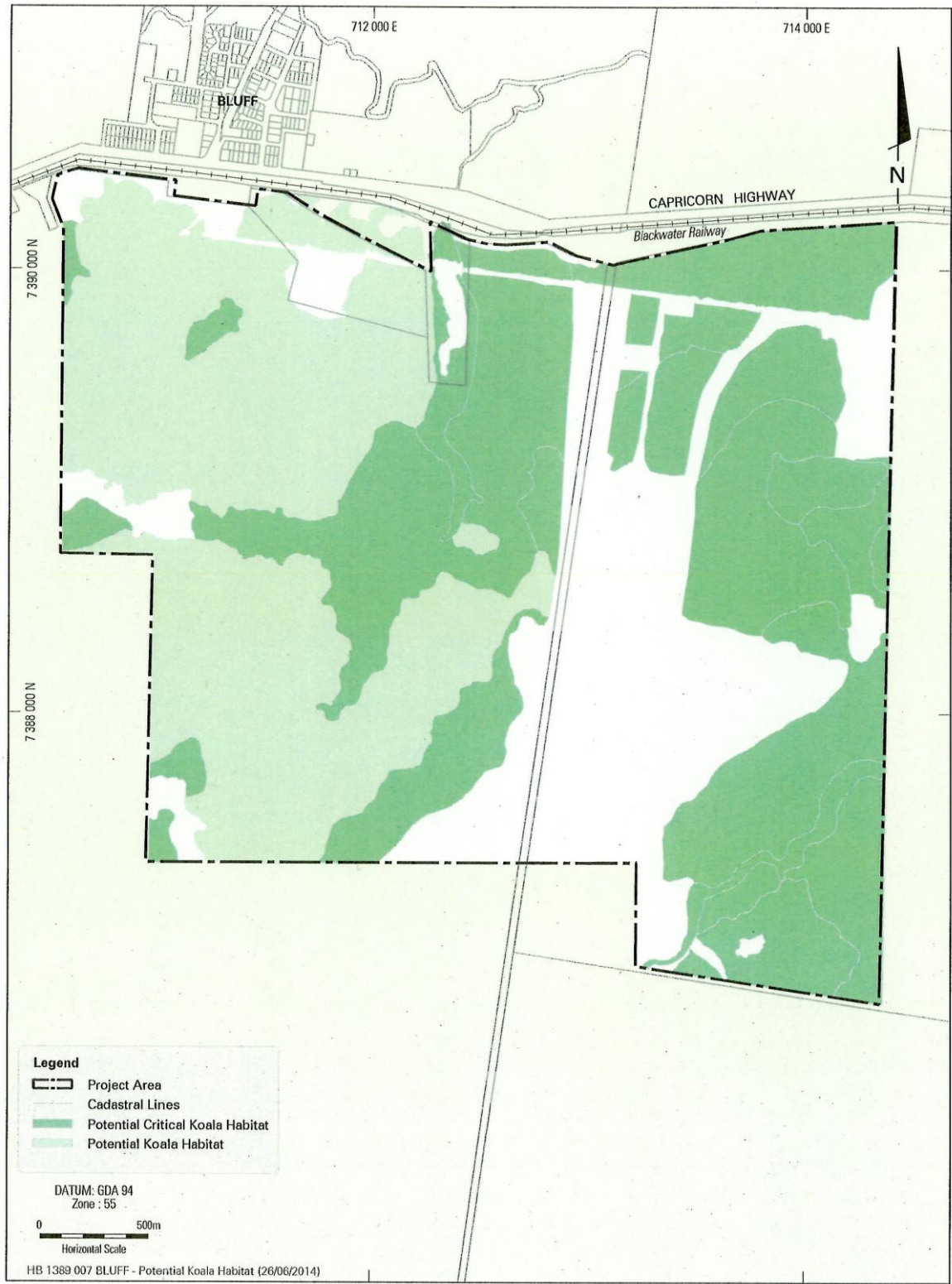
Date of decision	Definitions
As varied on the date this instrument was signed	Approval holder REVOKED
As varied on the date this instrument was signed	Business day means a day that is not a Saturday, a Sunday or a public holiday in the State or territory of the action.
As varied on the date this instrument was signed	Clear, Clearance and Clearing means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation
Original dated 31/07/2014	Commencement/Commence/d means any preparatory works required to allow the action to be undertaken, e.g. clearing vegetation, the erection of any onsite temporary structures and the use of machinery for the purpose of breaking the ground for buildings or infrastructure.
As varied on the date this instrument was signed	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 data should include, but not limited to, information detailing the date and location of clearing , the actual total cleared area/s and types of threatened species habitat cleared within the development envelope (in hectares), and/or environmental condition of a threatened species habitat.
As varied on the date this instrument was signed	Completion of the action means the date when all specified activities associated with the action have permanently ceased.
As varied on the date this instrument was signed	Compliance record(s) 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.
As varied on the date this instrument was signed	<p>Compliance report(s) means written reports:</p> <ol style="list-style-type: none"> i. providing accurate and complete details of compliance, incidents, and non-compliance with the conditions and the plans; ii. consistent with the Department's <i>Annual Compliance Report Guidelines</i> (2014); iii. including a shapefile of any clearance of any protected matters, or their habitat, undertaken within the relevant 12 month period; and iv. annexing a schedule of all plans prepared and in existence in relation to the conditions during the relevant 12 month period.
Original dated 31/07/2014	<p>Critical Koala habitat means areas of vegetation found on the project area containing tree species known to be utilised for food or shelter and which are consistent with the following Queensland Regional Ecosystems:</p> <ul style="list-style-type: none"> • 11.3.25 <i>Eucalyptus tereticornis</i> or <i>Eucalyptus camaldulensis</i> woodland fringing drainage lines; • 11.5.3: <i>Eucalyptus populnea</i> +/- <i>Eucalyptus melanophloia</i> +/- <i>Corymbia clarksoniana</i> on Cainozoic sand plains and/or remnant surfaces;

Date of decision	Definitions
	<ul style="list-style-type: none"> 11.5.2: <i>Eucalyptus crebra</i>, <i>Corymbia</i> spp., with <i>Eucalyptus moluccana</i> on lower slopes of Cainozoic sand plains and/or remnant surfaces; and 11.5.2a: <i>Allocasuarina luehmannii</i> low tree layer with or without emergent woodland.
Original dated 31/07/2014	Department means the Australian Government Department administering the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
Original dated 31/07/2014	Draft EPBC Act referral guidelines for the vulnerable koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) means the <i>Draft EPBC Act referral guidelines for the vulnerable koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)</i> (2013) or subsequent revisions to these guidelines.
As varied on the date this instrument was signed	Environmental Offsets Policy means the EPBC Act Environmental Offsets Policy (2012) available at: https://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy .
Original dated 31/07/2014	EPBC Act means the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
Original dated 31/07/2014	EPBC Act Significant Impact Guidelines means the <i>Matters of National Environmental Significance Significant impact guidelines 1.1 Environment Protection and Biodiversity Conservation Act 1999 (2013)</i> or subsequent revisions to these guidelines.
As varied on the date this instrument was signed	Incident means any event which has the potential to, or does, impact on one or more protected matter other than as authorised by this approval.
As varied on the date this instrument was signed	Independent audit: means an audit conducted by an independent and suitably qualified person as detailed in the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> (2019)
Original dated 31/07/2014	Koala means Koala (<i>Phascolarctos cinereus</i>) combined populations of Queensland, New South Wales and the Australian Capital Territory, listed as a vulnerable species under the EPBC Act.
Original dated 31/07/2014	Koala habitat means areas of vegetation containing tree species known to be utilised for food or shelter.
Original dated 31/07/2014	Minister means the Minister administering the <i>Environment Protection and Biodiversity Conservation Act 1999</i> and includes a delegate of the Minister.
Original dated 31/07/2014	Matters of National Environmental Significance/ MNES: means matters of national environmental significance, being the relevant matters protected under Part 3 of the EPBC Act .
As varied on the date this instrument was signed	Plan means any of the documents required to be prepared, approved by the Minister , implemented by the approval holder and/or published on the website in accordance with these conditions (includes action management plans and/or strategies).
As varied on the date this instrument was signed	Project area is the area represented in <u>Attachment 1</u> by the polygon enclosed by the dashed line designated as 'Project Area'.
As varied on the date this instrument was signed	Protected matter means a matter protected under a controlling provision in Part 3 of the EPBC Act for which this approval has effect.
Original dated 31/07/2014	Queensland Environmental Authority means the Environmental Authority (EPML02090614) issued by the Queensland Government under the Environment Protection Act 1994 for Carabella Resources Limited.

Date of decision	Definitions
As varied on the date this instrument was signed	Sensitive ecological data means data as defined in the Australian Government Department of the Environment <i>Sensitive Ecological Data – Access and Management Policy V1.0</i> (2016), or any subsequent official version.
As varied on the date this instrument was signed	Shapefiles means an ESRI Shapefile containing '.shp', '.shx' and '.dbf' files and other files capturing attributes of the Offset Area, including the shape, EPBC reference ID number and protected matters present at the relevant site. Attributes should also be captured in '.xls' format.
Original dated 31/07/2014	Squatter Pigeon means Squatter Pigeon (Southern) (<i>Geophaps scripta scripta</i>).
Original dated 31/07/2014	Squatter Pigeon habitat includes <ul style="list-style-type: none"> • Foraging Habitat - Gravelly, sandy or loamy soils, open-forest to woodland communities (dominated by <i>Eucalyptus</i>, <i>Corymbia</i>, <i>Acacia</i> or <i>Callitris</i> species), within 3 kilometre of a permanent or seasonal water body. • Breeding Habitat - Well-draining, gravelly, sandy or loamy soils, open-forest to woodland communities with patchy, tussock-grassy understories, within 1 kilometre of permanent water body.
Original dated 31/07/2014	Substantially Commenced means refers to a stage in the project when coal is being extracted.
Original dated 31/07/2014	Suitably Qualified ecologist means an individual with tertiary qualifications and/or a minimum of three years demonstrated experience relevant to the task in question and have expertise in the ecology of Koalas .
As varied on the date this instrument was signed	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.
As varied on the date this instrument was signed	Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Date of decision **Attachment 1: Project Area**

Original dated 31/07/2014



BLUFF COAL PROJECT



ATTACHMENT 1

ATTACHMENT 2 - RESULTS OF PRE-CLEARANCE SURVEYS

Included in extract from *Bluff Mine: 2023 Annual Koala Report*

Table 7: Monitoring criteria and management actions

Objective	Monitoring	Performance (Trigger) criteria	Performance to date	Recommended management actions
1	Areas of over clearing	<p>Clearing in excess of the defined annual clearing limits and approved/authorised clearing limits.</p> <p>Clearing outside permitted clearing zones/areas.</p>	<p>Areas of clearing have been calculated in accordance with the “maximum disturbance footprint”, identified in Bluff’s progressive rehabilitation and closure plan (PRCP) (Bowen Coking Coal 2023).</p> <p>To date a total of 248 hectares of critical Koala habitat and 131 hectares of Koala habitat have been cleared, refer to the total impact area in Figure 6. Condition 2 of the EPBC approval specifies that the Project “...must not clear more than 450 hectares of Koala habitat, including 250 hectares of critical Koala habitat from the project area. The person taking the action must not clear outside the project area”.</p> <p>The current cleared area has not exceeded the quantities specified in Condition 2 of the EPBC approval.</p>	Any further expansion of the mine footprint should prioritise avoidance of the Koala habitat to the south (within the surroundings of the Koala sighting).
2	Koala injuries/fatalities during construction/operation	One koala is injured or killed within the Project area	No Koala injuries or fatalities have been recorded to date.	NA
3	Site condition	The Site Condition score (out of 10) of a particular area/polygon of Regional Ecosystem (RE) falls by 1.5 or more points below the reported Biocondition benchmark assessment scores	The average score for one assessment unit (RE 11.5.2a) was 1.6 points lower than the baseline score reported in Gaia Environmental Consulting (2019). However, this was partially attributed to having poor comparability to base conditions. The patch of RE11.5.2a monitored in 2023 had poor connectedness compared to the baseline monitoring, which was undertaken in a patch which has since been cleared. Accounting for bias, caused by the differing connectedness improves the average score of RE 11.5.2a by 0.2	Continued monitoring at a reduced frequency (biennially) during the rehabilitation process.

Objective	Monitoring	Performance (Trigger) criteria	Performance to date	Recommended management actions
			points, to a score (6.8/10) that does not require corrective actions. Refer to section 3.2.1.	
3/6	Bushfires	The retained vegetation is impacted by bushfire.	No evidence of recent bushfire occurrence within retained vegetation.	The approved KMP specifies that a 100 m buffer is provided between the Project area and surrounding bushland and vegetation managed within the buffer to maintain safe fuel loads (in accordance with a Fire/Bushfire Management Plan). It is strongly recommended that the KMP is updated to remove the requirement of a 100 m buffer.
3	Stock/cattle	Stock are detected in the retained vegetation	Evidence of stock was detected multiple times in the retained vegetation.	The current KMP specifies that stock is excluded from the retained vegetation. Cattle, or evidence of cattle presence, was observed throughout the retained vegetation of the Project. It is recommended that cattle either be removed, and fencing upgraded, or that the KMP be updated to reflect the continual presence of cattle.
4	Continued Koala movement	Koala observed attempting to move through the active mine area as opposed to areas of retained vegetation around mine site.	No Koala have been observed attempting to move through the active mine area. One Koala was recorded in 2023 within vegetation which immediately bordered the active mine area.	The Koala identified in 2023 was observed in vegetation bordering the southern part of Columba Creek. The current KMP specifies that the "Columba Creek corridor is progressively rehabilitated to represent the original pre-clearing vegetation community and provide connectivity to the south". It is recommended that rehabilitation works along this corridor, favour tree species that are preferential for Koalas.

Objective	Monitoring	Performance (Trigger) criteria	Performance to date	Recommended management actions
5	Noise monitoring	Ongoing exceedances of low frequency criteria for ambient noise (i.e. not associated with single blasting events).	Continuous noise monitoring undertaken on site has identified that mining noise influences the 40 – 2000 Hz frequencies in the surrounding environment. However, when considering the mining noise influences in conjunction with the surrounding extraneous noise from insects, roads, and rail traffic in the area, mining noise has been determined not to consistently dominate the acoustic environment at Bluff.	<p>Research and understanding on the effects of noise on fauna is limited as responses to noise disturbances cannot be generalised across species, and responses of individuals within a single species may vary and hearing characteristics are species-specific. However, it is widely accepted in scientific literature, and regularly observed, that many species become habituated to noise disturbances, particularly continuous noise.</p> <p>It is recommended that this performance trigger in the KMP is removed as;</p> <ul style="list-style-type: none"> - Continuous monitoring has identified that extraneous noise from the highway and rail traffic is as significant, or more significant, than noise from Bluff Mine in many instances. - The current performance trigger is not founded on accepted scientific research. - The current trigger is too vague to be assessed and monitored against.
5	Incidental light observations	Lighting is found (during inspections) to be penetrating areas of adjoining retained vegetation by > 20m and at a level likely to disturb nocturnal wildlife.	Light was incidentally observed to be penetrating adjoining retained vegetation by > 20 m. However, monitoring trips did not record any observations of nocturnal wildlife appearing disturbed from the light. Nocturnal wildlife are likely to have dispersed if light exceeded their tolerance level.	<p>This existing performance triggers do not align with current best practice management measures for the management of artificial lighting impacts, it does not consider the structure of the remanent vegetation and does not appear to be founded by scientific research.</p> <p>The KMP is to be updated to align with the lighting design principles from the National Light Pollution Guidelines for Wildlife (DCCEEW 2023) and AS/NZS 4282:2019.</p>
7	Weed occurrence and abundance	The identification of a weed infestation within the Project	The 2023 monitoring events did not identify any additional weed species, listed under the Biosecurity Act 2014 as prohibited or restricted	New infestations are to be added to the weed map / GIS database. Weed management procedures undertaken for

Objective	Monitoring	Performance (Trigger) criteria	Performance to date	Recommended management actions
		area that is not recorded in the weed map / GIS database.	matter, to that of the 2013 ecology baseline surveys. The locations of flora species listed as restricted matter have been provided in Figure 7.	sites identified on the weed map/GIS database are to be implemented within 3 months of data entry.
8	Pest animals	The identification of a pest animal breeding site (i.e. den, burrow, nest etc.) within the Project area that is recorded in the pest animal map / GIS database.	Pest monitoring is discussed in Section 3.6. Figure 8 provides a map of pest sightings within the Project area.	Pest management procedures undertaken for breeding sites identified on the pest animal map/GIS database are implemented within 1 month of data entry. It is recommended that the Feral Cat and European Fox are focused on during future pest management events, however no breeding sites were identified, therefore corrective actions have not been triggered in accordance with the approved KMP.
9	Vehicle strike	An incident involving a vehicle and koala occurs, whereby the koala is killed or injured or there is a near miss.	No Koala injuries or fatalities have been recorded to date.	NA