

Olive Downs Complex – 2023-2024 Annual EPBC Report

EPBC 2017/7867

June 2024





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1. Description of Activities

The Olive Downs Mine is a greenfield metallurgical coal mine within the Bowen Basin, located approximately 40 kilometres south-east of Moranbah, Queensland. The coal resource will be mined in stages by conventional open cut mining methods, with product coal to be transported by rail to the Dalrymple Bay Coal Terminal. The Project will produce up to 20 million tonnes per annum (Mtpa) of run of mine (ROM) coal over an anticipated operational life of approximately 79 years. Pembroke Olive Downs Pty Ltd is the proponent for the Olive Downs Mine.

The Project was declared a 'coordinated project' for which an Environmental Impact Statement (EIS) was prepared that included detailed ecological studies and impact assessments on matters of state and national environmental significance. The project was approved by the Queensland Coordinator-General in Ma 2019. The Project was declared a 'controlled action' under the *Environment Protection and Biodiversity Conservation Act 1999*. An approval was granted by the Minister on 14 May 2020 (EPBC 2017/7867) for the Project.

2. Purpose and Scope

In accordance with Condition 72 of the approval, the approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action. The approval holder must publish each compliance report on its website within 60 business days following the relevant 12 month period.

On 3 May 2023, Pembroke Resources submitted a request to vary the conditions of the EPBC Approval (2017/7867). The intent of the variation was to alter Stage 1 and Stage 2 of the action. An approval was received on 14 August 2023 (**Appendix A**). The conditions in Table 1 reflect the approved variation.

The reporting Period for this Annual report is 20 April 2023 – 19 April 2024.

3. Compliance

Table 1 addresses each condition in EPBC Approval 2017/7867.



Table 1 – compliance with epbc 2017/7867 approval conditions

CONDITION NUMBER	CONDITION	STATUS	COMMENTS																																								
1	The approval holder must not clear outside of the project area.	Compliant	No activities relating to mining under this approval occurred outside of the authorised area in the reporting period.																																								
2	During each stage of the action, the approval holder must not clear more than the areas (in hectares) of habitat for each listed threatened species and community as specified in the following table:	Compliant	<p>This condition was updated in the variation approved on 14 August 2023.</p> <p>Permits to Disturb process in place to ensure clearing activities within habitat areas of listed threatened species and communities do not exceed the limits of this approval document.</p> <p>Pembroke Resources implemented it’s unique four phase clearing protocol to ensure the reduction in interaction with species of national environmental significance. This protocol includes the tagging and tracking of both koalas and greater glider species.</p>																																								
	<table border="1"> <thead> <tr> <th>Matter of national environmental significance</th> <th>Stage 1</th> <th>Stage 2</th> <th>Stage 3</th> <th>Stage 4</th> </tr> </thead> <tbody> <tr> <td>Koala (<i>Phascolarctos cinereus</i>) (combined populations of Qld, NSW and the ACT) habitat</td> <td>1,099</td> <td>406.16</td> <td>3,899.81</td> <td>354</td> </tr> <tr> <td>Greater Glider (<i>Petauroides volans</i>) habitat</td> <td>932.81</td> <td>352.54</td> <td>3,921.22</td> <td>389</td> </tr> <tr> <td>Squatter Pigeon (Southern) (<i>Geophaps scripta scripta</i>) breeding habitat</td> <td>810.45</td> <td>262.73</td> <td>3,084.11</td> <td>322</td> </tr> <tr> <td>Squatter Pigeon (Southern) (<i>Geophaps scripta scripta</i>) foraging habitat</td> <td>133.76</td> <td>69.74</td> <td>656.5</td> <td>6.5</td> </tr> <tr> <td>Ornamental Snake (<i>Denisonia maculata</i>) important habitat</td> <td>973.9</td> <td>367.74</td> <td>5,094.11</td> <td>1,307</td> </tr> <tr> <td>Australian Painted Snipe (<i>Rostratula australis</i>) breeding habitat</td> <td>16</td> <td>3</td> <td>70</td> <td>25</td> </tr> <tr> <td>Brigalow TEC</td> <td>0</td> <td>0</td> <td>13</td> <td>0</td> </tr> </tbody> </table>	Matter of national environmental significance	Stage 1	Stage 2	Stage 3	Stage 4	Koala (<i>Phascolarctos cinereus</i>) (combined populations of Qld, NSW and the ACT) habitat	1,099	406.16	3,899.81	354	Greater Glider (<i>Petauroides volans</i>) habitat	932.81	352.54	3,921.22	389	Squatter Pigeon (Southern) (<i>Geophaps scripta scripta</i>) breeding habitat	810.45	262.73	3,084.11	322	Squatter Pigeon (Southern) (<i>Geophaps scripta scripta</i>) foraging habitat	133.76	69.74	656.5	6.5	Ornamental Snake (<i>Denisonia maculata</i>) important habitat	973.9	367.74	5,094.11	1,307	Australian Painted Snipe (<i>Rostratula australis</i>) breeding habitat	16	3	70	25	Brigalow TEC	0	0	13	0		
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3	To compensate for the clearance of habitat for listed threatened species and community for Stage 1 up to the limits as specified in condition 2, the approval holder must provide an environmental offset consistent with the Environmental Offsets Policy.	Compliant	Offsets provided for on land parcels owned by Pembroke Olive Downs Pty Ltd. An OAMP was submitted in June 2020 and approved by the Minister in writing in December 2020. The OAMP was implemented prior to activities occurring in April 2022.
4	The environmental offset to compensate for the clearance of 978.5 ha of Greater Glider (<i>Petauroides volans</i>) habitat for Stage 1 must result in a measured increase in Greater Glider (<i>Petauroides volans</i>) habitat connectivity in the riparian zones within the Stage 1 environmental offset.	Compliant	The Stage 1 OAMP details activities to provide for a measured increase in Greater Glider habitat connectivity in the riparian zones within the Stage 1 offset area. Refer Stage 1 OAMP Section 3.3.5, Section 4.2.6 and Table 4.6
5	The approval holder must submit a Stage 1 Offset Area Management Plan (OAMP) prepared by a suitably qualified ecologist for the written approval of the Minister. The approval holder must not commence the action until the Stage 1 OAMP has been approved in writing by the Minister. The approved Stage 1 OAMP must be implemented.	Compliant	A Stage 1 OAMP was submitted in June 2020 and approved by the Minister in writing in December 2020.
6	The Stage 1 OAMP must include the offset information to compensate for the clearance of listed threatened species and community habitat as provided for in condition 2 in accordance with the principles of the Environmental Offsets Policy.	Compliant	Stage 1 OAMP Table 2.1 addresses this condition.
7	To assess the effectiveness of the management actions in the Stage 1 OAMP to increase Greater Glider (<i>Petauroides volans</i>) habitat connectivity in the riparian zones within the Stage 1 environmental offset, the approval holder must engage an independent suitably qualified expert to undertake an assessment every 5 years from the implementation date of the approved Stage 1 OAMP until the approved Stage 1 OAMP offset completion criteria are achieved.	Compliant	Stage 1 OAMP Section 6 addresses this condition.
8	The approval holder must ensure each assessment of the effectiveness of the management actions in the Stage 1 OAMP is: a) subject to a peer-review completed within 6 months of the completion of each such assessment; and	Compliant	Stage 1 OAMP Section 6 addresses this condition.



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b) published on its website with the findings of the peer-review within 6 months of the completion of the peer-review and for the duration of this approval.

9	The approval holder must legally secure the Stage 1 environmental offset within 2 years from the date that the Stage 1 OAMP is approved by the Minister in writing. The approved Stage 1 OAMP must be attached to the legal mechanism used to legally secure the Stage 1 environmental offset.	Partial Non-Compliant	Pembroke was unsuccessful in securing Stage 1 OAMP during the previous reporting period. Pembroke Resources drafted a subsequent application to secure the Stage 1 offset area via a Voluntary Declaration under the Vegetation Management Act 1999 to the Queensland Department of Resources. A pre-lodgement discussion was held during the reporting period and a new application was submitted in July 2024. Pembroke does not consider this a non-compliance as the applications are in process.
10	The approval holder must notify the Department within 5 business days of the mechanism to legally secure the Stage 1 environmental offset being executed.	N/A	
11	To compensate for the clearance of habitat for listed threatened species and community for Stage 2 up to the limits as specified in condition 2, the approval holder must provide an environmental offset consistent with the Environmental Offsets Policy.	N/A	Project is currently in Stage 1
12	The environmental offset to compensate for the clearance of 741.43 ha of Greater Glider (<i>Petauroides volans</i>) habitat for Stage 2 must result in a Greater Glider (<i>Petauroides volans</i>) habitat connectivity in the riparian zones within the Stage 2 environmental offset.	N/A	Project is currently in Stage 1
13	At least 6 months prior to the commencement of Stage 2, the approval holder must submit a Stage 2 OAMP prepared by a suitably qualified ecologist for the written approval of the Minister. The approval holder must not commence Stage 2 until the Stage 2 OAMP has been approved	N/A	Project is currently in Stage 1



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	in writing by the Minister. The approved Stage 2 OAMP must be implemented.		
14	The Stage 2 OAMP must include the offset information to compensate for the clearance of habitat for each listed threatened species and community as provided for in condition 2 in accordance with the principles of the Environmental Offsets Policy.	N/A	Project is currently in Stage 1
15	To assess the effectiveness of the management actions in the Stage 2 OAMP to increase Greater Glider (<i>Petauroides volans</i>) habitat connectivity in the riparian zones within the Stage 2 environmental offset, the approval holder must engage an independent suitably qualified expert to undertake an assessment every 5 years from the implementation date of the approved Stage 2 OAMP until the approved Stage 2 OAMP offset completion criteria are achieved.	N/A	Project is currently in Stage 1
16	The approval holder must ensure each assessment of the effectiveness of the management actions in the Stage 2 OAMP is: a) subject to a peer-review completed within 6 months of the completion each such assessment; and b) published on its website with the findings of the peer-review within 6 months of the completion of the peer-review and for the duration of this approval.	N/A	Project is currently in Stage 1
17	The approval holder must legally secure the Stage 2 environmental offset within 2 years from the date that the Stage 2 OAMP is approved by the Minister in writing. The approved Stage 2 OAMP must be attached to the legal mechanism used to legally secure the Stage 2 environmental offset.	N/A	Project is currently in Stage 1
18	The approval holder must notify the Department within 5 business days of the mechanism to legally secure the Stage 2 environmental offset being executed.	N/A	Project is currently in Stage 1



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19	To compensate for the clearance of habitat for listed threatened species and community for Stage 3 up to the limits as specified in condition 2, the approval holder must provide an environmental offset consistent with the Environmental Offsets Policy.	N/A	Project is currently in Stage 1
20	The environmental offset to compensate for the clearance of 3,937 ha of Greater Glider (<i>Petauroides volans</i>) habitat for Stage 3 must, at a minimum, result in a measured increase in Greater Glider (<i>Petauroides volans</i>) habitat connectivity in the riparian zones within the Stage 3 environmental offset.	N/A	Project is currently in Stage 1
21	At least 12 months prior to the commencement of Stage 3, the approval holder must submit a Stage 3 OAMP prepared by a suitably qualified ecologist for the written approval of the Minister. The approval holder must not commence Stage 3 until the Stage 3 OAMP has been approved in writing by the Minister. The approved Stage 3 OAMP must be implemented.	N/A	Project is currently in Stage 1
22	The Stage 3 OAMP must include the offset information to compensate for the clearance of habitat for each listed threatened species and community as provided for in condition 2 in accordance with the principles of the Environmental Offsets Policy.	N/A	Project is currently in Stage 1
23	To assess the effectiveness of the management actions in the Stage 3 OAMP to increase Greater Glider (<i>Petauroides volans</i>) habitat connectivity in the riparian zones within the Stage 3 environmental offset, the approval holder must engage an independent suitably qualified expert to undertake an assessment every 5 years from the implementation date of the approved Stage 3 OAMP until the approved Stage 3 OAMP offset completion criteria are achieved.	N/A	Project is currently in Stage 1
24	The approval holder must ensure each assessment of the effectiveness of the management actions in the Stage 3 OAMP is:	N/A	Project is currently in Stage 1



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	<ul style="list-style-type: none">a) subject to a peer-review completed within 6 months of the completion each such assessment; andb) published on its website with the findings of the peer-review within 6 months of the completion of the peer-review and for the duration of this approval.		
25	The approval holder must legally secure the Stage 3 environmental offset within 2 years from the date that the Stage 3 OAMP is approved by the Minister in writing. The approved Stage 3 OAMP must be attached to the legal mechanism used to legally secure the Stage 3 environmental offset.	N/A	Project is currently in Stage 1
26	The approval holder must notify the Department within 5 business days of the mechanism to legally secure the Stage 3 environmental offset being executed.	N/A	Project is currently in Stage 1
27	To compensate for the clearance of habitat for listed threatened species and community for Stage 4 up to the limits as specified in condition 2, the approval holder must provide an environmental offset consistent with the Environmental Offsets Policy.	N/A	Project is currently in Stage 1
28	At least 12 months prior to the commencement of Stage 4, the approval holder must submit a Stage 4 OAMP prepared by a suitably qualified ecologist for the written approval of the Minister. The approval holder must not commence Stage 4 until the Stage 4 OAMP has been approved in writing by the Minister. The approved Stage 4 OAMP must be implemented.	N/A	Project is currently in Stage 1
29	The Stage 4 OAMP must include the offset information to compensate for the clearance of habitat for each listed threatened species and community as provided for in condition 2 in accordance with the principles of the Environmental Offsets Policy.	N/A	Project is currently in Stage 1
30	The approval holder must legally secure the Stage 4 environmental offset within 2 years from the date that the Stage 4 OAMP is approved by the	N/A	Project is currently in Stage 1



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	Minister in writing. The approved Stage 4 OAMP must be attached to the legal mechanism used to legally secure the Stage 4 environmental offset.		
31	The approval holder must notify the Department within 5 business days of the mechanism to legally secure the Stage 4 environmental offset being executed.	N/A	Project is currently in Stage 1
32	In addition to its obligations under the Environmental Offsets Policy, the approval holder must contribute \$100,000 (GST exclusive and indexed in line with CPI for each year to be equal to the value of \$100,000 on the date of commencement of Stage 2) each year for 10 years to a program where the total contribution will be used for the better protection and long-term conservation of the Koala and Greater Glider in the Bowen Basin.	N/A	Project is currently in Stage 1
33	The approval holder must submit a framework to make financial contributions to the program for the written approval of the Minister at least 3 years prior to the commencement of Stage 2. The approved framework must be implemented.	N/A	Project is currently in Stage 1
34	The approval holder must not commence Stage 2 until it has provided notice, with documentary evidence, to the Department that the: a) framework required under condition 33 has been approved by the Minister in writing; and b) the first financial contribution has been made.	N/A	Project is currently in Stage 1
35	For each subsequent annual financial contribution, the approval holder must provide notice, with documentary evidence, to the Department within 20 business days after each such financial contribution has been made.	N/A	Project is currently in Stage 1
36	The activities funded by the program must target in the Bowen Basin, at a minimum: a) translocation programs to translocate Koala and Greater Glider individuals from the project area during pre-clearance surveys and clearing to determine its success in reducing individual	N/A	Project is currently in Stage 1



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	<p>mortality and its effects on the population size of the Koala and Greater Glider;</p> <ul style="list-style-type: none">b) revegetate, rehabilitate and restore habitat in the riparian zones associated with watercourses to create and maintain Koala and Greater Glider habitat connectivity;c) surveys to determine Koala and Greater Glider population density and carrying capacity across the Bowen Basin; andd) implement priorities identified in relevant recovery plans, threat abatement plans and/or approved conservation advices, and evaluate their success and cost effectiveness.		
37	<p>At a minimum, the following information, prepared by an independent suitably qualified expert, must be provided to the Department prior to commissioning each activity:</p> <ul style="list-style-type: none">a) commitments, including financial commitments and proposed timeframes, that will be implemented to support the undertaking of the activity;b) the proposed timeframe for undertaking the activity;c) the independent suitably qualified expert/s who has designed and will implement the activity;d) timing of a peer-review of the outcomes of the activity;e) the proposed peer-reviewed scientific journal and/or other method/s to ensure the outcomes of the activity is made publicly available; andf) details, with supporting evidence, of the consultation undertaken (including with the Queensland Government and relevant Recovery Teams) on how the activity can complement and/or align with other studies for the Koala and Greater Glider in the Bowen Basin.	N/A	Project is currently in Stage 1
38	<p>The outcomes of each activity must be subject to a peer-review and must, at a minimum, be published on the approval holder's website for the remaining period of effect of this approval.</p>	N/A	Project is currently in Stage 1



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39	A review of outcomes from the financial contributions must commence 5 years after the date of the first financial contribution or as otherwise agreed by the Minister in writing. This review must take into account progress of each activity and any subsequent on-ground actions, as well as the involvement of other holders of approvals under the EPBC Act making financial contributions.	N/A	Project is currently in Stage 1
40	A detailed report of the outcomes of the review must be provided to the Department within 6 months of the date of commencement of the review.	N/A	Project is currently in Stage 1
41	At least 15 years prior to the commencement of the Ripstone Creek Diversion, the approval holder must submit a Ripstone Creek Diversion Program (RCDP) for the written approval of the Minister to ensure Greater Glider (<i>Petauroides volans</i>) habitat connectivity is maintained along Ripstone Creek for the duration of this approval.	N/A	Project is currently in Stage 1
42	The RCDP must be prepared by a suitably qualified ecologist and include details, with detailed justification, of: <ul style="list-style-type: none">a) the activities, and associated timing, for the Ripstone Creek Diversion;b) the description, ecological values and location (maps and shapefiles) of the existing Ripstone Creek channel to be impacted by the Ripstone Creek Diversion;c) the extent (in hectares) and quality of Greater Glider (<i>Petauroides volans</i>) habitat in the existing Ripstone Creek channel to be impacted by the Ripstone Creek Diversion;d) baseline data, including results from field validation surveys, and quantifiable ecological data on the quality of Greater Glider (<i>Petauroides volans</i>) habitat in the existing Ripstone Creek channel to be impacted by the Ripstone Creek Diversion;e) the outcome to ensure Greater Glider (<i>Petauroides volans</i>) habitat connectivity is maintained along Ripstone Creek for the duration of this approval;	N/A	Project is currently in Stage 1



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- f) Ripstone Creek completion criteria to demonstrate that Greater Glider (*Petauroides volans*) habitat connectivity is maintained along Ripstone Creek;
 - g) Ripstone Creek interim milestones to track progress against ensuring the Ripstone Creek completion criteria are achieved;
 - h) proposed timing of Ripstone Creek interim milestones to track progress against achieving the Ripstone Creek completion criteria;
 - i) details of the actions, and timeframes for implementation, to be carried out to achieve the Ripstone Creek completion criteria;
 - j) details of the nature, timing and frequency of monitoring to inform progress against achieving the Ripstone Creek interim milestones (the frequency of monitoring must be sufficient to track progress towards each set of milestones, and sufficient to determine whether the area of the Ripstone Creek Diversion is likely to achieve those milestones in adequate time to implement all necessary corrective actions);
 - k) proposed timing for the submission of internal monitoring reports which provide evidence demonstrating whether the Ripstone Creek interim milestones have been achieved;
 - l) proposed mitigation strategy, including corrective action/s and their timing, if monitoring activities indicate the Ripstone Creek interim milestones will not or have not been achieved; and
 - m) a risk analysis and a risk management and mitigation strategy for all risks to the timely achievement of the Ripstone Creek completion criteria, including a rating of all initial and post-mitigation residual risks in accordance with the risk assessment matrix.



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44	The approval holder must not commence the Ripstone Creek Diversion until it demonstrates, to the Minister's written satisfaction, that the Ripstone Creek completion criteria have been achieved.	N/A	Project is currently in Stage 1
45	To avoid, mitigate and manage impacts of the action on the listed threatened species and community and their habitat, the approval holder must submit a MNES Management Plan for the written approval of the Minister. The MNES Management Plan must be prepared by a suitably qualified ecologist and in accordance with the Department's Environmental Management Plan Guidelines.	Compliant	A MNES Management Plan was developed and approved by the Minister prior to clearing activities commencement in April 2022.
46	<p>The MNES Management Plan must include:</p> <ul style="list-style-type: none">a) details of specific environmental outcomes to be achieved for the listed threatened species and community and their habitat;b) interim milestones that set targets at 5-yearly intervals to track progress against achieving the environmental outcomes;c) details of the measures, and timeframes for implementation, that will be taken in the project area to avoid, mitigate and manage impacts on the listed threatened species and community and their habitat during clearance, construction, operation and decommissioning of the action, including but not limited to:<ul style="list-style-type: none">i. clearance of one corridor, of a maximum 45 metres in width, in the riparian zone of the Isaac River;ii. clearance of two corridors, of a maximum 60 metres in width, in the riparian zone of the Isaac River;iii. clearance of two corridors, of a maximum 30 metres in width, in the riparian zone of Ripstone Creek;iv. no clearance in the riparian zones of the Isaac River and Ripstone Creek other than that specified in this approval;v. removal and exclusion of grazing from all riparian zones in the project area;vi. installation of rope ladder crossings of the cleared corridors in the riparian zones of the Isaac River and	Compliant	<p>MNES Management Plan references:</p> <p>Overarching environmental outcomes are specified in Section 5.1.</p> <p>Specific performance criteria and outcomes relating to each MNES species and Brigalow TEC, for each Project phase are provided in Tables 4.1, Table 4.2 and Table 4.3.</p> <p>Management measures, interim milestones and corrective actions are discussed in Section 5.</p> <p>Interim milestones have been described in Table 6.1. Interim milestones have been based on actions to be achieved, or outcomes, based on Project stages.</p> <p>Due to the long duration of the Project, and that a number of activities may occur at different phases, interim progress reviews are proposed at 5 yearly intervals as well as 12 months prior to the commencement of each stage. These reviews are to assess progress of the management plan actions, evaluate their effectiveness and apply adaptive management principles.</p> <p>Specific details of the measures and timeframes</p>



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- Ripstone Creek to maintain Greater Glider (*Petauroides volans*) habitat connectivity;
- vii. vii. enforced vehicle speed limits of 60 kilometres/hour or less;
 - viii. viii. installation of Koala-proof fences, without barb-wire, in Koala (*Phascolarctos cinereus*) (combined populations of Qld, NSW and the ACT) habitat and Greater Glider (*Petauroides volans*) habitat;
 - ix. ix. installation of Koala poles at Koala-proof fences, with proposed spacing, in Koala (*Phascolarctos cinereus*) (combined populations of Qld, NSW and the ACT) habitat;
- b) details on the specific timing, frequency and duration of the measures to be implemented;
 - c) evidence of how the measures are based on best available practices, appropriate standards, and supported by scientific evidence;
 - d) details on how the measures have been developed with consideration of the S.M.A.R.T principle;
 - e) details of the nature, timing and frequency of monitoring to inform progress against achieving the 5-yearly interim milestones (the frequency of monitoring must be sufficient to track progress towards each set of milestones, and sufficient to determine whether the milestones are likely to be achieved in adequate time to implement all necessary corrective actions);
 - f) timing for the submission of internal monitoring reports which provide evidence demonstrating whether the interim milestones have been achieved;
 - g) timing for the implementation of corrective actions if monitoring indicates the interim milestones will not or have not been achieved;
 - h) a risk analysis and a risk management and mitigation strategy for all risks to the successful implementation of the MNES Management Plan and timely achievement of the environmental outcomes, including a rating of all initial and
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for implementation of avoidance, mitigation and management of impacts on the listed threatened species and community are described in Sections 4 and 5.

- Specifically Tables 4.1, 4.2 and 4.3 outline these measures by each Project phase, and then they are grouped into avoidance, mitigation and management.

- Clearance corridor specifications i), ii), iii) and iv) are confirmed in Section 4 and Figure 4.1 for Stage 1.

- Exclusion of grazing (v) has been noted in Section 4.3. Grazing exclusion areas are shown in Figure 4.2.

- Details on the installation of rope ladder crossings of the cleared corridors in the riparian zones (vi) are given in Section 6.2 and Figure 5.2.

- Details on enforced speed limits (vii) and associated signage and speed humps are given in Section 4.3.

- Details on the installation of Koala-proof fences (viii) and Koala poles (ix) are given in Section 5.2.8 and Figure 5.1 for Stage 1.

The specific timing, frequency and duration of avoidance, mitigation and management measures are summarised in Section 4 and 5.

Specific timing, frequency and duration of monitoring is described in Section 6 and Table 6.1. References are provided in Section 4 and 5 in terms of how the proposed measures are based on best available practices and standards and/or guidelines. Section 4.2 states MMP has been developed in accordance with S.M.A.R.T principles. For example avoidance, mitigation and management actions are specific, performance



	<p>post-mitigation residual risks in accordance with the risk assessment matrix; and</p> <p>i) evidence of how the measures and corrective actions take into account relevant approved conservation advices and are consistent with relevant recovery plans and threat abatement plans.</p>		<p>criteria and outcomes measurable.</p> <p>Details on the nature, timing and frequency of monitoring to inform progress against performance criteria and interim targets are given in Section 6, Table 6.1 and Appendix C.</p> <p>Details on the timing for the submission of internal monitoring reports are addressed in Section 7.1.</p> <p>Details on corrective actions, triggers for corrective actions and timing for implementation of corrective actions are given in Table 6.1.</p> <p>Details on risk analysis, risk management and mitigation strategy are provided in Section 8.</p> <p>The risk assessment includes pre and post mitigation risk rankings.</p> <p>Reference to conservation advices, applicable recovery plans and literature are provided in Table 2.1 and Section 5 summarises how proposed measures are consistent with these advices and plans etc.</p>
47	<p>The approval holder must not commence the action until the MNES Management Plan has been approved by the Minister. The approved MNES Management Plan must be implemented.</p>	Compliant	<p>No activities occurred until the MNES Management Plan was approved by the Minister. The approved MNES Management Plan was implemented during clearing activities.</p>
48	<p>The approval holder must ensure there is no adverse effect on the ecological values of GDEs in, or within 2 kilometres of, the project area from water-related impacts as a result of mining activities of the action.</p>	Compliant	<p>A GDEMP was developed and approved during the reporting period. Approval was granted on 26 September 2023 prior to mining activities.</p>
49	<p>The approval holder must submit a GDEMP for the written approval of the Minister. The GDEMP must be prepared by a suitably qualified water resources expert and in accordance with the Department's Environmental Management Plan Guidelines. The GDEMP must include the following details, with detailed justification, of:</p>	Compliant	<p>A GDEMP was developed and approved during the reporting period. Approval was granted on 26 September 2023 prior to mining activities.</p>



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- a) the location (including maps and shapefiles), extent (in hectares) and description of the ecological values of all GDEs derived from both desktop and site-specific field information;
 - b) a risk-based assessment approach method to determine all low risk GDEs, moderate risk GDEs, high risk GDEs and very high risk GDEs;
 - c) hydrogeological conceptual modelling and surface water modelling, including an ecohydrological model incorporating the stressor-response relationships for all GDEs, local scale numerical modelling and consideration of cumulative impacts;
 - d) how the modelling is fit-for-purpose to inform the site-specific assessment and the risk based assessment approach;
 - e) a site-specific assessment to verify the results of modelling for predicted moderate risk GDEs, high risk GDEs and/or very high risk GDEs, including consideration of past monitoring data;
 - f) performance criteria, trigger values and limits for moderate risk GDEs, high risk GDEs and/or very high risk GDEs to demonstrate there will be no adverse effect on the ecological values of GDEs from water-related impacts as a result of mining activities of the action;
 - g) an ongoing monitoring program to ensure no adverse effect on the ecological values of GDEs is occurring, including a 12 monthly timeframe for updating all modelling;
 - h) a mitigation strategy, including separate corrective actions, for where trigger values have been reached and/or exceeded for moderate risk GDEs, high risk GDEs and/or very high risk GDEs to ensure limits are not reached and/or exceeded, and consideration of cumulative impacts;
 - i) timing for the submission of internal monitoring reports which provide evidence demonstrating performance against the trigger values and limits, including analysis of trends that indicate that reaching and/or exceeding a trigger value and/or limit is likely during or before the next reporting period;
 - j) a 3-year timeframe for updating all risk ratings derived from the risk-based assessment approach and undertaking, with
-



	<p>proposed implementation timeframes, any outstanding site-specific assessments for new predicted moderate risk GDEs, high risk GDEs and/or very high risk GDEs;</p> <p>k) timing for the regular review of the GDEMP to assess the effectiveness of measures and/or corrective actions in ensuring no adverse effect on the ecological values of GDEs is occurring, including details of the effectiveness of updated model predictions;</p> <p>l) a process for updating the GDEMP to take into account any changes to the existing regulatory arrangements in place to avoid adverse effect on the ecological values of GDEs, not limited to legislation, standards or codes of practice, governance arrangements and existing controls; and</p> <p>m) timing for notifying the Department of whether an environmental offset in accordance with the principles of the Environmental Offsets Policy may be required to be implemented by the approval holder.</p>		
50	The approval holder must not commence mining activities of Stage 1 until the GDEMP has been approved by the Minister in writing. The approved GDEMP must be implemented.	Compliant	A GDEMP was developed and approved during the reporting period. Approval was granted on 26 September 2023 prior to mining activities (Appendix B).
51	The approval holder must, during the implementation of the GDEMP or a revised GDEMP under condition 78, undertake one or more of the provisions of conditions 52 to 64 if the Minister determines and notifies the approval holder in writing that the action has, or is likely to, reach and/or exceed an approved trigger value.	N/A	GDE monitoring program was implemented as required by the GDEMP. No trigger values reached or exceeded.
52	If the approval holder detects that a trigger value for moderate risk GDEs, high risk GDEs and/or very high risk GDEs has been reached and/or exceeded for Stage 1, Stage 2 or Stage 3, the approval holder must report this to the Minister within 5 business days of the detection.	N/A	GDE monitoring program was implemented as required by the GDEMP. No trigger values reached or exceeded.



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53	For high risk GDEs and/or very high risk GDEs, and where a limit is predicted to be reached and/or exceeded after the next 12 months, the approval holder. must submit a GDE Offset Strategy prepared by a suitably qualified water resources expert and suitably qualified person and in accordance with the principles of the Environmental Offsets Policy, for the written approval of the Minister. The GDE Offset Strategy must be submitted to the Department within 3 months of the detection as specified in condition 52.	N/A	GDE monitoring program was implemented as required by the GDEMP. No trigger values reached or exceeded.
54	For high risk GDEs and/or very high risk GDEs, and where a limit is predicted to be reached and/or exceeded within 12 months, the approval holder must submit a GDE Offset Management Plan, prepared by a suitably qualified water resources expert and suitably qualified person in accordance with the principles of the Environmental Offsets Policy, for the written approval of the Minister. The GDE Offset Management Plan must specify a timeframe for implementation and be submitted to the Department within 3 months of the detection as specified in condition 52.	N/A	GDE monitoring program was implemented as required by the GDEMP. No trigger values reached or exceeded.
55	The approval holder must not commence the next stage of the action until the GDE Offset Strategy and/or GDE Offset Management Plan has been approved by the Minister in writing. The GDE Offset Strategy must be implemented.	N/A	Not currently relevant.
56	If the approval holder detects that a limit has been reached and/or exceeded for Stage 1, Stage 2 and/or Stage 3, the approval holder must report the detection to the Minister within 1 business day of the detection.	N/A	GDE monitoring program was implemented as required by the GDEMP. No trigger values reached or exceeded.
57	The approval holder must: a) within 5 business days of notifying the Minister of the detection as specified in condition 56, implement a GDE Offset Management Plan that has been approved by the Minister as required condition 55; and/or b) within 3 months of notifying the Minister of the detection as specified in condition 56, submit a GDE Offset Management Plan	N/A	GDE monitoring program was implemented as required by the GDEMP. No trigger values reached or exceeded.



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	for the written approval of the Minister. The GDE Offset Management Plan must be prepared by suitably qualified water resources expert and suitably qualified person, and in accordance with the principles of the Environmental Offsets Policy.		
58	The approved GDE Offset Management Plan/s required at condition 57 must be implemented for the remaining duration of this approval or a timeframe otherwise agreed to in writing by the Minister.	Compliant	Not currently relevant.
59	The approval holder must not commence the next stage of the action until the approved GDE Offset Management Plan is demonstrated, to the Minister's written satisfaction, to be achieving the approved offset completion criteria, or a timeframe otherwise agreed to in writing by the Minister.	N/A	Not currently relevant.
60	At least 3 years prior to the commencement of Stage 4, the approval holder must submit a Stage 4 GDE Offset Management Plan in the event that there is an adverse effect on the ecological values of GDEs as a result of Stage 4 for the written approval of the Minister. The Stage 4 GDE Offset Management Plan must be prepared by suitably qualified water resources expert and suitably qualified person in accordance with the principles of the Environmental Offsets Policy.	N/A	Not currently relevant.
61	The approval holder must not commence Stage 4 until the Stage 4 GDE Offset Management Plan is approved by the Minister in writing.	N/A	Not currently relevant.
62	If the approval holder detects that a trigger value has been reached and/or exceeded for Stage 4, the approval holder must, within 5 business days of the detection: a) report this to the Minister; and b) notify the Minister that the approved Stage 4 GDE Offset Management Plan may be implemented, with timing for implementation, where an adverse effect on the ecological	N/A	Not currently relevant.



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	values of GDEs is predicted or known to occur in less than 12 months.		
63	If the approval holder detects that a limit has been reached and/or exceeded for Stage 4, the approval holder must: a) report this to the Minister within 1 business day of the detection; and b) implement the approved Stage 4 GDE Offset Management Plan required at condition 61 within 5 business days of the detection.	N/A	Not currently relevant.
64	The approved GDE Stage 4 Offset Management Plan must be implemented for the remaining duration of this approval or a timeframe otherwise agreed to in writing by the Minister.	N/A	Not currently relevant.
65	The approval holder must notify the Department in writing of the date of the commencement of the action within 5 business days after the date of the commencement of the action.	Compliant	See Appendix C .
66	If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the written agreement of the Minister.	N/A	Not currently relevant.
67	The approval holder must notify the Department in writing of the date of the commencement of Stage 2, Stage 3 and Stage 4 respectively within 5 business days after the date of the commencement of Stage 2, Stage 3 and Stage 4 respectively.	N/A	Stage 1 not yet completed.
68	The approval holder must maintain accurate and complete compliance records.	Compliant	All detailed compliance records have been maintained to date.
69	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.	N/A	No requests made in the reporting period.



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70	<p>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 its website within 20 business days of the date of:<ul style="list-style-type: none">i. this approval; orii. the date a plan is submitted to the Department; oriii. the date a plan has been approved by the Minister in writing;c) exclude or redact sensitive ecological data from plans published on its website or provided to a member of the public; andd) keep plans published on its website for the duration of this approval.	Compliant	All plans submitted to department in compliance with the approval documentation.
71	<p>The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under conditions 5, 13, 21, 28, 43, 47, 50, 55, 58 and 61 is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department in accordance with the requirements of the plans within 2 months of each survey event.</p>	Compliant	All records provided to date conform to departments guidelines and submitted electronically to the department.
72	<p>The approval holder must prepare a compliance report for each 12 month period following the date of the commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none">a) publish each compliance report on its 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 its website within 5 business days of the date of publication;c) keep all compliance reports publicly available on its website for the duration of this approval;d) exclude or redact sensitive ecological data from compliance reports published on its website; and	Compliant	<p>This is the second annual compliance report and will be published in line with this condition.</p> <p>Annual Compliance Report 1 (year 2022-2023) is located on the Pembroke Olive Downs website.</p>



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	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.		
73	<p>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 but no later than 2 business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none">a) the condition which is or may be in breach; andb) a short description of the incident and/or non-compliance.	Compliant	No incident or non-compliance during the reporting period.
74	<p>The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in the plans as soon as practicable but no later than 10 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; andc) the method and timing of any remedial action that will be undertaken by the approval holder.	N/A	
75	<p>The approval holder must ensure that independent audits of compliance with the conditions of this approval are conducted when requested in writing by the Minister.</p>	Compliant	No independent audit has been requested to date.
76	<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; andc) submit an audit report to the Department within the timeframe specified in the approved audit criteria.	N/A	Not applicable at this time.



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77	The approval holder must publish the audit report on its website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on its website for the duration of this approval.	N/A	Not applicable at this time.
78	The approval holder may, at any time, apply to the Minister for a variation to a management plan, program or strategy approved by the Minister under conditions 5, 13, 21, 28, 43, 50, 55, 58 and 61, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised management plan, program or strategy then, from the date specified by the Minister, the approval holder must implement the revised management plan, program or strategy in place of the previously approved management plan.	N/A	No variations have been requested.
79	Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.	N/A	Life of mine projected for 79 years. Not relevant for the reporting period.



4. Conclusion

Comments contained within **Table 1** provides detail on the status of each EPBC Condition.

If there are any questions regarding information contained herein, please contact Kurt Sengstock, Senior Environmental Adviser on below details:

[REDACTED]
[REDACTED]
[REDACTED]





Appendix A: Approval of Variation to EPBC Approval (2017/7867)



EPBC ref: 2017/7867

Melanie Saul
ESG Manager
Pembroke Olive Downs Pty Ltd
Level 9, 239 George Street
Brisbane QLD 4000

Approval of variation of conditions for Olive Downs Project Mine Site and Access Road, near Moranbah, Queensland

Dear Ms Saul

Thank you for your correspondence dated 3 May 2023 to the department requesting the variation of condition 2 and associated maps (Attachments H-K) attached to the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) approval 2017/7867.

Officers of this department have reviewed the variation request and briefed me. As delegate of the Minister for the Environment and Water, I have varied the conditions attached to EPBC Act approval 2017/7867 under section 143(1)(c) of the EPBC Act so as to vary the clearance limits for MNES habitat associated with Stages 1-3 and maps in Attachments H-K, reflecting the updated staging boundaries. The action must now be taken in accordance with the varied conditions specified in the variation notification, which has been attached for your information.

As you are aware, the department has an active monitoring program which includes monitoring inspections, desk top document reviews and audits. Please ensure that you maintain accurate records of all activities associated with, or relevant to, the conditions of approval so that they can be made available to the department on request.

Should you require any further information please contact Elias Polymeropoulos on 03 6218 2242 or by email to PostApproval@dcceew.gov.au.

Yours sincerely

Signature

Rachel Short
Branch Head
Environment Assessments (Vic, Tas) and Post Approvals Branch

14 August 2023



Appendix B: GDE Management Plan Approval



EPBC Ref: 2017/7867

Melanie Saul
General Manager – ESG & Sustainability Pembroke Resources
melanie.saul@pembrokresources.com.au
Level 9, 239 George Street
Brisbane QLD 4000
P: +61 73177 4940

Approval of Groundwater Dependent Ecosystem & Wetland Management Plan for Olive Downs Project Mine Site and Access Road, 25 km southeast of Moranbah in the Bowen Basin, Queensland.

Dear Melanie

Thank you for your correspondence on 12 September 2023, seeking approval of the Groundwater Dependent Ecosystem & Wetland Management Plan V7 dated 30 August 2023, in accordance with condition 49 of EPBC approval 2017/7867.

Officers of the department have advised me on the Groundwater Dependent Ecosystem & Wetland Management Plan and the requirements of the conditions of the approval for this project. On this basis, and as a delegate of the Minister for the Environment, I have decided to approve the Groundwater Dependent Ecosystem & Wetland Management Plan, version 7, dated 30 August 2023. This plan must now be implemented.

As you are aware, the department has an active monitoring program which includes monitoring inspections, desk top document reviews and audits. Please ensure that you maintain accurate records of all activities associated with, or relevant to, the conditions of approval so that they can be made available to the department on request.

Should you require any further information please contact Jean Foerster by email to PostApproval@dcceew.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Rachel Short'.

Rachel Short
Branch Head
Environment Assessments (Vic and Tas) and Post Approvals

26 September 2023



Appendix C: Notification of Commencement Letter

20 April 2022

The Minister
Department of Agriculture, Water and the Environment
1 William Street,
Brisbane QLD 4002

Email: postapproval@environment.gov.au

Dear Minister,

RE: Notification of the Commencement of activity at Olive Downs South domain – Pembroke Olive Downs Coking Coal Project

I am writing in response to Condition 65 stipulated under the Olive Downs Project Mine Site and Access Road EPBC Approval (EPBC 2017/7867) issued May 2020.

This letter provides official notification to the Department of Agriculture, Water and the Environment that construction of the Pembroke Olive Downs South domain commenced today.

If you would like to discuss this further, please don't hesitate to contact me via e-mail at

[REDACTED]

Yours sincerely,



Blair Richardson
General Manager
Olive Downs Project
Pembroke Resources