



Variation of conditions attached to approval

Boundary Hill South Lease Extension (BHSLE), north of Biloela, Central Queensland (EPBC 2012/6324)

This decision to vary conditions of approval is made under section 143(1)(a) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved Action

approval holder	Batchfire (Callide Management) Pty Ltd ABN: 75 009 666 200
approved Action	To expand an existing open cut coal mine pit and additional infrastructure (in ML 80186) as part of the Callide mines 20 km north of Biloela, central QLD [See EPBC Act referral EPBC 2012/6324 and variations to the action dated 20 November 2012 and 17 October 2013]

Variation

The variation is:


Delete conditions 1, 6, 15, 16, 17 and 23, and Attachment A1 attached to the approval and substitute them with those specified in the tables below.

Add conditions 7A, 15A, 16A to 16F, 17A to 17G, 24 and 25, and definitions for **Annual Compliance Report Period/ACR period, Audit guidelines, Audit period, Audit report, Business days, Clearing, Compliance records, Compliance report, Incident, Independent audit, Independent auditor, Listed threatened species, Plan/s, Project area, Recovery Plans, Shapefile/s, Sensitive ecological data, Threat abatement plans** and **Website** to the approval as specified in the tables below.

Revoke the definitions for **Recovery plan** and **Threat abatement plan**, and Attachment A2 attached to the approval.

date of effect	This variation has effect on the date this instrument is signed.
period for which this approval has effect	This approval has effect until 30 June 2050.

Person authorised to make decision

name and position	Sam Hush Branch Head (A/g) Compliance and Enforcement Branch
signature	
date of decision	19 January 2025

date of decision	conditions attached to the approval
As varied on the date this instrument was signed	Project area 1. For the purpose of the action, the approval holder must not take any action outside the project area .
Original dated 24 March 2017	Pre-clearance surveys 2. The approval holder must undertake a harp trap survey for the South-eastern Long-eared bat (<i>Nyctophilus corbeni</i>) prior to commencement of the action. The harp trapping must be done in accordance with harp trapping requirements of the EPBC Act survey guidelines .
Original dated 24 March 2017	3. If the harp trap survey determines the presence of a South-eastern Long-eared Bat on the project site, the approval holder must provide an offset for the loss of its habitat on the project site.
Original dated 24 March 2017	Offsets 4. The approval holder must submit an Offset Management Strategy for the Minister's written approval for the loss of the following: <ul style="list-style-type: none">• 266 hectares of Squatter Pigeon habitat;• 257 hectares of Koala habitat; and• 224 hectares of South-eastern Long-eared Bat habitat if the harp trap survey required at conditions 2 and 3 determines the species is present in the project site.
Original dated 24 March 2017	5. The Offset Management Strategy must include, but not be limited to: <ul style="list-style-type: none">(a) The proposed timeline and legal mechanism for securing the offset areas or offset outcomes;(b) Details of minimum offset area/s;(c) Evidence that the offset/s are in accordance with the EPBC Act Environmental Offsets Policy.
As varied on the date this instrument was signed	6. The approval holder must not commence the action unless the Offset Strategy has been approved by the Minister in writing. The approved Offset Strategy must be implemented until the Offset Management Plan required by condition 7 of this approval is approved by the Minister .

As varied on 17 February 2023	<p>7. The approval holder must submit for the Minister's written approval an Offset Management Plan. The Offset Management Plan must include:</p> <ul style="list-style-type: none"> (a) Details of the offset areas required to address the loss of habitat for EPBC Act listed threatened species at condition 4; (b) Justification for how the offset areas provide long-term functional habitat for the identified species, connectivity with other relevant habitats, conservation areas and functional biodiversity corridors, including a map depicting the offset areas in relation to other habitats and biodiversity corridors; (c) A survey and description of the current condition (prior to any management activities) of the offset area proposed, including existing vegetation (the baseline condition); (d) Performance and completion criteria for evaluating the management of the offset area, and criteria for triggering remedial action (if necessary); (e) A description of the management measures that will be implemented for the protection of EPBC Act listed threatened species, including a discussion of how measures outlined take into account relevant conservation advice and are consistent with the measures in relevant recovery plans and threat abatement plans; (f) A program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria; and (g) The proposed legal mechanism for securing the offset within 7 years from the date of the Minister's approval of the Offset Management Strategy required at condition 4. (h) Evidence that the offsets are in accordance with the EPBC Act Environmental Offsets Policy.
As varied on the date this instrument was signed	<p>7A. The approval holder must implement the Offset Management Plan approved by the Minister at least until the expiry of this approval.</p>
Original dated 24 March 2017	<p>Species Management Plan</p> <p>8. The approval holder must submit a Species Management Plan for the Ministers written approval.</p>
Original dated 24 March 2017	<p>9. The Species Management Plan must include:</p> <ul style="list-style-type: none"> (a) details of measures to avoid mitigate and manage impacts to EPBC Act listed threatened species and their habitat during construction, operation and decommissioning of the action; (b) measures to manage areas on the project site, that are not within the disturbance boundary, as habitat for EPBC Act listed threatened species; (c) details of weed control, stock exclusion and revegetation measures; and (d) a discussion of relevant conservation advice, recovery plans and threat abatement plans and how measures proposed in the Species Management Plan take into account relevant conservation advice and are consistent with the measures contained in relevant recovery plans and threat abatement plans.
Original dated 24 March 2017	<p>10. The approval holder must not commence the action until the Species Management Plan is approved by the Minister in writing. The approved Species Management Plan must be implemented.</p>
Original dated 24 March 2017	<p>Groundwater</p> <p>11. The approval holder must undertake monitoring of groundwater as specified in the Environmental Authority (EA).</p>

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Original dated 24 March 2017	12. The approval holder must make the groundwater monitoring results, required under condition 11, publicly available on the approval holder's website for the life of the project within 3 months of collecting the data.
Original dated 24 March 2017	13. The approval holder must make groundwater monitoring results, required under condition 11, available to the Department and Queensland Government authorities (if requested) for inclusion in any cumulative impact assessment, regional water balance model, bioregional assessment or relevant research.
Original dated 24 March 2017	General 14. Within 30 days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement .
As varied on the date this instrument was signed	15. The approval holder must maintain accurate and complete compliance records and document the procedure for recording and storing compliance records .
As varied on the date this instrument was signed	15A. 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. Note: Compliance records may be subject to audit by the department , or by an independent auditor in accordance with section 458 of the EPBC Act , and/or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the department's website or through the general media.
As varied on the date this instrument was signed	16. The approval holder must prepare a compliance report for each Annual Compliance Report period (ACR period) .
As varied on the date this instrument was signed	16A. Within 3 months following the end of each ACR period , the approval holder must publish the compliance report for that ACR period on the website in a format that is easily accessible and downloadable.
As varied on the date this instrument was signed	16B. Each compliance report must include the following as relevant to the associated ACR period : <ul style="list-style-type: none">(a) accurate and complete details of compliance and non-compliance with:<ul style="list-style-type: none">i. each condition attached to this approval; andii. all commitments made in each plan;(b) a schedule of plans in effect during the ACR period;(c) accurate and complete details of how each plan was implemented during the ACR period;(d) if any incident occurred, accurate and complete details of each incident; and(e) maps that show clearly the extent of:<ul style="list-style-type: none">i. habitat for listed threatened species within the project area; andii. habitat for listed threatened species cleared within the ACR period.
As varied on the date this instrument was signed	16C. The approval holder must exclude or redact sensitive ecological data from each compliance report published on the website or otherwise provided to a member of the public.
As varied on the date this instrument was signed	16D. If sensitive ecological data is excluded or redacted from a version of a compliance report published or otherwise provided to a member of the public, the approval holder must submit the full compliance report to the department within 5 business days of its publication on the website and notify the department in writing what exclusions and redactions have been made in the

	version published on the website or otherwise provided to a member of the public.
As varied on the date this instrument was signed	16E. The approval holder must notify the department electronically, within 5 business days of publishing each compliance report , that a compliance report has been published on the website . In this notification, the approval holder must provide the department with: <ul style="list-style-type: none"> (a) the web address for where the compliance report is published on the website; and (b) shapefiles showing all clearing of listed threatened species, and their habitat, undertaken within the ACR period.
As varied on the date this instrument was signed	16F. The approval holder must keep each compliance report published on the website from the date it is published and until the expiry date of this approval
	Note: Compliance reports may be published on the department's website.
As varied on the date this instrument was signed	17. For every audit period and otherwise as directed by the Minister in writing, the approval holder must ensure that an independent audit of compliance with the conditions of this approval is conducted in accordance with the audit guidelines .
As varied on the date this instrument was signed	17A. The approval holder must submit details of the proposed independent auditor and their qualifications to the department for approval within 10 business days following the end of each audit period .
As varied on the date this instrument was signed	17B. The approval holder must ensure the scope of each independent audit is sufficient to determine the compliance status for: <ul style="list-style-type: none"> (a) each condition of approval, and (b) each commitment made in each plan.
As varied on the date this instrument was signed	17C. The approval holder must submit the criteria and methodology for each independent audit to the department for approval within 20 business days after the department's approval of the independent auditor .
As varied on the date this instrument was signed	17D. Unless otherwise directed in writing by the Minister , within 3 months of the department's approval of the audit criteria and methodology, the approval holder must submit an audit report to the Department for written agreement from the department .
As varied on the date this instrument was signed	17E. The approval holder must publish each audit report on the website , in a format that is easily accessible and downloadable, within 10 business days of the date the department agrees to the audit report in writing.
As varied on the date this instrument was signed	17F. The approval holder must notify the department within 5 business days of the date the audit report is published on the website . In this notification, the approval holder must provide the department with the web address for where the audit report is published on the website .
As varied on the date this instrument was signed	17G. The approval holder must keep each audit report published on the website from the date which that audit report is published and until the expiry date of this approval.
Original dated 24 March 2017	18. The approval holder may choose to revise a Plan approved by the Minister under condition 8 without submitting it for approval under section 143A of the EPBC Act , if the taking of the action in accordance with the revised plan would

not be likely to have a **new or increased impact**. If the approval holder makes this choice it must:

- a. notify the **Department** in writing that the approved plan has been revised and provide the **Department** with an electronic copy of the revised plan or strategy;
- b. implement the revised plan from the date that the revised plan or strategy is submitted to the **Department**; and
- c. for the life of this approval, maintain a record of the reasons the approval holder considers that taking the action in accordance with the revised plan would not be likely to have a **new or increased impact**.

Original dated
24 March 2017

19. The approval holder may revoke its choice under condition 18 at any time by notice to the **Department**. If the approval holder revokes the choice to implement a revised plan, without approval under section 143A of the Act, the plan most recently approved by the **Minister** must be implemented.

Original dated
24 March 2017

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

- a. condition 18 does not apply, or ceases to apply, in relation to the revised plan; and
- b. the approval holder must implement the plan most recently approved by the **Minister**.

To avoid any doubt, this condition does not affect any operation of conditions 18 and 19 in the period before the day the notice is given.

At the time of giving the notice the **Minister** may also notify that for a specified period of time that condition 18 does not apply for one or more specified plans required under the approval.

Original dated
24 March 2017

21. Conditions 18, 19 and 20 are not intended to limit the operation of section 143A of the **EPBC Act** which allows the approval holder to submit a revised plan or strategy to the **Minister** for approval.

Original dated
24 March 2017

22. If, at any time after 7 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**.

As varied on the
date this instrument
was signed

23. Unless otherwise agreed to in writing by the **Minister**, the approval holder must publish each **plan** on the **website** within 20 **business days** of the date the **plan** is approved by the **Minister** or revised in accordance with condition 18 of this approval.

As varied on the
date this instrument
was signed

24. The approval holder must notify the **department** electronically, within 2 **business days** of becoming aware of any **incident**. The approval holder must specify in each notification:

- a. any condition or commitment made in a **plan** which has not been complied with;
- b. a short description of the **incident**; and

- c. the location (if applicable, including co-ordinates), date and time of the **incident**.

As varied on the date this instrument was signed

25. The approval holder must provide to the **department** in writing, within 20 **business days** of becoming aware of an **incident**, the details of that **incident**. The approval holder must specify:

- a. all corrective measures and investigations which the approval holder has already taken, or proposes to undertake, in respect of the **incident**;
- b. the potential impacts of the **incident**;
- c. the method and timing of any corrective measures that the approval holder proposes to undertake to address the **incident**; and
- d. any variation of these conditions or revision of a plan that will be required to prevent recurrence of the **incident** and/or to address its consequences.

date of decision

definitions attached to approval

In these conditions, except where contrary intention is expressed, the following definitions are used:

As varied on 17 February 2023

Action: Revoked

As varied on the date this instrument was signed

Annual Compliance Report period or ACR period: each subsequent 12-month period following **commencement** of the action until the expiry date of this approval, unless otherwise specified in writing by the **Minister**.

As varied on 17 February 2023

Approval holder: Revoked

As varied on the date this instrument was signed

Audit guidelines: the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019, or subsequent version published on the **department's** website.

As varied on the date this instrument was signed

Audit period: each subsequent three-year period following 4 August 2025 until the expiry date of this approval unless otherwise specified in writing by the **Minister**.

As varied on the date this instrument was signed

Audit report: a written report of an **independent audit** consistent with the **audit guidelines**.

As varied on the date this instrument was signed

Business days: a day that is not a Saturday, a Sunday, or a public holiday in the state of Queensland.

As varied on the date this instrument was signed

Clearing: the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting, or burning of vegetation.

Original dated 24 March 2017

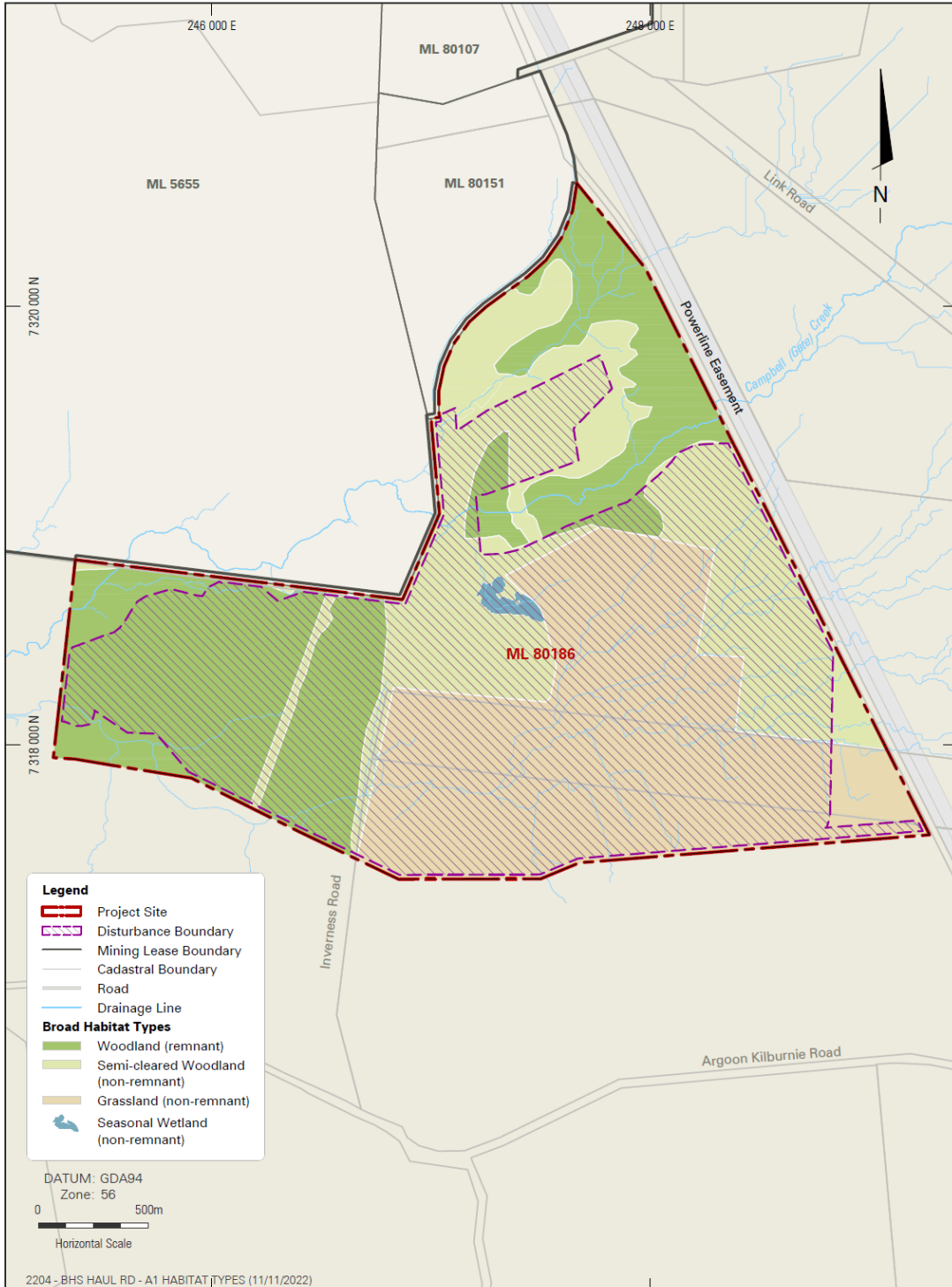
Commence/ Commencement: the construction of any infrastructure, excluding fences and signage associated with the proposed action.

As varied on the date this instrument was signed

Compliance records: all documentation or other material in whatever form required to demonstrate compliance with these conditions of approval (including compliance with commitments made in **plans**) in the approval holder's possession, or that are within the approval holder's power to obtain lawfully.

<p>As varied on the date this instrument was signed</p>	<p>Compliance report: a written report of compliance with, and fulfilment of, these conditions (including compliance with commitments made in plans).</p>
<p>Original dated 24 March 2017</p>	<p>Conservation advice: means a conservation advice approved by the Minister under the EPBC Act.</p>
<p>Original dated 24 March 2017</p>	<p>Department: the Australian Government Department administering the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).</p>
<p>Original dated 24 March 2017</p>	<p>Environmental Authority (EA): the approval required under the <i>Environment Protection Act 1994</i> (QLD) to carry out an environmentally relevant activity.</p>
<p>Original dated 24 March 2017</p>	<p>EPBC Act: the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).</p>
<p>As varied on 17 February 2023</p>	<p>EPBC Act Environmental Offsets Policy: the EPBC Act Environmental Offsets Policy (October 2012), or subsequent revision, including the Offset Assessment Guide.</p>
<p>As varied on 17 February 2023</p>	<p>EPBC Act Environmental Offsets Policy (2012): Revoked</p>
<p>Original dated 24 March 2017</p>	<p>EPBC Act Survey Guidelines Australian Government Department of the Environment, Water, Heritage and the Arts (2010). <i>Survey Guidelines for Australia's threatened bats: Guidelines for detecting bats listed as threatened under the Environment Protection and Biodiversity Conservation Act 1999</i>. Available at: http://www.environment.gov.au/resource/survey-guidelines-australias-threatened-bats-guidelines-detecting-bats-listed-threatened</p>
<p>Original dated 24 March 2017</p>	<p>Harp trapping: the use of a device used to capture bats without exposing them to entanglement issues associated with other traps such as mist nets.</p>
<p>As varied on the date this instrument was signed</p>	<p>Incident: any non-compliance(s) with a condition or conditions of this approval and/or commitments made in a plan.</p>
<p>As varied on the date this instrument was signed</p>	<p>Independent audit: an audit, conducted by an independent auditor, of compliance with and fulfilment of these conditions and the commitments made in plans, objectively evaluated against the audit criteria developed by the independent auditor, in accordance with the audit guidelines.</p>
<p>As varied on the date this instrument was signed</p>	<p>Independent auditor: a person, or firm, who:</p> <ul style="list-style-type: none"> – does not have any individual, financial*, employment* or family affiliation or any conflicting interests with the Action, the approval holder or the approval holder's staff, representatives, or associated persons, – has demonstrated experience in undertaking government-regulated environmental compliance audits, and – holds relevant professional qualifications and accreditations. <p>*Other than for the purpose of undertaking the role for which an independent person, or firm, is required.</p>
<p>Original dated 24 March 2017</p>	<p>Legal mechanism for securing: to secure a covenant or similar legal agreement in relation to a site, to provide enduring protection for the site against development incompatible with conservation.</p>

As varied on the date this instrument was signed	<p>Listed threatened species: means</p> <ul style="list-style-type: none"> • Koala (<i>Phascolarctos cinereus</i>); and • Squatter Pigeon (Southern) (<i>Geophaps scripta scripta</i>)
Original dated 24 March 2017	<p>Minister: the Minister administering the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) and includes a delegate of the Minister.</p>
Original dated 24 March 2017	<p>New or increased impact: a new or increased impact on any matter protected by the controlling provisions for the action, when compared to the plan that has been approved by the Minister.</p>
As varied on the date this instrument was signed	<p>Plan or plans: any action management plan, strategy or proposal that the approval holder is required by these conditions to implement and/or that has been approved by the Minister for the purpose of these approval conditions.</p>
As varied on the date this instrument was signed	<p>Project area means the area within the purple-coloured dashed line at <u>Attachment A1</u>, identified in the legend at <u>Attachment A1</u> as “Disturbance Boundary”.</p>
Original dated 24 March 2017	<p>Queensland Government authorities: authorities who have a role in regulating activities relating to listed threatened species, threatened ecological communities, migratory species and/or water resources.</p>
As varied on the date this instrument was signed	<p>Recovery plan: Revoked.</p>
As varied on the date this instrument was signed	<p>Recovery plans: a recovery plan made or adopted by the Minister under the EPBC Act.</p>
As varied on the date this instrument was signed	<p>Shapefile or shapefiles: location and attribute information provided in an Esri shapefile format containing:</p> <ul style="list-style-type: none"> – ‘.shp’, ‘.shx’, ‘.dbf’ files; – a ‘.prj’ file which specifies the projection or geographic coordinate system used; and – an ‘.xml’ metadata file that describes the shapefile for discovery and identification purposes.
As varied on the date this instrument was signed	<p>Sensitive ecological data: means data as defined in the <i>Sensitive Ecological Data – Access and Management Policy v1.0</i>, Commonwealth of Australia 2016.</p>
As varied on the date this instrument was signed	<p>Threat abatement plan: Revoked.</p>
As varied on the date this instrument was signed	<p>Threat abatement plans: a threat abatement plan made or adopted by the Minister under the EPBC Act.</p>
As varied on the date this instrument was signed	<p>Website: a set of related web pages located under a single domain name attributed to the approval holder and available to the public.</p>



BOUNDARY HILL SOUTH PROJECT



Habitat Types

ATTACHMENT A1

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As varied on the
date this instrument
was signed

Attachment A2: Regional Project Setting – **Revoked.**
