

# NEULANDS

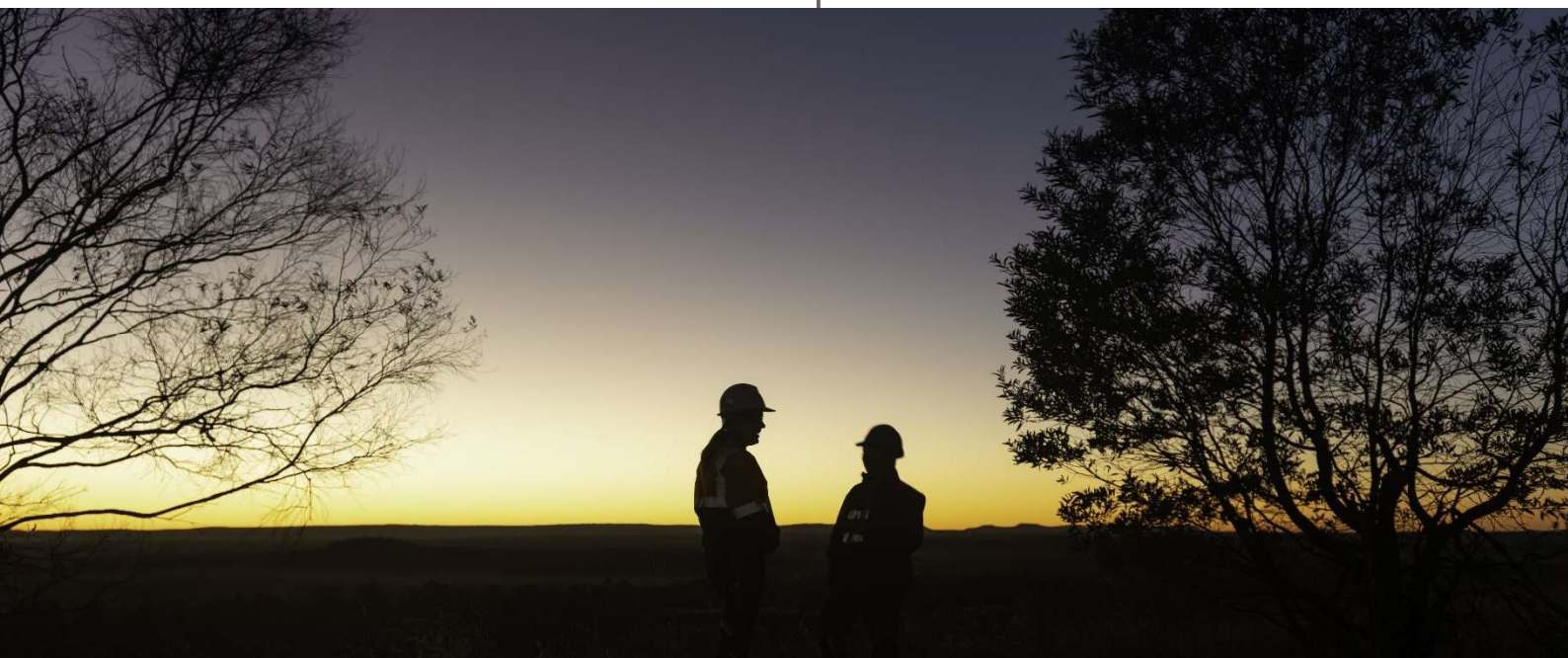
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GLENCORE



## **2024 Annual Compliance Report**

EPBC 2011/5968



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# 1. Introduction

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On 18 December 2013, Glencore Coal Queensland Pty Limited (Glencore) was granted approval for the Newlands Coal Extension Project (NCEP), allowing further development of the Newlands Open Cut (NOC) thermal and coking coal resources in areas adjacent to the existing Eastern Creek Mining Leases (ML). Three new MLs (ML10352, ML10361 and ML10362) were approved as part of the NCEP, encompassing an overall area of 11,674ha. In 2023, coal production ceased at NOC, and the mine entered its closure phase, becoming the Newlands Closure Project (NCP).

In accordance with the Commonwealth approvals obtained for the NCEP (EPBC 2011/5968), Glencore is required to provide appropriate management of the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) listed species and communities within the NCEP area.

To compensate for the residual impacts of the NCEP, NOC has set aside an ecologically equivalent area as a biodiversity offset. The majority of NCEP offset is encompassed within the pre-existing Newlands Nature Refuge (NNR). An additional area outside of the NNR was also established to the east of the Eastern Creek mining area (refer *Figure 2-1*).

# 2. Purpose and Scope

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This Compliance Report addresses EPBC Act approval EPBC 2011/ 5968 Condition 28 which states:

*28). Within three months of every 12 month anniversary (18 December) of the commencement of the action, the approval holder must publish a report on its website addressing compliance with each of the conditions of this approval, including implementation of any plans, strategies or programs specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.*

This report applies to the 2024 calendar year (reporting period).

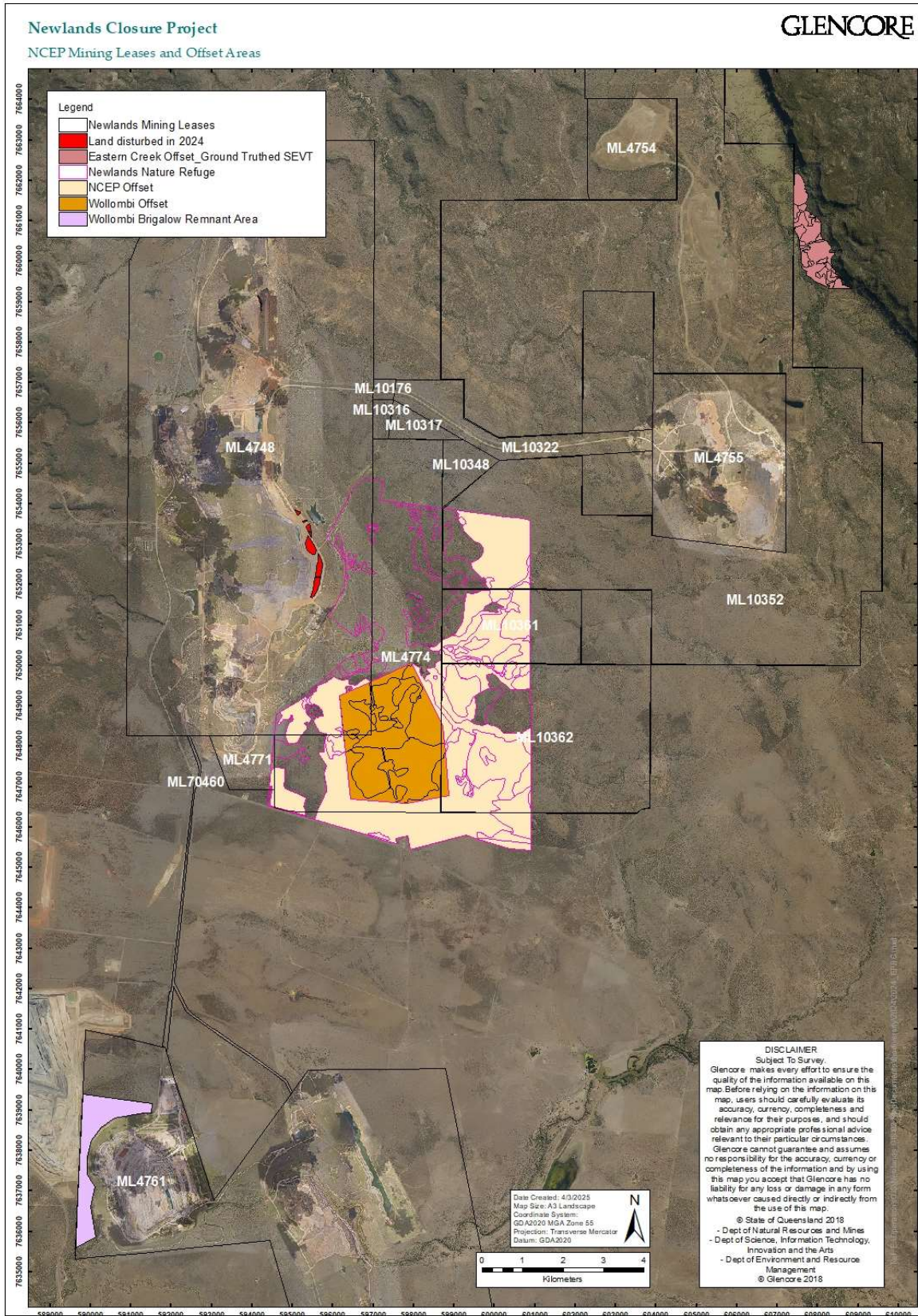


Figure 2-1 NCEP Mining Leases and Offset Areas

### 3. Compliance

**Table 3-1** outlines how NCP are addressing compliance with each of EPBC 2011/5968 approval conditions.

*Table 3-1 Compliance with EPBC 2011/ 5968 Approval Conditions*

Condition		Status	NOC comment												
<b>Conditions of Approval</b>															
1	The Minister may determine that a plan, strategy or program approved by the Queensland Government satisfies the requirement for a plan, strategy or program required under these conditions.	Compliant	No response required.												
<b>Project area</b>															
2	The project area is the area designated as the 'Project Area' in Maps 1 and 2 at <a href="#">Annexure A</a> and is contained within the mine lease (ML) ML10352, ML10361 and ML10362 with a combined area of 11,674 hectares.	Compliant	No response required (refer <i>Figure 2-1</i> ).												
3	For the purpose of the action, the approval holder must not clear outside the project area.	Compliant	As shown in <i>Figure 2-1</i> , no clearing occurred outside of the NCEP MLs (Project Area) during the reporting period.												
4	Within 3 months of each 12 month anniversary of the commencement of the action the approval holder must publish a report and maps verifying compliance with Condition 3 on its website until the expiry date of approval.	Compliant	<p>Before 18 March 2025, NCP will publish this 2024 Annual Compliance Report, including a map (refer <i>Figure 2-1</i>) verifying compliance with Condition 3 on the Glencore website. NCP will report the date of publishing in the 2025 Annual Compliance Report. Previous annual compliance reports have been published in accordance with condition 4 as follows:</p> <table border="1"> <thead> <tr> <th>Report name</th> <th>Publish date</th> </tr> </thead> <tbody> <tr> <td>2014 Annual Compliance Report</td> <td>25/02/2015</td> </tr> <tr> <td>2015 Annual Compliance Report</td> <td>15/03/2016</td> </tr> <tr> <td>2016 Annual Compliance Report</td> <td>08/03/2017</td> </tr> <tr> <td>2017 Annual Compliance Report</td> <td>27/02/2018</td> </tr> <tr> <td>2018 Annual Compliance Report</td> <td>04/03/2019</td> </tr> </tbody> </table>	Report name	Publish date	2014 Annual Compliance Report	25/02/2015	2015 Annual Compliance Report	15/03/2016	2016 Annual Compliance Report	08/03/2017	2017 Annual Compliance Report	27/02/2018	2018 Annual Compliance Report	04/03/2019
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5	The approval holder must notify the Department of the information being published on its website and provide the Department with of a copy of this information, within 1 week of the information being placed on its website.	Compliant	In 2025 NCP will notify DAWE (Now DCCEEW) of the 2024 Annual Compliance Report being published on the Glencore website and will provide DCCEEW with of a copy of this report within 1 week of the report being placed on the website.																																			
<b>Disturbance Limits</b>																																						
6	<p>The approval holder must not cause or allow disturbance of the habitat of any EPBC Act listed species or any EPBC Act listed communities as a result of exploration, construction, operation and decommissioning of the mine and associated infrastructure within the project area (i.e. they are ‘whole of project’ disturbance limits) for the duration of project approval above the maximum disturbance limits stated in Table 1.</p> <p>Table 1: Maximum Disturbance limits for EPBC Act listed communities and habitat of EPBC Act listed species</p> <table border="1"> <thead> <tr> <th>Species</th> <th>Maximum disturbance from Mine activities</th> <th>Maximum disturbance from Subsidence impacts</th> </tr> </thead> <tbody> <tr> <td colspan="3"><b>Threatened species</b></td> </tr> <tr> <td>Squatter Pigeon</td> <td>546 hectares</td> <td>NA</td> </tr> <tr> <td colspan="3"><b>Threatened ecological communities</b></td> </tr> <tr> <td>Brigalow (<i>Acacia harpophylla</i> dominant and co-dominant)</td> <td>204 hectares</td> <td>19 hectares</td> </tr> <tr> <td>Natural Grasslands of the Queensland Central Highlands and the northern Fitzroy Basin</td> <td>0 hectares</td> <td>0 hectares</td> </tr> <tr> <td>Semi-evergreen vine thickets of the Brigalow Belt (North and South) and Nandewar Bioregions (SEVT)</td> <td>57 hectares</td> <td>1 hectare</td> </tr> </tbody> </table>	Species	Maximum disturbance from Mine activities	Maximum disturbance from Subsidence impacts	<b>Threatened species</b>			Squatter Pigeon	546 hectares	NA	<b>Threatened ecological communities</b>			Brigalow ( <i>Acacia harpophylla</i> dominant and co-dominant)	204 hectares	19 hectares	Natural Grasslands of the Queensland Central Highlands and the northern Fitzroy Basin	0 hectares	0 hectares	Semi-evergreen vine thickets of the Brigalow Belt (North and South) and Nandewar Bioregions (SEVT)	57 hectares	1 hectare	Compliant	<p>As at the end of the reporting period NCP had not exceeded the maximum disturbance limits stated in Table 1 of EPBC 2011/5968 approval. The cumulative disturbance as at the end of the reporting period is provided in the table below.</p> <table border="1"> <thead> <tr> <th>Species</th> <th>Actual disturbance</th> </tr> </thead> <tbody> <tr> <td colspan="2"><b>Threatened species</b></td> </tr> <tr> <td>Squatter Pigeon</td> <td>49 hectares</td> </tr> <tr> <td colspan="2"><b>Threatened ecological communities</b></td> </tr> <tr> <td>Brigalow (<i>Acacia harpophylla</i> dominant and co-dominant)</td> <td>47 hectares</td> </tr> <tr> <td>Natural Grasslands of the Queensland Central Highlands and the northern Fitzroy Basin</td> <td>0 hectares</td> </tr> <tr> <td>Semi-evergreen vine thickets of the Brigalow Belt (North and South) and Nandewar Bioregions (SEVT)</td> <td>4 hectares</td> </tr> </tbody> </table> <p><i>Note: Previous calculations of the current progression of the NCEP mine development indicated that as at 2019 it was at 502 ha or 92% of the allowable maximum disturbance limit for Squatter Pigeon habitat. In 2020 NOC engaged WSP Australia Pty Limited (WSP) to review the previous calculations. The WSP review found that previous calculations had assigned all regional ecosystems (REs) as Squatter Pigeon habitat. WSP identified the</i></p>	Species	Actual disturbance	<b>Threatened species</b>		Squatter Pigeon	49 hectares	<b>Threatened ecological communities</b>		Brigalow ( <i>Acacia harpophylla</i> dominant and co-dominant)	47 hectares	Natural Grasslands of the Queensland Central Highlands and the northern Fitzroy Basin	0 hectares	Semi-evergreen vine thickets of the Brigalow Belt (North and South) and Nandewar Bioregions (SEVT)	4 hectares
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	<i>Note 1: Table 1 is derived from information provided in the SEIS (Xstrata 2013), and the Department of Environment and Heritage Protection's assessment report (Qld Government 2013) with rounding to the nearest hectare applied.</i>		<i>relevant REs and determined that only 41 ha of Squatter Pigeon habitat was impacted as at the end of the 2019 reporting period.</i>
7	<p>If disturbance limits set in Table 1 are predicted to be exceeded, the approval holder must:</p> <ul style="list-style-type: none"> <li>a) contact the Department in writing before reaching any disturbance limit in Table 1 and provide the actual area of disturbance in hectares for each EPBC Act listed species and/or EPBC Act listed community that has already occurred and the revised predicted area of disturbance;</li> <li>b) request and provide detailed justification for a new maximum disturbance limit;</li> <li>c) propose a new offset requirement that addresses the new maximum disturbance limits, in accordance with the EPBC Act Offsets Policy for each EPBC Act listed species and/or EPBC Act listed community, including a timeframe for implementing these offsets. The proposed offset must be approved by the Minister in writing before the approval holder reaches the disturbance limit in Table 1.</li> <li>d) not exceed the disturbance limit in Table 1 unless and until a new disturbance limit and a timeframe for implementing these offsets have been approved by the Minister in writing.</li> </ul>	Compliant	The disturbance limits set in Table 1 were not exceeded during the reporting period and are not predicted to be exceeded in 2025.
8	<p>Except as allowed under condition 7, if disturbance limits set in Table 1 are exceeded, as this is a breach of the conditions, the approval holder must:</p> <ul style="list-style-type: none"> <li>a) contact the Department in writing within 24 hours providing details of the actual area of disturbance in hectares for each EPBC Act listed species and/or EPBC Act listed community that has occurred and how the unplanned disturbance arose;</li> <li>b) cease any work which could result in further disturbance cause by mining unless and until the Minister approves new disturbance limits in writing;</li> <li>c) for each EPBC Act listed species and ecological community affected, propose a new disturbance limit; and</li> <li>d) propose a new offset requirement that addresses the new maximum disturbance limits, in accordance with the EPBC Act Offsets Policy for each EPBC Act listed species and/or EPBC Act listed community, including a timeframe for implementing these offsets.</li> </ul>	Compliant	As per Condition 7.
9	Except as allowed under condition 7, if disturbance limits set in Table 1 are exceeded the Minister may require additional direct or indirect offsets for any	Compliant	As per Condition 7.

	additional disturbance to habitat for EPBC Act listed threatened species or communities.		
<b>Matters of National Environmental Significance (MNES) Management Plan</b>			
10 <sup>1</sup>	Within 8 months of commencement, the approval holder must submit, in writing, a MNES Management Plan (MMP) for the approval of the Minister which describes the measures to be undertaken for the ongoing protection and long term conservation of EPBC Act listed species and communities within the project area. The approval holder must implement the MMP approved by the Minister no later than 17 months from the date of approval of the project.	Compliant	On 13 August 2014, NOC first submitted the NCEP MNES Management Plan, Biodiversity Offset Strategy (BOS) and Biodiversity Offset Management Plan (BOMP) to the (then) Commonwealth Department of Environment for the approval of the Minister (due by 18 August 2014). In a letter, dated 30 September 2015, the Department approved the NCEP MNES Management Plan, BOS and BOMP (refer to <i>Appendix B -</i> ).  On 14 December 2020 DAWE approved the NOC Biodiversity Management Plan (BMP) (refer to <i>Appendix B -</i> ). The BMP is an amalgamation of the NCEP MNES Management Plan and BOMP.
11	The MMP must include: a) a description of the EPBC Act listed communities and habitat of EPBC Act listed species to be impacted, including area in hectares, habitat quality and features, and maps showing its location, extent and quality; b) measures that will be undertaken to avoid, mitigate and manage impacts resulting from the action. These measures must include: i. where relevant, measures contained in relevant guidelines, policies and plans (such as recovery plans) specifically for each species and/or community affected by the proposed action; ii. fauna spotters must be used prior to and during all clearing activities where impacts on EPBC Act listed species and communities are likely (EPBC Act listed fauna species must be removed and relocated to adjacent suitable habitat unless this is not possible due to stress or injury);	Compliant	Condition 11 has been addressed in the approved BMP. Refer to the BMP, Appendix B - Compliance with EPBC Conditions, Table A-7-2 EPBC 2011/5968 Approval Conditions – Newlands Coal Extension Project.

<sup>1</sup> The activity commenced on 18 December 2013 (refer *Appendix F -*). However, in correspondence (dated 21 November 2014) to the Commonwealth Department of Environment, NOC requested an extension of time to complete the requirements under EPBC 2011/5968 approval condition 10, 15 and 19.

In a letter (and attached 'Variation to Conditions Attached to Approval'), dated 17 December 2014, the Department varied condition 10, 15 and 19 to extend the timeframe for the implementation of the plans and strategies required under these conditions. The Department also varied condition 23 regarding the Water Management Plan to reflect that Queensland Government do not approve the Water Management Plan but accept the Plan (refer *Appendix H -*).

	<ul style="list-style-type: none"> <li>iii. measures to prevent stress, injury and mortality of EPBC Act listed fauna species during and arising from construction and mine operations;</li> <li>iv. measures to allow fauna to escape from pits, trenches and walled and bunded enclosures;</li> <li>v. measures to determine whether EPBC Act listed fauna species that are injured or stressed should be rehabilitated or euthanized, and if an EPBC Act listed species dies, measures to determine whether and how its bodies should be made available for scientific research; and</li> <li>vi. measures to report on the occurrence, circumstances and outcomes for casualties that are EPBC Act listed fauna species.</li> </ul> <p>c) measures to rehabilitate areas of MNES and or habitat disturbed during construction and operation where this is practicable, including an environmental risk assessment of both open final void and backfilling options for open cut mining, including justification for the preferred option that demonstrates there are no unacceptable impacts on MNES;</p> <p>d) measures that will be undertaken to avoid, mitigate and manage impacts to EPBC listed species and communities resulting from the action as a result of the presence of weed and pest species. These measures must include the management of environmental weed and pest species in retained vegetation within the project area, in particular where a threat abatement plan is relevant;</p> <p>e) a monitoring program to determine the success of mitigation and management measures. The monitoring program must;</p> <ul style="list-style-type: none"> <li>i. clearly set out performance indicators or criteria for assessing the success of management measures;</li> <li>ii. measure the success of the management measures against stated performance criteria as applied to the project area;</li> <li>iii. include monitoring parameters, frequencies, triggers, corrective actions, timing and scope for the duration of project approval; and</li> <li>iv. include ongoing monitoring for the presence of MNES, including the Northern Quoll.</li> </ul> <p>f) outline how milestones and compliance will be reported.</p>		
12	Where EPBC Act listed species and communities share similar habitat and management requirements, the requirements of condition 11 for these EPBC Act	Compliant	The requirements of condition 11 are addressed in the BMP.

	listed species and communities may be addressed together as component of the MMP.		
13	Where an EPBC Act listed community or habitat for an EPBC Act listed species not previously identified and reported to the Department is found in the project area, the approval holder must notify the Department in writing within 10 business days of verifying the presence of this community or habitat, and within 20 business days outline in writing how these conditions of approval will be met.	Compliant	No findings during the reporting period.
14	The approval holder must publish (for the duration of the approval) the MMP on its website within 10 business days from the day of receiving the Minister's approval of the MMP in writing.	Compliant	NCEP MNES Management Plan (Revision 2, 16 April 2015) was published on the Glencore website on 16 April 2015. The NCEP MNES Management Plan has been superseded by the BMP which is available on the Glencore website: <a href="https://www.glencore.com.au/operations-and-projects/coal/current-operations/newlands-coal">https://www.glencore.com.au/operations-and-projects/coal/current-operations/newlands-coal</a>
<b>Biodiversity Offset Strategy</b>			
15 <sup>1</sup>	Within 8 months of commencement, the approval holder must submit, in writing, a Biodiversity Offset Strategy to compensate for any authorised unavoidable impacts on MNES (see Table 1), for the approval of the Minister. The approval holder must implement the Biodiversity Offset Strategy approved by the Minister no later than 16 months from the date of commencement.	Compliant	As per Condition 10.
16	All offsets must be secured under relevant Queensland legislation within 3 years of commencement	Compliant	In a letter, dated 16 December 2016, NOC advised the (then) Commonwealth Department of Environment and Energy (DoEE) that the majority of the required offsets (located within the NNR – refer <i>Figure 2-1</i> ) had been successfully secured (in 2007) through the Queensland Department of Natural Resources and Mines (DNRM). However, the remaining NCEP SEVT offset area was yet to be finalised via a voluntary declaration negotiated with DNRM. In that letter, NOC formally sought a six month extension to Condition 16 (originally due by 18 December 2016) to complete the voluntary declaration by 18 June 2017 (refer <i>Appendix C -</i> ). The Voluntary Declaration Notice for the 75 ha of SEVT within the Eastern Creek area (refer <i>Figure 2-1</i> ) was signed by a Senior Natural Resource Management Officer on 19 June 2017 (see <i>Appendix D -</i> ).
17	The Biodiversity Offset Strategy must provide details of the proposed offset areas including maps and site descriptions, environmental values relevant to MNES, amounts of habitat for each MNES (in hectares), connectivity with other habitat and biodiversity corridors.	Compliant	Condition 17 has been addressed in the approved BOS and BMP.

18	<p>The following table specifies the minimum offsets which the approval holder must secure for unavoidable authorised disturbance to EPBC Act listed threatened species and communities in respect of maximum disturbance from mine activities impacts estimated in Table 1:</p> <p>Table 2: Offsets required for EPBC Act listed threatened fauna species and communities</p> <table border="1" data-bbox="338 440 929 628"> <thead> <tr> <th>Species</th> <th>Required offset</th> </tr> </thead> <tbody> <tr> <td>Squatter Pigeon</td> <td>982 hectares of habitat</td> </tr> <tr> <td>Brigalow</td> <td>480 hectares</td> </tr> <tr> <td>SEVT</td> <td>152 hectares</td> </tr> </tbody> </table> <p><i>Note 2: Offsets for some species may be accommodated within ecological communities or overlap State approval requirements or other species habitat requirements, as long as they meet the requirements of these conditions of approval in respect of each individual species being offset.</i></p>	Species	Required offset	Squatter Pigeon	982 hectares of habitat	Brigalow	480 hectares	SEVT	152 hectares	Compliant	<p>Offset areas (refer <i>Figure 2-1</i>) secured by NOC meet the requirements of Table 2 as follows:</p> <table border="1" data-bbox="1301 427 2045 651"> <thead> <tr> <th>Species</th> <th>Actual Offset</th> </tr> </thead> <tbody> <tr> <td>Squatter Pigeon</td> <td>982 ha (NNR)</td> </tr> <tr> <td>Brigalow</td> <td>480 ha (NNR)</td> </tr> <tr> <td>SEVT</td> <td>77 ha (NNR) 75 ha (Eastern Creek)</td> </tr> </tbody> </table>	Species	Actual Offset	Squatter Pigeon	982 ha (NNR)	Brigalow	480 ha (NNR)	SEVT	77 ha (NNR) 75 ha (Eastern Creek)
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<b>Biodiversity Offset Management Plan</b>																			
19 <sup>1</sup>	<p>Within 8 months of commencement, the approval holder must submit, in writing, a Biodiversity Offset Management Plan for the approval of the Minister which describes the measures to be undertaken for the ongoing protection and long term conservation of EPBC Act listed species and communities within the approved offset area. The approval holder must implement the Biodiversity Offset Management Plan approved by the Minister no later than 16 months from the date of commencement.</p>	Compliant	As per Condition 10.																
20	<p>The Offset Management Plan must include:</p> <ol style="list-style-type: none"> <li>a summary of the approved Newlands Coal Extension Project Biodiversity Offset Strategy;</li> <li>a detailed survey, complying with relevant survey guidelines, and description of the condition of the offset area prior to any management activities, including existing MNES habitat and vegetation which has the potential to be restored or improved (the baseline condition). This must be accompanied with the offset attributes and a shapefile;</li> </ol>	Compliant	Condition 11 has been addressed in the approved BMP. Refer to the BMP, Appendix B - Compliance with EPBC Conditions, Table A-7-2 EPBC 2011/5968 Approval Conditions – Newlands Coal Extension Project.																

	<p>c) a description of the potential risks to the successful implementation of the Offset Management Plan, and include a description of the contingency measures that would be implemented to mitigate against these risks;</p> <p>d) management measures for MNES and MNES habitat identified within the Biodiversity Offset Strategy with written evidence of input from a suitably qualified expert who has relevant expertise in the management of native vegetation of the Bowen Basin;</p> <p>e) a monitoring program for the offset site/s. The monitoring program must:</p> <ol style="list-style-type: none"> <li>i. clearly set out performance indicators;</li> <li>ii. detail how the success of the management measures against stated performance criteria will be measured;</li> <li>iii. include monitoring parameters, frequencies, triggers, corrective actions, timing and scope for the duration of project approval; and</li> <li>iv. include periodic ground photography (from defined photo points) and aerial/satellite imagery suitable for indicating the condition of the site/s.</li> </ol> <p>f) an outline of how milestones and compliance will be reported on; and</p> <p>g) details of who would be undertaking monitoring, reviewing and implementing the Offset Management Plan (if this person is not the approval holder).</p>		
21	The suitably qualified expert in condition 20(d) must be a person who has been approved as such by the Minister in writing prior to approval holder submitting the Offset Management Plan to the Minister for approval	Compliant	<p>In a letter to the (then) Commonwealth Department of the Environment (dated 15 July 2014), Glencore nominated Robert Harrison (Kellogg Brown &amp; Root) as the suitably qualified expert who will provide inputs into the BOMP for the NCEP. Derek Johnson was nominated to provide specialised input on the characteristics and condition of the threatened vegetation species present.</p> <p>In a letter, dated 7 August 2014, the Department approved Robert Harrison and Derek Johnson as suitably qualified experts (refer <i>Appendix E -</i>).</p>
22	The Offset Management Plan must include a written, commitment from the approval holder, supported by relevant data and calculations that demonstrate that the offset areas required in Table 2 meet the requirements of the EPBC Act Offsets Policy.	Compliant	The BOS comprises relevant data and calculations that demonstrate that the offset areas required in Table 2 meet the requirements of the EPBC Act Offsets Policy.
<b>Water Management Plan</b>			
23 <sup>1</sup>	The approval holder must provide a copy of the Water Management Plan as accepted by the Queensland Department of Environment and Heritage Protection,	Compliant	NOC provided the Minister with a copy of the NCEP Mine Water Management Report (Water Management Plan, 2022), as accepted by the

	to the Minister. Where the Water Management Plan is updated, these updates must also be provided to the Minister.		Queensland Department of Environment and Science (DES) (formally the Queensland Department of Environment and Heritage Protection) during the NCEP Environmental Impact Statement (EIS) process.  On transitioning into closure, NCP revised the Mine Water Management Plan into a Closure Water Management Plan. This has been forwarded on to the Minister.
24	The approval holder must contribute validated ground and surface water data, as requested by the Minister, to inform relevant Queensland Regional Groundwater and Surface Water Monitoring and Assessment Program and relevant bioregional assessments	Compliant	During the reporting period NCP did not receive any requests from the Minister to provide validated ground and surface water data. Surface water data has been provided to DETSI through the WaTERS compliance database.
<b>Date of Commencement</b>			
25	Within 30 calendar days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.	Compliant	A letter, dated 10 January 2014, served as formal notification to the Minister of the date of commencement of the activity (being 18 December 2013) (refer <i>Appendix F -</i> ). The letter fell within the required 30 calendar days (due by 17 January 2014).  In an email, dated 18 December 2013, the Commonwealth Department of the Environment confirmed that they had received the notification of commencement.
<b>Administrative Conditions</b>			
26	The approval holder must notify the Department in writing of non-compliance with any condition of this approval as soon as practical and within no later than two business days of becoming aware of the non-compliance.  The notice provided to the Department under this condition must specify: <ul style="list-style-type: none"> <li>a) The condition which the approval holder has potentially breached;</li> <li>b) The nature of the non-compliance;</li> <li>c) When and how the approval holder became aware of the non-compliance;</li> <li>d) How the non-compliance will affect the approved action;</li> <li>e) How the non-compliance will affect the anticipated impacts of the approved action, in particular how the non-compliance will affect the impacts of the MNES;</li> <li>f) The measures the approval holder will take to address the impacts of the non-compliance on the MNES and rectify the non-compliance; and</li> <li>g) The time by when the approval holder will rectify the non-compliance.</li> </ul>	Compliant	In March 2021 NOC notified DAWE of an administrative non-compliance with Condition 33 of EPBC 2011/5968 approval.  Refer to Condition 33 and <i>Appendix F -</i> .

27	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the plans, strategies or programs required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	Compliant	NCP maintains accurate reports and other records substantiating all activities associated with or relevant to the conditions the EPBC 2011/5968. During the reporting period NCP was not required to make any records available to the Department.
28	Within three months of every 12 month anniversary of the commencement of the action, the approval holder must publish a report on its website addressing compliance with each of the conditions of this approval, including implementation of any plans, strategies or programs as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.	Compliant	This report meets the intent of this condition. Refer to condition 4 and 5.
29	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister	Compliant	No such direction was received by NCP during the reporting period.
30	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	During the reporting period NCP did not carry out any activity otherwise than in accordance with a plan, strategy or program as specified in the EPBC 2011/5968 approval conditions.
31	If the Minister believes that it is necessary or convenient for the better protection of EPBC Act listed species or communities or a water resource to do so, the Minister may request that the approval holder make specified revisions to a plan, strategy or program specified in the conditions and submit the revised plan, strategy or program for the Minister's written approval. The approval holder must comply with any such request. The revised approved plan, strategy or program must be	Compliant	No such request was received by NOC during the reporting period.

	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.		
32	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 action commenced on the 18 December 2013 (refer <b>Appendix G -</b> ).
33	Unless otherwise agreed to in writing by the Minister, the approval holder must publish all plans, strategies or programs referred to in these conditions of approval on its website. Each plan, strategy or program must be published on the website within 1 month of being approved (unless otherwise specified in these conditions) and remain on the website for the duration of project approval.	Compliant	<p>NCEP EIS Mine Water Management Report, BMP, BOS and Annual Compliance Reports are all available on the Glencore website: <a href="https://www.glencore.com.au/operations-and-projects/coal/current-operations/newlands-coal">https://www.glencore.com.au/operations-and-projects/coal/current-operations/newlands-coal</a></p> <p>The BMP (approved 14/12/2020) was not published on the Glencore website within 1 month of being approved (published 20/01/2021).</p> <p>An administrative non-compliance was reported during the previous reporting period, refer to condition 26.</p> <p>No other Reports were developed in accordance with a plan, strategy or program specified in the EPBC 2011/5968 approval conditions.</p>

## 4. Conclusion

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This review of the compliance status of NCP against the EPBC 2011/5968 approval conditions identified no non-compliance for the 2024 reporting period.

## Appendix A - Abbreviations

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BMP	Biodiversity Management Plan
BOMP	Biodiversity Offset Management Plan
BOS	Biodiversity Offset Strategy
DAWE	Department of Agriculture, Water and the Environment
DAFF	Department of Agriculture, Fisheries and Forestry
DES	Queensland Department of Environment and Science
DETSI	Queensland Department of the Environment, Tourism, Science and Innovation
DNRM	Queensland Department of Natural Resources and Mines
DoEE	Commonwealth Department of Environment and Energy
EIS	Environmental Impact Statement
EPBC Act	<i>Environment Protection &amp; Biodiversity Conservation Act 1999</i>
Glencore	Glencore Coal Queensland Pty Limited
KBR	Kellogg Brown & Root
ML	Mining Leases
MNES	Matters of National Environmental Significance
NCEP	Newlands Coal Extension Project
NCP	Newlands Closure Project
NNR	Newlands Nature Refuge
NOC	Newlands Open Cut
Project Area	NCEP MLs
RE	Regional Ecosystem
Reporting Period	2024 calendar year
SEVT	Semi-evergreen vine thicket
WSP	WSP Australia Pty Limited

## Appendix B - Approval of Plans and Strategies



Australian Government  
Department of the Environment

EPBC 2011/5968

Contact Officer: Rochelle Tomkins  
Telephone: (02) 6275 9455 Facsimile: (02) 6274 1878  
Email: [post.approvals@environment.gov.au](mailto:post.approvals@environment.gov.au)

Mr Trevor Spedding  
Environment and Community Manager  
Newland Coal Project  
Glencore Coal Queensland Pty Ltd  
PO Box 21  
GLENDEEN QLD 4743

Dear Mr Spedding

**EPBC 2011/5968 – Newlands Coal Extension Project – Matters of National Environmental Significance Management Plan, Biodiversity Offset Strategy and Biodiversity Offset Management Plan approval**

I refer to your letter of 1 May 2015 to the Department requesting approval of the following management plans and strategy in accordance with conditions 10, 15 and 19 of EPBC approval 2011/5968:

- Matters of National Environmental Significance Management Plan (Revision 2, 16 April 2015)
- Biodiversity Offset Strategy (Revision 3, 16 April 2015), and
- Biodiversity Offset Management Plan (Revision 0, 24 April 2015).

The above documents have been reviewed by officers of the Department and have been found to meet the requirements of these conditions. On this basis, and as delegate of the Minister for the Environment, I have decided to approve the Plans and Strategy.

In accordance with conditions 10, 15 and 19, the approved documents must be implemented. Under condition 30, if Glencore Coal Queensland Pty Ltd wants to act other than in accordance with the approved documents, Glencore Coal Queensland Pty Ltd must submit a revised document for approval. Until the Minister (or his delegate) has approved the revised document, Glencore Coal Queensland Pty Ltd must continue to implement the original plan.

Should you require any further information please contact Rochelle Tomkins, Assistant Director, on (02) 6275 9455 or by email: [post.approval@environment.gov.au](mailto:post.approval@environment.gov.au)

Yours sincerely

A handwritten signature in black ink that reads "S. Gaddes".

Shane Gaddes  
Assistant Secretary  
Compliance & Enforcement Branch  
Environmental Standards Division

30 September 2015



**Australian Government**

**Department of Agriculture, Water and the Environment**

Mrs Laurel McGinnity  
Senior Environment & Community Advisor  
Newlands Coal  
Private Mail Bag 8  
SINGLETON NSW 2330

**Wollombi Open Cut Coal Mine (EPBC 2005/2015) and Newlands Coal Extension Project (EPBC 2011/5968): Revised Biodiversity Management Plan.**

Dear Mrs McGinnity

Thank you for submitting the above revised management plan for approval in accordance with the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Officers of the Department have advised me on the revised plan and on the requirements of the EPBC Act conditions of approval for the above projects. On this basis I have decided, as a delegate of the Minister for the Environment, to approve the *Biodiversity Management Plan, version 0.1*, submitted to the Department on 10 December 2020, as meeting the requirements of:

- Conditions 2 and 3 of the EPBC Act approval for EPBC 2005/2015; and
- Conditions 10-12 and 18-20 of the EPBC Act approval for EPBC 2011/5968.

The approved plan must now be implemented.

Please note that if you wish to vary the approved plan you must submit a revised version of the plan for the Minister's approval in accordance with condition 8 of EPBC 2005/2015 and condition 30 of EPBC 2011/5968.

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 including the implementation of the above approved plan, so that they may be made available to the Department on request.

Should you require any further information please contact Vaughn Cox on (02) 6274 2005 or [postapproval@environment.gov.au](mailto:postapproval@environment.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. McMaugh', written over a horizontal line.

Dwaine McMaugh  
Director, Post Approvals Section  
Environment Assessments (Vic, Tas) and Post Approvals Branch

14 December 2020

## Appendix C - Request for extension to Condition 16

### NEWLANDS

GLENCORE

16<sup>th</sup> December 2016

**Heather Cross I Post Approvals**  
**Project Officer**  
Environmental Standards Division  
Department of the Environment and Energy  
P: (02) 6274 1432  
E: [heather.cross@environment.gov.au](mailto:heather.cross@environment.gov.au)  
CC: Brian French (Glencore)

Dear Heather

In accordance with the Federal Government approval *EPBC 2011/5968*, dated 26 November 2013, Newlands Coal Pty Ltd (NC) is required under *Condition 16*, to secure tenure related to the agreed Bio-Diversity Offset Strategy (BDOS). The purpose of this letter is to update the Dept of Environment and Energy (DEE) on progress against the condition.

As outlined in the Newlands Coal Extension Project (NCEP) BDOS, a majority of the required offsets are currently managed under the Newlands Nature Refuge (NNR) which was established in 2007 and protected under the approval *EPBC 2005/2015*. NCEP related offsets within the NNR includes 982 ha of squatter pigeon habitat, 480 ha of brigalow and 77ha of Semi-Evergreen Vine Thicket (SEVT). The EPBC approval 2011/5968 requires 152 ha of remnant SEVT to be preserved, so an additional 75 ha of Remnant Regional Ecosystem (RE) 11.5.15 has been identified within the Eastern Creek Area. This area has been approved, under the BDOS, by DEE on the 30<sup>th</sup> September 2015.

*EPBC 2011/5968 Condition 16* requires all offsets to be secured under relevant Qld Legislation, within three years of commencement – due by 18<sup>th</sup> December, 2016. To date, all offset areas have been successfully secured through the Dept of Natural Resources and Mines (DNRM), under the Newlands Nature Refuge agreement. However, the remaining NCEP SEVT offset area of 75ha is yet to be finalised. A voluntary Declaration (VDec) has been negotiated with DNRM in accordance with the *Guideline to voluntary declarations under the Vegetation Management Act 1999*. Glencore is finalising this submission with Colinta Holdings and foresees the approval to be completed in a timely manner.

With this in mind, NC formally seeks a six month extension to *Condition 16*; to complete the VDEC by the 18<sup>th</sup> June 2017.

Yours Sincerely



Trevor Spedding  
Environment and Community Manager  
Newlands/Collinsville Coal Projects  
Glencore Coal Qld  
[trevor.spedding@glencore.com.au](mailto:trevor.spedding@glencore.com.au)  
PO Box 21,  
Glenden, Qld, 4743.  
Mobile: 0427 000 793

## Appendix D - Voluntary Declaration Notice

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### Voluntary Declaration Notice

ss19E – 19L of the *Vegetation Management Act 1999*

#### 1. Details of request

- 1.1. **Proponent's name:** Colinta Holdings Pty Ltd
- 1.2. **Date request received:** 1 February 2017
- 1.3. **Request:** declaration request as an area of high nature conservation value
- 1.4. **Property description:** Lot 1 SP271184 - Whitsunday Regional Council
- 1.5. **Land tenure:** Leasehold
- 1.6. **Decision reference:** 2017/000506

#### 2. Declaration information

##### 2.1. Declaration made:

The Chief Executive of the Department of Natural Resources and Mines declares the area identified on Declared Area Map DAM 2017/000506 as an area of high nature conservation value in accordance with s19F of the *Vegetation Management Act 1999*.

The chief executive considers the declared area to meet the following criteria under s19G of the *Vegetation Management Act 1999*—

The declared area is an area of high nature conservation value under s19G(1)(b), as the area is one or more of the following:

- a wildlife refugium;
- a centre of endemism;
- an area containing a vegetation clump or corridor that contributes to the maintenance of biodiversity;
- an area that makes a significant contribution to the conservation of biodiversity;
- another area that contributes to the conservation of the environment.

The documents outlined in 2.2 form part of this declaration.

##### 2.2. Voluntary declaration documents:

The following documents are part of this voluntary declaration, and must be read in conjunction with this notice:

- Declared area map (DAM 2017/000506)
- Declared area management plan (DAMP 2017/000506)

##### 2.3. Property Map of Assessable Vegetation

In accordance with s20B of the *Vegetation Management Act 1999*, the following Property Map of Assessable Vegetation has been prepared for the declared area.

- Declared area PMAV (PMAV 2017/000508)

##### 2.4. Date of declaration: 19 June 2017

#### 3. Delegated officer's signature



Andrew Date  
Senior Natural Resource Management Officer  
Date: 19 June 2017

## Appendix E - Suitably qualified expert



Australian Government  
Department of the Environment

Ref: 2014/01033

Mr Brian French  
Approvals and Cultural Heritage Manager  
Coal Assets Australia  
Private Mail Bag 8  
SINGLETON NSW 2330

Dear Mr French

**Approval of suitably qualified experts under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval 2011/5968**

Thank you for your letter of 15 July 2014 seeking approval of Robert Harrison and Derek Johnson as suitably qualified experts to provide input into the development of management measures pertaining to listed threatened and migratory species and their habitat (within the Biodiversity offset management plan) for the Newland Coal Extension Project, under EPBC Approval 2011/5968 condition 21.

The Department has reviewed the information provided, including the qualifications and experience of the nominated experts. As delegate of the Minister, I approve Robert Harrison and Derek Johnson as suitably qualified experts.

Should you require further information on this matter, please contact Dr Susan Ferguson, Post Approvals, on 02 6274 2418 or by email to: [Susan.Ferguson@environment.gov.au](mailto:Susan.Ferguson@environment.gov.au).

Yours sincerely

A handwritten signature in cursive script that reads "S. Gaddes".

Shane Gaddes  
Assistant Secretary  
Compliance and Enforcement Branch  
7 August 2014

## Appendix F - Notification of an administrative non-compliance

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### NEWLANDS OPEN CUT GLENCORE

10 March 2021

Department of Agriculture, Water and the Environment  
GPO Box 787  
CANBERRA ACT 2601

**RE: Administrative non-compliance with EPBC 2011/5968 Condition 33**

In accordance with EPBC 2011/5968 Condition 26, this letter serves as written notification to the Department of Agriculture, Water and the Environment of an administrative non-compliance with Condition 33 of EPBC 2011/5968 approval. Condition 33 states:

*Unless otherwise agreed to in writing by the Minister, the approval holder must publish all plans, strategies or programs referred to in these conditions of approval on its website. Each plan, strategy or program must be published on the website within 1 month of being approved (unless otherwise specified in these conditions) and remain on the website for the duration of project approval.*

In an internal review undertaken in the week of 8 March 2021, Newlands Open Cut has become aware that the Biodiversity Management Plan (BMP) (approved 14/12/2020) was not published on the Glencore website within 1 month of being approved. The previous versions of the BMP were available on the website up until the BMP was published on 20/01/2021.

As an administrative non-compliance, the non-compliance will not affect the approved action or the anticipated impacts of the approved action.

If you have any questions please contact the undersigned.

Regards,



Craig Bushell  
Environment & Community Manager  
Newlands Coal  
T: 07 49405 263  
M: 0438 637 645  
E. craig.bushell@glencore.com.au

## Appendix G - Notification of NCEP commencement

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# GLENCORE

10 January 2014

David Way

Assessment Officer | Queensland 2 Section  
Environmental Assessment and Compliance Division  
Department of Sustainability, Environment, Water, Population and Communities  
33 Allara St,  
Canberra, ACT, 2600

**RE: Approval of ML10352, 10361 and 10362 – Newlands Extension Project – Newlands Coal Project.**

Dear Tony,

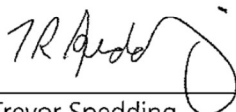
The Newlands Coal Extension Project (EPBC 2011/5968) approval decision was issued by the Federal Minister on the 26<sup>th</sup> November 2013. Subsequent to this, the Queensland Government granted approval of Mining Leases 10352, 10361 and 10362 on the 10 December 2013 (received 12<sup>th</sup> December 2013).

This letter serves as a formal notification to the Federal Minister of the commencement of the activity (clearance for Coal Mining). This falls within the required 30 Calendar days (due by 17th January 2014); key project dates are as follows:

- |  |   |             |
|--|---|-------------|
| - Date of Federal Decision (EPBC 2011/5968)  | - | 26/11/2013  |
| - Date of State Decision (EA – EPML00817713) | - | 29/11/2013  |
| - Date of ML Grant                           | - | 10/12/2013  |
| - Anniversary Date of EA                     | - | 28 February |
| - Date of Commencement of Activity           | - | 18/12/2013  |

Should you have any queries on this notice, please contact me directly.

Yours Sincerely,



---

Trevor Spedding  
Environment & Community Manager  
Newlands Coal  
A GLENCORE managed operation  
Tel. (07) 4940 5234  
Mob. 0427 000 793  
E. trevor.spedding@glencore.com.au

## Appendix H - Variation of Conditions 10, 15 and 19

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**Australian Government**  
**Department of the Environment**

Mr Brian French  
Approvals and Cultural Heritage Manager  
Coal Assets Australia  
Private Mail Bag 8  
Singleton NSW 2330

Dear Mr French

**Newlands Coal Extension Project, Queensland (EPBC 2011/5968) – Variation of Conditions 10, 15, 19 and 23**

I refer to correspondence of 21 November 2014 requesting an extension of time to complete your requirements under EPBC 2011/5968 approval conditions 10, 15 and 19.

As delegate of the Minister, under section 143(1)(a) of the *Environment Protection and Biodiversity Conservation Act 1999*, I am varying conditions 10, 15 and 19 of EPBC Approval 2011/5968 to extend the timeframe for implementation of the plans and strategy required under these conditions. I have also varied condition 23 regarding the Water Management Plan to reflect that Queensland Government do not approve the Water Management Plan but accept the Plan.

Conditions 10, 15, 19 and 23 of EPBC Approval 2011/5968 must now be undertaken in accordance with the varied conditions specified in the variation notification (attached).

Should you require any further information please contact Rochelle Tomkins, Post Approvals Section, on 02 6275 9455 or by email: [rochelle.tomkins@environment.gov.au](mailto:rochelle.tomkins@environment.gov.au).

Yours sincerely

A handwritten signature in blue ink that reads "S. Gaddes".

Shane Gaddes  
Assistant Secretary  
Compliance and Enforcement Branch  
17 December 2014



## VARIATION TO CONDITIONS ATTACHED TO APPROVAL

### Newlands Coal Extension Project (EPBC 2011/5968)

This decision to vary a condition 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	Glencore Coal Queensland Pty Limited ACN: 098 156 702
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Approved action	To develop four open cut mining pits and underground extensions at the existing Newlands mine approximately 32 km northwest of Glenden in the Northern Bowen Basin, Queensland.
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#### Variation

Variation of conditions of approval	The variation is: Delete conditions 10, 15, 19 and 23 attached to the approval dated 26 November 2013 and as varied on 19 June 2014 and substitute the conditions specified below.
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Date of effect	This variation has effect on the date the instrument is signed
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#### Person authorised to make decision

name and position	Shane Gaddes Assistant Secretary Compliance and Enforcement Branch
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Signature	<i>S. Gaddes</i>
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Date of decision	<i>17 December 2014</i>
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#### Condition attached to the approval

10. Within 8 months of **commencement**, the **approval holder** must submit, in writing, a **MNES Management Plan (MMP)** for the approval of the **Minister** which describes the measures to be undertaken for the ongoing protection and long term conservation of **EPBC Act listed species and communities** within the **project area**. The **approval holder** must implement the MMP approved by the **Minister** no later than 17 months from the date of the approval of the project.

15. Within 8 months of **commencement**, the **approval holder** must submit, in writing, a Biodiversity Offset Strategy to compensate for any authorised unavoidable impacts on MNES (see Table 1), for the approval of the **Minister**. The **approval holder** must implement the Biodiversity Offset Strategy approved by the **Minister** no later than 16 months from the date of **commencement**.

19. Within 8 months of **commencement**, the **approval holder** must submit, in writing, a Biodiversity Offset Management Plan for the approval of the **Minister** which describes the measures to be undertaken for the ongoing protection and long term conservation of **EPBC Act listed species and communities** within the approved offset area. The **approval holder** must implement the Biodiversity Offset Management Plan approved by the **Minister** no later than 16 months from the date of **commencement**.

23. The approval holder must provide a copy of the Water Management Plan as accepted by the **Queensland Department of Environment and Heritage Protection**, to the **Minister**. Where the Water Management Plan is updated, these updates must also be provided to the **Minister**.

GLENCORE