



GRASSTREE INDEPENDENT EPBC COMPLIANCE AUDIT REPORT 2024

Grasstree Mine Extension EPBC 2018/8171

PROJECT NO:



ISSUED: 24/10/2024

Document details		
Project details		
Project job number	[REDACTED]	
Project name	Anglo_Aquila_EPBC Independent Audit	
Approved nominated auditor		
Senior ESG Principal	Signature	Date
[REDACTED]	[REDACTED]	24/10/2024
Endorsed by		
Manager Sustainability	Signature	Date
[REDACTED]	[REDACTED]	24/10/2024
Approved by Anglo Coal (Capcoal management) Pty Ltd		
Aquila Mine SSE	Signature	Date
[REDACTED]	[REDACTED]	28/10/2024
Document details		
Document title	Grasstree Independent EPBC Compliance Audit Report 2024	
Document number	N/A	
Document type	Report	
Revision Log		
Revision	Date	Change Description
A Draft issued for review	18/09/2024	N/A
B Final for submitting to DCCEEW	24/10/2024	Minor edits, removed observations from Tables 1 and 2 to align with DCCEEW audit summaries, and added a section on compliant findings.
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1. Executive summary

Grasstree Extension Project is located eight kilometres south-west of Middlemount in Central Queensland and is part of Anglo Coal (Capcoal Management) Pty Ltd (Capcoal). In 2018 the project to extend the Grasstree Mine by five longwall panels within the existing German Creek Mining Complex (ML 1831), was referred under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). It was determined to be a controlled action that require an assessment and approval.

Approval with conditions (Approval Notice EPBC 2018/8171 – the Approval) under Chapter 4 of the EPBC Act was granted on 5 February 2019. Subsequently, the decision to vary conditions of the approval was granted on 23 March 2023. This audit was conducted under the varied conditions however, when relevant due to the timing of an action, the original conditions were considered.

In accordance with varied Conditions 16, 17 and 18 of the Approval, Capcoal is required to engage an independent auditor and ensure an independent audit of compliance with the conditions is conducted for every five-year period. The five-year period for this audit is February 2019 to February 2024. However, under the original Condition 16, audits have already been conducted for the periods 2019/20 and 2020/21, with reports submitted and approved by the Department of Climate Change, Energy, the Environment and Water (the Department) or its predecessors. Therefore, as agreed with the Department, this audit only covers the three-year period from February 2021 to February 2024 (the audit period). It also includes the annual report associated with the audit period.

Capcoal engaged [REDACTED] Technical Pty Ltd ([REDACTED]) to conduct the independent audit as required under the above varied conditions. The audit was conducted and conducted in accordance with the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019 (the Guidelines).

Based on the documentation reviewed for the audit period, interviews and site inspection, the audit confirmed that Capcoal remains in compliance with the majority of the EPBC 2018/8171 Approval conditions. Importantly, the audit made the following positive observations:

- Recent improvements to management systems.
- All disturbance in the Project Area remained within the approved footprint.
- The offset is legally secured, and the Offset Management Plan for Picardy Station largely implemented.
- The new Landholders are enthusiastic and keen to meet their responsibilities.

Non-compliances were identified against three (3) conditions, related to administrative requirements i.e.:

- Requirement to submit monitoring reports required under the Offset Management plan to the Department. Not all reports were submitted as required.
- Requirement for consistency with the Department's compliance reporting guidelines, including using the most recent official version of the guidelines.
- Requirement to publish independent audit reports on the Approval Holder's website, noting the reports were completed and provided to the Department as required by the conditions.

Four (4) observations were made related to monitoring by the Landholders, record management and potential improvements to compliance and survey reports.

The audit examined 30 conditions of approval and 71 sub-criteria and the overall compliance determination against these are provided below in Table 1 and Table 2, respectively.

Table 1 Overall compliance with EPBC 2018/8171 conditions

Total no. of Conditions	Compliant No. of conditions	Non-Compliant No. of conditions	Not applicable No. of conditions
30	19	3	8

Table 2 Overall compliance with EPBC 2018/8171 sub-criteria

Total no. of sub-criteria	Compliant No. of sub-criteria	Non-Compliant No. of sub-criteria	Not applicable No. of sub-criteria
71	49	4	18

A compliance finding for each of the corresponding Approval conditions is included below at Table 3. A summary of audit findings is provided in [Section 4](#) and detailed audit results contained in [Appendix A](#). The compliance finding rating criteria from the Guidelines as applied in the Approved Audit Criteria and Methodology was adopted ('Compliant', 'Non-Compliant', 'Not applicable' and 'Observations') and descriptions provided in [Section 2.7](#).

Table 3 Compliance finding summary table

EPBC Approval 2018/8171		Compliance finding rating
Condition number	Criteria name	
1	Grasstree Extension project area	Compliant
2	Impact on habitat	Compliant
3	Impact on ecological community	Compliant
4	Offset Management Plan - approval and details	Non-Compliant
5	Secure environmental offset	Compliant
6	Offset Management Plan - approval and impacts	Compliant
7	Notification of date of commencement of the action	Compliant
8	Commencement within five years	Compliant
9	Compliance records - maintain	Observation
10	Compliance records - requested	Not Applicable
11	Offset Management Plan – submission and publication	Compliant
12	Monitoring and other data – Department's guidelines	Observation
13	Annual compliance report – submission	Compliant
13A	Annual compliance report – Department's guidelines	Non-Compliant
13B	Annual compliance report – details	Observation
13C	Annual compliance report – publication	Compliant
14	Reporting non-compliance with conditions or plan – initial notification	Compliant
14A	Reporting non-compliance with conditions or plan – initial notification details	Compliant
15	Reporting non-compliance with conditions or plan – notification details	Compliant
16	Independent audit – audit period	Compliant
17	Independent audit – details	Non-Compliant
18	Independent audit – audit report period	Compliant
18A	Independent audit – audit report satisfaction of Minister	Compliant
19	Revision of Offset Management Plan – approval of variation	Not Applicable
20	Revision of Offset Management Plan – without approval	Not Applicable
21	Revision of Offset Management Plan – without approval - details	Not Applicable
22	Revised Offset Management Plan – without approval - revoke	Not Applicable
23	Revised Offset Management Plan – satisfaction of Minister (condition 20 cease)	Not Applicable
24	Revised Offset Management Plan – notification by Minister (condition 20 cease)	Not Applicable
25	Completion of the action	Not Applicable

2. Details of the audit

2.1 Project name

Grasstree Mine Extension Project

2.2 Project approval holder

Anglo Coal (Capcoal Management) Pty Ltd

2.3 Details of the approval

Approval Notice EPBC 2018/8171 granted on 5 February 2019 and subsequent variation granted 23 March 2023.

2.4 Scope of the audit

The scope of the audit services was to assess compliance against Conditions 1 to 25 (A total of 30 Conditions) of the EPBC 2018/8171 approval held by Capcoal Management for the audit period, from February 2021 to February 2024.

2.5 Dates and locations

The audit officially commenced on 29 August 2024. The timetable below list the dates, key activities and where relevant locations.

Table 4 Audit timetable

Date	Audit activity
10 May 2024	Applied for approval from the Department for the nominated independent auditor
25 July 2024	Approval for the nominated independent auditor received
31 July 2024	Applied for approval from the Department of the proposed audit criteria and methodology
02 August 2024	Approval for the proposed audit criteria and methodology issued
28 August 2024	██████████ notified of approval for audit criteria and methodology
29 August 2024	Induction, Request for Information, arrangements for the audit
29 August 2024 to 6 September 2024	Desktop audit conducted in Brisbane, Queensland
9 and 10 September 2024	Project site visit and Picardy Offset visit, near Middlemount, Central Queensland Interviews with auditees
17 September 2024	Draft report completed and issued to Capcoal for factual review
24 October 2024	Final report, for review and approval by the Department, issued to Capcoal

2.6 Audit methodology

The audit was conducted in accordance with the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019 (the Guidelines). The proposed audit criteria and methodology included a desktop assessment of documentation, a site inspection of the project area and Picardy Station offset area, and interviews. The Department approved the audit criteria and methodology on 2 August 2024 and required the independent audit report to be submitted to the Department by no later than 28 October 2024.

The audit process included the following activities:

- **Desktop assessment:** Documentation relevant to the audit scope was requested and received from Capcoal Management (Aquila Mine) and assessed from 29 August to 6 September 2024, to the extent required by the approved audit criteria methodology, provided in [Appendix A](#). A list of key evidence i.e. documents, emails, management plans and official guidelines used during the assessment is provided in [Appendix D](#). Documentary evidence forms the basis of the independently verifiable evidence.
- **Audit opening meeting:** An opening meeting conducted, on 9 September 2024 was the formal start of the site audit and covered the audit objectives, plan and logistics with the auditees. The Approval Holder representatives at the meeting were the Environmental Superintendent and the Biodiversity Specialist.
- **Interviews:** Interviews were conducted with the Aquila Mine Environmental Superintendent, Environmental Officer and the Offset Managers on 9 and 10 September 2024. The interviews focused on collecting evidence of compliance with conditions of the EPBC Act Approval and implementation of the Offset Management Plan, during the audit period. The auditees are listed in [Appendix E](#).
- **Field observations:** The extent of clearing at the Project area were verified. A site inspection of Picardy Station Offset area was undertaken on 10 September 2024 to view management actions implemented at Picardy Station Offset Area as required under the Offset Management Plan. The audit sampled actions implemented after the June 2023 monitoring visit conducted by [REDACTED] thus focussed on the period not covered in their 2023 report but within this audit period i.e. July 2023 to February 2024. Photographs of the site inspection are provided in [Appendix F](#).
- **Audit close-out meeting:** A close-out meeting was conducted on 10 September 2024. All findings raised during the audit was disclosed and a final opportunity provided to the auditees to present further evidence before the status of compliance was determined. The Approval Holder representatives at the meeting was the Environmental Superintendent and the Biodiversity Specialist.
- **Audit report:** On completion of the above audit activities, an audit report was prepared in accordance with the Guidelines and peer reviewed in accordance with [REDACTED] quality control practices. A draft report was issued to Capcoal Management (Aquila Mine) for reviewing of factual information and approval. On receipt of their approval a signed report (PDF file and a MS Word file as required under the Guidelines) issued to Capcoal Management (Aquila Mine) to submit to the Department for review and acceptance.

2.7 Compliance finding ratings

The compliance finding ratings is aligned with the Guidelines, as applied in the Approved Audit Criteria and Methodology.

Table 5 Compliance finding ratings

Rating	Rating description
Compliant	A rating of 'compliant' is given when the auditee has complied with a condition or element of a condition.
Non-compliant	A rating of 'non-compliant' is given when the auditee has not met a condition or an element of a condition.
Not applicable	A rating of 'not applicable' at the time of the audit is given when the condition or element of a condition falls outside the scope of the audit e.g. if an activity has not yet commenced or a requirement has not been triggered.
Observation	An 'observation' may be made about issues relevant to the protection of a matter of national environmental significance when the issue is not strictly related to compliance or non-compliance with a condition or element of a condition.

2.8 Evidence reviewed to assess compliance

Various categories of evidence were reviewed, including

- ArcGis mapping layers
- Recent high resolution imagery of the project area
- Permit for Disturbance records and process
- Disturbance registers and tracking specific to the Project area
- Offset Management Plan
- Ecology and monitoring reports prepared by external specialists
- Other monitoring records
- Correspondence with the Department and other stakeholders
- Non-compliance (Incident) process, records and internal and external notification
- Photographs
- Outcomes of interviews
- Site inspections

All key evidence reviewed is listed in the Documents Register provided in [Appendix D](#). Interviews were conducted with employees responsible for compliance with the Approval and the Landholders responsible for managing the Picardy Station Offset Area. The auditees are listed in [Appendix E](#).

2.9 Verification of previous independent audit finding

██████ conducted an independent audit for the period 15 February 2019 to 14 February 2020. The ██████ Audit Report dated 29 April 2022, Appendix B, Part B, 14 stated that "One non-compliance occurred during the audit period in relation to the late submission of the 2019/2020 Implementation Monitoring Report (Refer findings against Part A – 4). Anglo Coal became aware of this non-compliance in July 2021, outside the audit period. The non-compliance was reported to DAWE however as it falls outside of the audit period it is not applicable to this audit and should be captured in the next independent audit period."

With reference to the above, compliance with the requirements for reporting non-compliance under Approval Conditions 14 and 15 were assessed in the 2024 independent audit (this audit) and included in the detailed audit findings in [Appendix A](#), noting compliance with these conditions

The auditor also viewed the completed corrective and planned remedial action to resolve the issues that the Approval Holder reported to the Department in the Investigation report, dated 21 August 2021. The Approval Holder stated that it updated the Grasree Mine compliance obligation tool to clearly allocate responsibility and provided additional training to personnel. The Approval Holder committed to conducting an internal audit and to review and update (if required) the before mentioned obligation tool after the internal audit.

This audit found no record that the internal audit planned for December 2021 was conducted. The action in Isometrix was signed off with the following comment "Independent audit not required until 2024".

The auditor viewed the 'Steelmaking Coal - Offsets Obligations Register 11.08.2022' which contained the Grasree Offset obligations and found it did not identify detailed roles and responsibilities, it only summarised the Approval Conditions and not the obligations from the Offset Management Plan. The mine has recently implemented . documented processes (procedure, guideline), and obligations were entered in Envirosys (compliance-focused software) and this should prevent recurrence of similar administrative non-compliances.

3. Auditor certification

The certification of the nominated auditor is provided in [Appendix C](#), in accordance with the Guidelines and consistent with the audit criteria and methodology approved by the Department.

4. Summary Audit findings

Compliance was assessed against 30 Approval conditions, which included 71 sub-criteria. The detail requirements for the implementation of the Offset Management Plan as required under Condition 4, were also assessed.

The detailed audit findings for all criteria i.e. Compliant, Non-Compliant, Not applicable and Observations are presented in [Appendix A](#). This was prepared in accordance with the Guidelines and the audit criteria and methodology approved by the Department. The detailed audit findings, contains the verification methods, the documents sighted, evidence gathered, determination and compliance findings against each approval condition.

The section below provides a concise summary of compliant findings and a summary of non-compliances and observations. Refer to Appendix A for detail on any condition that was found not applicable at the time audit. It further provides information on the requirements and the results of the audit.

In summary, the audit found

- nineteen (19) Approval conditions 'Compliant'
- three (3) Approval conditions 'Non-Compliant'
- eight (8) Approval conditions 'Not applicable' for the audit period.

In addition to this, four (4) observations or opportunities to improve were identified.

4.1 Compliant findings

Detail of the conditions and sub-criteria that were found compliant is provided in Appendix 1, this section provides a concise summary thereof.

Part A

Impact limits

The project's impact limits were well managed and records were available to support compliance. All disturbance in the Project Area remain within the approved footprint.

- EPBC Approval Condition 1 – The action was undertaken within the approved footprint and evidence was available and found satisfactory and compliant.
- EPBC Approval Condition 2 – Evidence support that the approval holder have not impacted more than the approved habitat for Koala, Greater Glider, Squatter Pigeon, Ornamental Snake habitat.
- EPBC Approval Condition 3 – The approval holder impacted less than the approved 8ha of Brigalow.

Offset management plan

The Offset is legally secured and the Management Plan were approved and implemented.

- EPBC Approval Condition 4 – Refer to an observation raised against one of the sub-criteria under this condition. It was found that Conditions 4a to 4i, was verified as compliant in the 2020 Independent Audit and remained compliant.
- EPBC Approval Condition 5 – The offsets were legally secured in 2019, it was verified as compliant in the 2020 Independent Audit and remained compliant.
- EPBC Approval Condition 6 – The requirement to not impact any EPBC species before the approval of the Offset Management Plan was verified as compliant in the 2020 Independent Audit and was considered closed-out.

Part B

Records of the standard administrative matters under Part B were generally available. Recently implemented management systems developments such as documented procedures, guidelines and obligations managed through Envirosys (compliance-focused software) resulted in significant systems improvements.

Notification of date of commencement of the action

- EPBC Approval Condition 7 – The requirement to notify the department of the date of commencement was verified as compliant in the 2020 Independent Audit and was considered closed-out.
- EPBC Approval Condition 8 – The requirement relating to commencement within five years was verified as compliant in the 2020 Independent Audit and was considered closed-out.

Compliance records

- EPBC Approval Condition 9 – Recent compliance records were readily available, however not all the historical records were easy to retrieve, refer to the general observation raised resulting in an opportunity to approve record management.

Preparation and publication of the Offset Management Plan

- EPBC Approval Condition 11 – The preparation and publication of the Offset Management Plan was verified as compliant in the 2020 Independent Audit and was considered closed-out. It was also established that the Offset Management Plan remained published on the approval holder's website as required.

Annual compliance reporting

- EPBC Approval Condition 13 – Annual compliance reporting for the audit period was found timely and in accordance with the requirements.
- EPBC Approval Condition 13C – Annual compliance reports have been published on the Approval holder’s website, the department notified as required and this was found to be well managed.

Reporting non-compliance

- EPBC Approval Condition 14 – There was no non-compliance identified by the Approval holder since July 2021 and 2021 potential non-compliance was notified in accordance with the requirements of this condition.
- EPBC Approval Condition 14A – There was no non-compliance identified by the Approval holder since July 2021 and 2021 potential non-compliance was notified in accordance with the requirements of this condition.
- EPBC Approval Condition 15 – There was no non-compliance identified by the Approval holder since July 2021 and the detailed investigation on the 2021 potential non-compliance was conducted and reported in accordance with the requirements of this condition.

Independent audit

- EPBC Approval Condition 16 – Independent audits were conducted annually as required under the original condition. The varied condition changed the period from one to five years. This audit is the first audit conducted under varied condition 16. The approval holder was found compliant with the condition.
- EPBC Approval Condition 17 – It was found that the Approval holder obtained approval for the audit criteria and the independent auditors prior to each audit. Audit reports were also submitted to the Department as required. It was found that the Approval holder complied with most of the sub-criteria of this condition. See the Non-compliance in Section 4.2 below with two sub-criteria not complied with.
- EPBC Approval Condition 18 – Two independent audits were conducted annually as required under the original condition. The varied condition changed the period from one to five years. This audit is the first audit conducted under varied condition 18. The three independent audit reports combined covers the five-year period as required. The approval holder was found compliant with the condition.
- EPBC Approval Condition 18 – The two independent audits were completed to the satisfaction of the Minister.

4.2 Non-compliant findings

4.2.1 Non-compliance 01 - Approval Condition 4

Based on the documentation assessed, the independent audit found the Approval Holder non-compliant with the requirement to some of the reporting obligations under the approved Offset Management Plan.

EPBC Approval Condition 4	Summary finding	Non-compliant
Criteria The approval holder must submit an Offset Management Plan for the written approval of the Minister at least three (3) months prior to any likely impact of the action on EPBC	It was found that not all the reporting requirements of the approved Offset Management Plan were complied with. There was no evidence that the reports on the detailed ecological surveys conducted in 2020 and 2021 were provided to the Department as required. Under the OMP, these reports were required to be appended to the 2021 and 2022 Offset Area Reports. However, they were not	

<p>Act listed threatened species.</p> <p>The approved Offset Management Plan must be implemented. The Offset Management Plan must be prepared by a suitably qualified person in accordance with the Department's Environmental Management Plan Guidelines.</p>	<p>included in the Offset Area Reports nor submitted to the Department.</p> <p>Although not material, it was also noted that the Offset Area Report was not submitted to the Department in time.. The 2021 report was submitted on 29 July 2021 and not 30 June as required.</p> <p>More significantly, there is no evidence that the 2022 Offset Area Report was submitted to the Department at all.</p>	
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The requirement that the approved Offset Management Plan must be implemented is ongoing. It was found that the approval holder comply with the majority of the sub-criteria under Condition 4. The OMP has been implemented and generally complied with however, non-compliance, specifically with submitting monitoring reports to the Department as required, were identified during the audit

The Approval Holder is responsible for engaging ecologists for the surveys required under Table 9 and for the Offset Area Reports in Table 10.

During the audit period ecology surveys were required in 2021 and 2022 during the months of March to May. [REDACTED] was engaged to conduct these surveys and completed the field assessments in April 2021 and April 2022.

Offset Area reports were required for the first three (3) years then every five (5) years to 2046, by 30 June covering the period 1 May to 30 April annually. During the audit period Offset Area reports were required in 2021 and 2022. Under Table 10 of the Offset Management Plan the reports on the detailed ecology surveys and the Landholder quarterly monitoring reports required under Table 9, were to be appended to the subsequent Annual Offset Area Report.

The Offset Area report dated 8 July 2021 for the 2021 reporting was prepared by [REDACTED]. The report did not clearly state the period it covered but as the site inspection was conducted in May 2021 and the report covered the Landholder reports for the April to June 2021 quarter, the report appeared to cover July to June and not March to May as required. The report very briefly mentioned the ecology surveys conducted but did not contain any detail nor appended the 2020 [REDACTED] ecological survey report as required. The report was submitted to the Department on 27 July 2021 and not by 30 June 2021 as required.

The Offset Area report dated 30 June 2022 for the 2022 reporting was prepared by [REDACTED]. The report did not clearly state the period it covered but it appeared to be July 2021 to June 2022, thus not fully aligned with the required reporting period of 1 May to 30 April. The report very briefly mentioned the ecology surveys conducted but did not contain any detail nor appended the 2021 [REDACTED] ecological survey report as required. There was no evidence of the survey report being submitted to the Department. The latter relates to Condition 4 and Condition 12.

It was noted the 2022 [REDACTED] ecological survey report was provided to the Department as an attachment to the 2022/2023 Compliance Report. There is, however, no record that the 2020 or 2021 ecological survey reports were provided to the Department.

4.2.2 Non-compliance 02 - Approval Condition 13A

Based on the compliance reports sighted for the audit period that were subject to the varied conditions, the independent audit found the Approval Holder non-compliant with the requirement for compliance reports to be consistent with the Department’s guidelines.

EPBC Approval Condition 13A	Summary finding	Non-compliant
<p>Criteria</p> <p>Each compliance report must be consistent with the department's Annual Compliance Report Guidelines (2014), or any subsequent official version.</p>	<p>Annual Compliance reports were prepared and submitted to the Department as required. The audit found the 2022/2023 and 2023/2024 compliance reports inconsistent with the department's compliance reporting guidelines (detail provided in the below section), as the reports meet most but not all the format and content requirements.</p> <p>It was also observed that the 2023/2024 report was not prepared in accordance with the most recent official version of the guidelines.</p>	

Condition 13A of the Approval requires the approval holder to prepare compliance reports consistent with the Department's Annual Compliance Report Guidelines (2014), or any subsequent official version. It specifically relates to the two Compliance reports prepared and submitted after the 2023 variation of the Approval conditions.

Both compliance reports, subject to the varied Condition 13A, for the audit period did not meet the following format and content requirements of the Department's Annual Compliance Report Guidelines:

- format requirements – each page did not contain the approval number, name of project and date of the report, and the PDF was not bookmarked to the major components. It was also noted some of the pages of the reports identified the document erroneously as the GRO-5317-PLN-Sediment and Erosion Management Plan.
- content requirements – declaration of accuracy did not include the ACN or ABN; the report did not include document version control or a Table of contents, Title blocks of plans (Appendix - [REDACTED] report) did not include the EPBC number, there was no Description of activities section although most of the relevant information was available on the cover page, declaration and approval details except the ACN or ABN , and the report did not reference other parts of the compliance report that may relate to that approval condition

In addition to the above non-compliance, it was observed that the Compliance Report EPBC Approval No: 2018/8171 Grasstree Mine for the period 15 February 2023 to 14 February 2024, dated, 29 April 2024, had not been prepared in accordance with the 2023 official version of the Compliance Report Guidelines. With reference to Condition 13A the reports states: 'This compliance report was prepared in accordance with the department's guidelines (DoE 2014)'.

Capcoal Management (Aquila mine) responsible for the Grasstree Mine EPBC Approval did not meet the consistency requirement for content of the report nor used the latest official version of the guidelines and was deemed non-complaint with Condition 13A of the approval.

4.2.3 Non-compliance 03 - Approval Condition 17

Based on the website sighted, the independent audit found the Approval Holder non-compliant with the requirement to publish each audit report on their website and keep it published until the approval expires.

EPBC Approval Condition 17	Summary finding	Non-compliant
<p>Criteria</p> <p>For each independent audit, the approval holder must</p> <p>d) publish each audit report on the website within 15 business days of the date of the department's approval of the audit report.</p> <p>e) keep every audit report published on the website until this approval expires.</p>	<p>The independent audit report for the audit conducted by [REDACTED] in 2021 for the period 5 February 2020 to 14 February 2021 was completed, provided to the Department and approved by the Department. However, it has not been published on the Anglo American Australia website as required, thus there was no evidence to support that it was done within the required timeframe. It also did not meet the requirement to remain on the website until the approval expires</p>	

The Department approved the [REDACTED] 2021 independent audit report on 10 June 2022 and Capcoal Management (Aquila Mine) was required to publish it by 24 June 2022 . However, at the time of this audit the report was no longer published on the Approval Holder's website and there was no evidence to support that it had been published previously. Note at the time of the [REDACTED] independent audit it was required to be published within ten (10) business days under original Condition 18.

Therefore, the independent audit determined that the Approval Holder was non-compliant with Condition 17 (previously Condition 18) of EPBC 2018/8171.

4.1 Observations

Approval holders are responsible for self-regulation and implementing systems and practices to ensure their actions are compliant with EPBC Act requirements (DCCEEW, 2023 Annual Compliance Report Guidelines). Based on the documentation assessed, interviews and site audit, four (4) opportunities for improvement were identified.

The first observation related to an opportunity to improve monitoring conducted by the Landholder under the OMP and improve the OMP.

EPBC Approval Condition 4	Summary finding	Observation
<p>Criteria</p> <p>The approval holder must submit an Offset Management Plan for the written approval of the Minister at least three (3) months prior to any likely impact of the action on EPBC Act listed threatened species.</p> <p>The approved Offset Management Plan must be implemented. The Offset Management Plan must be prepared by a suitably qualified person in accordance with the Department's Environmental Management Plan Guidelines.</p>	<p>Quarterly Landholder monitoring records sampled were found either not available or incomplete. Not all the monitoring sites were covered for a very brief period when ownership of the Station changed. AngloAmerican did take it up with the new Landholder and based on the interviews and emails reviewed during the audit, it was considered a temporary issue that only occurred during the transition period. The new landholders may require support during the first year to improve Landholder monitoring and reporting.</p> <p>It was also observed that there is an opportunity to improve the Offset Management Plan. The current OMP, Table 8 does not include the management of preventative actions or recommendations made by ecologists as it focus on prescribed corrective actions only.</p>	

Only the 2023 and 2024 Quarterly Landholder monitoring records not covered in the 2023 [REDACTED] Offset Monitoring report, were sampled during this audit. The monitoring records for the last quarter of 2023 was not available and the summary provided by the Landholders was incomplete as it only covered rainfall and confirmed no cropping and grazing activities. Minor issues were noted in the monitoring records for first quarter of 2024 e.g. not all the monitoring points / paddocks were included in these records.

The ecologists from [REDACTED] made recommendations that were not included in Table 8 of the OMP, which contains the agreed and approved corrective actions. These include the development of a weed management plan, installing nesting boxes in areas where hollows for Greater Gliders are in short supply and for planting feed trees.

The second observation related to an opportunity to improve record management.

EPBC Approval Condition 9	Summary finding	Observation
<p>Criteria</p> <p>The approval holder must maintain accurate and complete compliance records.</p>	<p>At the time of the audit not all compliance records requested were readily available. It therefore appears that internal record management requirements and the filing system could be improved.</p>	

Whilst the independent audit generally observed complete compliance records, it was difficult to retrieve records, and a lot of time was spent on searching for records and consulting previous employees on the availability and locations of records. The compliance record filing system was found fragmented as compliance records were saved in more than one location i.e. Aquila Mine and Grasstree Open-cut Mine drives. The records were poorly managed with reference to a filing structure and record naming conventions. The auditor was aware that the responsibility for managing the EPBC approval changed within Capcoal Complex in March 2024, and this was considered.

Capcoal Management (Aquila Mine) should consider consolidating the existing compliance records. It is also recommended that a record management standard for compliance records is developed to ensure classification, effective retrieval, retention, minimise risk of loss, non-compliance and enforcement action, and preserve corporate knowledge. Roles and responsibilities for ensuring record and information management should be clear, the system should identify where records are kept for maintaining visibility of records and information regardless of the system or storage location and to ensure records are managed when changes in business units or ownership occur.

The third observation related to an opportunity to improve reporting of survey and related data.

EPBC Approval Condition 12	Summary finding	Observation
<p>Criteria</p> <p>The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under condition 4, 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 Offset Management Plan.</p>	<p>The core data for biological observations as required under the 2018 Guidelines were generally available in the ecological reports, however, minor improvements were required. The spatial data was not made available to review and the reports did not include the actual Geocode of observation and the precision of the geocode. There was also no evidence that the ecological data associated with the reports were submitted to the department. However, as a non-compliance for this is raised under Condition 4, a duplicate finding was not raised under Condition 12.</p>	

Condition 12 is ongoing for any monitoring surveys required and submitted for meeting approval conditions. During the audit period two ecological surveys were conducted by ecologists in 2021 and 2022. These reports were comprehensive and although the Department's Guidelines for biological survey and mapped data (2018) was not specifically referenced, it was found that the core data largely meet the guidelines. However, the spatial data was not available and the reports did not include the actual geocode of observation and the precision of the geocode. This might have been provided by the consultants to Capcoal as Data/Metadata records in MS Excel format, however, the records sighted during the audit did not include the geocode information.

Capcoal Management (Aquila Mine) could list the Department's Guidelines for biological survey and mapped data (2018) in future Targeted Fauna Scope of Work / Requests for Proposal.

The fourth observation related to an opportunity to improve compliance reporting.

EPBC Approval Condition 13B	Summary finding	Observation
<p>Criteria</p> <p>Each compliance report must include:</p> <ul style="list-style-type: none"> a) Accurate and complete details of compliance and any non-compliance with the conditions and the plans, and any incidents. b) One or more shapefiles showing all clearing of any protected matters, and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared. c) A schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented 	<p>The 2023/2024 compliance report contained complete and accurate details of compliance and non-compliance. It was however, observed that the report could have included references to relevant sections in the report, especially to demonstrate that sub-conditions such as condition 13B.b) was not relevant during the reporting period. In the body of the report, it could have discussed some of the Offset Management Plan actions identified by a consultant, that required attention which had been provided in the Appendices.</p> <p>The 2022/2023 compliance report contained incomplete details about non-compliance. It was reported in the 2021/2022 compliance report that the 2020/2021 independent audit report was not yet published, as approval had not yet been received from the department at the time of the report. When the 2022/2023 report were prepared, the annual compliance review process failed to identify a non-compliance, which occurred in the 2022/2023 reporting period and was only identified during this audit (See NC03 – Condition 17).</p>	

Capcoal Management (Aquila Mine) should consider providing basic guidelines for preparing and reviewing Compliance reports including a requirement to review any outstanding actions from the previous year's report and to ascertain, prior to reporting, if Departmental guidelines or other requirements has changed. In reviewing reports, the reviewer could check if there was sufficient detail to demonstrate compliance with each condition and sub-conditions and when a condition or a sub-condition was not applicable during the reporting period, to ensure it is reflected in the report. The reports should have document version control to track the different versions over time.



APPENDIX



APPENDIX A: DETAILED AUDIT FINDINGS



Approved Audit Criteria and Methodology
GRASSTREE MINE EXTENSION PROJECT EPBC 2018/8171
Anglo Coal (Capcoal Management) Pty Ltd

DATE OF REPORT: 18 September 2024

Revised 24 October 2024

REPORT PREPARED BY: [REDACTED] Technical

REPORT APPROVED BY: [REDACTED] Aquila Mine SSE, Capcoal Management Aquila Mine, 25 October 2024

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023						
EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding	
Part A – Conditions specific to the action						
Impact Limits						
1. Original dated 5/12/2019	The approval holder must undertake the action within the Grasstree Extension project area.	<ul style="list-style-type: none"> Desktop – review Permit to Disturb records; On site - review GIS mapping of the approved area compared with current LiDAR/GIS of actual project footprint; and On site - undertake a visual site inspection 	<p>Based on the evidence sighted “GT Extension EPBC Disturbance Tracking (Excel spreadsheet)” – database totals; most recent high resolution imagery and the ArcGIS mapping/Aquila Mine GIS, comparing the approved footprint vs. the actual disturbance footprint, the audit has determined that the action undertaken have been within the Grasstree Extension Project area.</p> <p>The disturbance tracking spreadsheet provides the details of the maximum clearing extent of the regional ecosystem for each of the relevant Matter of National Environmental Significance (MNES), it records the total of hectares (ha) cleared to date and remaining hectares.</p> <p>All request for clearance is managed through the mine’s Permit to Disturb (PTD) process. The Grasstree extension project PTD records were incorporated in the “Grasstree Opencut Permit to Disturb Register” with the identifier GT added to a permit number.</p> <p>No clearing occurred in the project area after July 2021. At the time of the audit, a permit that dates from this audit period could not be found and Permit to Disturb (1602.1 GT Exploration UGGL20-C-21-22 and 35) dated 01/09/2020 were reviewed to assess the process. It was found that that PTD was assessed against the EPBC approval and Figure 2 identify the Koala and Squatter Pigeon habitat that were affected and confirmed it is within the project area and within the approved ha.</p>	<ul style="list-style-type: none"> GT Extension EPBC Disturbance Tracking (Excel spreadsheet). ArcGIS mapping / Main Map /GT EX Project Disturbance EPBC Subject Areas shape files Capcoal June 2024 Mosaic dataset (aerial image data) Permit to Disturb (1602.1 GT Exploration UGGL20-C-21-22 and 35) dated 01/09/2020 Interview with Aquila Environmental Officer responsible for GIS on 9 September 2024. 	Based on the documentation, GIS and latest aerial imagery reviewed it has been determined that the action, subject to the EPBC approval, was within the approved footprint of the Grasstree Extension project area.	COMPLIANT

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition		Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding
			Based on the GIS shapefiles and the June 2024 aerial, there was no evidence of any unauthorised clearing at the time of the audit.			
2.a. Original dated 5/12/2019	The approval holder must not impact more than 171 hectares (ha) of Koala (<i>Phascolarctos cinereus</i>) (combined populations of Qld, NSW and the ACT) habitat.	<ul style="list-style-type: none"> Desktop – review Permit to Disturb records to determine if not more ha impacted than approved in Conditions 2.a. to 2.d.; On site - review GIS mapping of the remnant habitat, approved area, and current LiDAR/GIS of actual project footprint; and 	<p>Based on the Evidence of GT Extension EPBC Disturbance Tracking (Excel spreadsheet) – database totals 92.36 ha, thus 54% of the 171 ha of Koala habitat had been cleared to date.</p> <p>This was also viewed on the Aquila Mine GIS for the Grasstree Mine and the June 2024 high resolution aerial imagery.</p>	<ul style="list-style-type: none"> GT Extension EPBC Disturbance Tracking (Excel spreadsheet) – database totals for Koala habitat. ArcGIS mapping / GT EX Project Disturbance EPBC Subject Areas / Disturbance Koala shape files Capcoal June 2024 Mosaic dataset (aerial image data) Interview with Aquila Environmental Officer responsible for GIS on 9 September 2024. 	Based on the documentation, GIS reviewed it was determined that the action subject to the EPBC approval, did not impact more than 171 ha of Koala habitat.	COMPLIANT
2.b. Original dated 5/12/2019	The approval holder must not impact more than 171 ha of Greater Glider (<i>Petauroides volans</i>) habitat.	<ul style="list-style-type: none"> On site - undertake a visual site inspection 	<p>Based on the Evidence of GT Extension EPBC Disturbance Tracking (Excel spreadsheet) – database totals 92.36 ha, thus 54% of the 171 ha of Greater Glider habitat had been cleared to date.</p> <p>This was also viewed on the Aquila Mine GIS for the Grasstree Mine and the June 2024 high resolution aerial imagery.</p>	<ul style="list-style-type: none"> GT Extension EPBC Disturbance Tracking (Excel spreadsheet) – database totals for Greater Glider habitat. ArcGIS mapping / GT EX Project Disturbance EPBC Subject Areas / Disturbance GG shape files Capcoal June 2024 Mosaic dataset (aerial image data) Interview with Aquila Environmental Officer responsible for GIS on 9 September 2024. 	Based on the documentation, GIS reviewed it was determined that the action subject to the EPBC approval, did not impact more than 171 ha of Greater Glider habitat.	COMPLIANT
2.c. Original dated 5/12/2019	The approval holder must not impact more than 171 ha of Squatter Pigeon (Southern) (<i>Geophaps scripta scripta</i>) foraging habitat.		<p>Based on the Evidence of GT Extension EPBC Disturbance Tracking (Excel spreadsheet) – database totals 92.8 ha, thus 54% of the 171 ha of Squatter Pigeon foraging habitat had been cleared to date.</p> <p>This was also viewed on the Aquila Mine GIS for the Grasstree Mine and the June 2024 high resolution aerial imagery.</p>	<ul style="list-style-type: none"> GT Extension EPBC Disturbance Tracking (Excel spreadsheet) – database totals for Squatter Pigeon habitat. ArcGIS mapping / GT EX Project Disturbance EPBC Subject Areas / Disturbance SP shape files Capcoal June 2024 Mosaic dataset (aerial image data) Interview with Aquila Environmental Officer responsible for GIS on 9 September 2024. 	Based on the documentation, GIS reviewed it was determined that the action subject to the EPBC approval, did not impact more than 171 ha of Squatter Pigeon foraging habitat.	COMPLIANT
2.d. Original dated 5/12/2019	The approval holder must not impact more than 9 ha of Ornamental Snake (<i>Denisonia maculata</i>) important habitat.		<p>Based on the Evidence of GT Extension EPBC Disturbance Tracking (Excel spreadsheet) – database totals 7.21 ha, thus 80% of the 9 ha of Ornamental Snake habitat had been cleared to date.</p> <p>This was also viewed on the Aquila Mine GIS for the Grasstree Mine and the June 2024 high resolution aerial imagery.</p>	<ul style="list-style-type: none"> GT Extension EPBC Disturbance Tracking (Excel spreadsheet) – database totals for Ornamental Snake habitat. ArcGIS mapping / GT EX Project Disturbance EPBC Subject Areas / Disturbance OS shape files Capcoal June 2024 Mosaic dataset (aerial image data) 	Based on the documentation, GIS reviewed it was determined that the action subject to the EPBC approval, did not impact more than 9 ha of Ornamental Snake important habitat.	COMPLIANT

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding
<p>3.</p> <p>Original dated 5/12/2019</p> <p>The approval holder must not impact more than 8 ha of Brigalow (<i>Acacia harpophylla</i> dominant and co-dominant) ecological community.</p>	<ul style="list-style-type: none"> Desktop – review Permit to Disturb records; On site - review GIS mapping of the approved area compared with current LiDAR/GIS of actual project footprint; and On site - undertake a visual site inspection 	<p>Based on the Evidence of GT Extension EPBC Disturbance Tracking (Excel spreadsheet) – database totals 7.075 ha, thus 88% of the 8 ha of Brigalow ecological community had been cleared to date.</p> <p>This was also viewed on the Aquila Mine GIS for the Grasree Mine and the June 2024 high resolution aerial imagery.</p>	<ul style="list-style-type: none"> Interview with Aquila Environmental Officer responsible for GIS on 9 September 2024. GT Extension EPBC Disturbance Tracking (Excel spreadsheet) – database totals for Brigalow ecological community. ArcGIS mapping / GT EX Project Disturbance EPBC Subject Areas / Disturbance MNES Habitat shape files Capcoal June 2024 Mosaic dataset (aerial image data) Interview with Aquila Environmental Officer responsible for GIS on 9 September 2024. 	<p>Based on the documentation, GIS reviewed it was determined that the action subject to the EPBC approval, did not impact more than 8 ha of Brigalow ecological community.</p>	<p>COMPLIANT</p>

Offset Management Plan

<p>4.</p> <p>Original dated 5/12/2019</p> <p>The approval holder must submit an Offset Management Plan for the written approval of the Minister at least three (3) months prior to any likely impact of the action on EPBC Act listed threatened species. The approved Offset Management Plan must be implemented. The Offset Management Plan must be prepared by a suitably qualified person in accordance with the Department's Environmental Management Plan Guidelines.</p>	<ul style="list-style-type: none"> Desktop – review records/ evidence of the Offset Management Plan (OMP) submission date and approval date by the Department; author's qualifications, confirm in accordance with Department's guidelines; Desktop – review monitoring reports and other records of the mitigation measures outlined in the OMP; and On site – verify proof of implementation of required management measures through site inspection and interviews. 	<p>The [redacted] independent audit for the 2019-2020 period verified the OMP was submitted to the Minister in accordance with Condition 4 (refer to Appendix C of the [redacted] 2020 independent audit report).</p> <p>[redacted] checked evidence that support the submission of the draft on 12 February 2019 and the final OMP on 4 June 2019, approved on 5 June 2019. It noted the action commenced on 15 February 2019.</p> <p>[redacted] also verified the qualifications and experience required for a suitably qualified person and determined that both the Principal Ecologist and Managing Director of [redacted] who prepared the OMP meet the requirements.</p> <p>The [redacted] audit report provided sufficient evidence that these aspects of Condition 4 were closed-out and the primary evidence was not rechecked by [redacted] or by [redacted] (this audit).</p> <p>The requirement that the approved Offset Management Plan must be implemented is ongoing. Offset Area reports were required for the first three years then every 5 years to 2046. Targeted surveys and ecological conditions reports were required in 2021 and 2022 during the audit period. The reports and results from detailed ecology survey and monitoring events conducted in accordance with Table 9 were to be provided as an Appendix to the subsequent Annual Offset Area Report.</p> <p>The 2nd Offset Area report for the period 1 May 2020 to 30 April 2021 was required to be submitted to the department by 30 June 2021. Record sighted indicated that the report was submitted on 29 July 2021. The report did not clearly state the period it covered but as the site inspection was conducted in May 2021 and the report covered the</p>	<ul style="list-style-type: none"> [redacted] 2020, EPBC 2018/8171 Independent Compliance Audit – Grasree Mine (EPBC Audit 2018:8171). Dated March 2021. [redacted] 2021, Grasree Independent EPBC Compliance Audit report 2021 -Grasree Mine Extension Project. Dated 29 April 2022. [redacted] 2019, Anglo American Metallurgical Coal Grasree Mine Extension Project 2018/8171, EPBC Offset Management Plan. Dated 4 June 2019. [redacted] 2021, AAMC Grasree Extension Offset Project: Picardy Station - Offset Implementation Monitoring Report 2021. Dated 8 July 2021. [redacted] 2022, AAMC Grasree Extension Offset Project: Picardy Station - Offset Implementation Monitoring Report 2020. Dated 30 June 2022. [redacted] 2020, Picardy 2020 Offset Area Monitoring Report. Dated 11 January 2021. [redacted] 2021, Picardy 2021 Offset Area Monitoring Report. Dated 1 July 2021. [redacted] 2022, Picardy 2022 Offset Area Monitoring Report. Dated 30 June 2022. 	<p>The first independent audit conducted by [redacted] in 2020 determined that the OMP was submitted to the Minister in accordance with Condition 4. It also determined that the OMP was prepared by two specialists with the necessary professional qualifications and at least five (5) years' experience relevant to preparing an OMP. These aspects of Condition 4 is considered closed-out until the OMP is reviewed.</p> <p>The implementation of the approved OMP is ongoing. Although the OMP have been generally implemented during the audit period, it was found that not all the reporting requirements of the approved Offset Management Plan were complied with.. There was no evidence that the reports on the detailed ecological surveys conducted in 2020 and 2021 were provided to the department as required. Under the OMP, these reports were to be appended to the 2021 and 2022 Offset Area Reports. However, they were not included in the Offset Area Reports nor submitted to the Department.</p> <p>Although not material, it was also noted that the Offset Area Report was not submitted to the Department in time.. The 2021 report was submitted on 29 July 2021 and not 30 June as required.</p>	<p>NON-COMPLIANT</p>
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CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023						
EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding	
		<p>Landholder reports for the April to June 2021 quarter, the report appeared to cover July to June and not March to May as required.</p> <p>The 3rd Offset Area report for the period 1 May 2021 to 30 April 2022 was required to be submitted to the department by 30 June 2022. There is no evidence that the 2022 report was submitted to the Department. The report did not clearly state the period it covered but it appeared to be July 2021 to June 2022, thus not fully aligned with the required reporting period of 1 May to 30 April.</p> <p>Targeted surveys were conducted in 2021 and 2022 as required in accordance with Table 9. These reports were to be provided as an Appendix to the subsequent Annual Offset Area Report.</p> <p>The 2020 and 2021 ecology reports were not provided as Appendices to the 2021 and 2022 Annual Offset Area Reports. These reports were briefly mentioned in the Offset Area Reports however, there no record that the 2020 or 2021 ecological survey reports were provided to the Department.</p> <p>The 2022 ecology report was provided to the Department as an Appendix to the 2022/2023 Compliance Report.</p>	<ul style="list-style-type: none"> █████ 2023, Offset Implementation Monitoring Report 2023. Dated 13 September 2023. █████ 2023, Offset Implementation Monitoring Report 2023. Dated 13 September 2023. █████ 2021. Memo: Inspection of Grasstree Offset Area (AAMC) 27th Sept 2021 and management outcomes required prior to the Annual Inspection in May 2022. Dated 22 October 2021. Interview with Aquila Environmental Superintendent responsible for the EPBC 2018/8171 approval on 10 September 2024. Interview with Landholders of Picardy Station on 10 September 2024. (Note the Landholders acquired Picardy Station in late November 2023.) Email correspondence, DAWE, 29 July 2021. RE: EPBC 2018/8171 – 2020/2021 Picardy Offset Area Report.[Acknowledge receipt of the 2020/2021 Annual Picardy Offset Area Report]. 	<p>More significantly, there is no evidence that the 2022 Offset Area Report was submitted to the Department at all.</p>		
4. (Continue)	Continue from above	Continue from above	<p>Management actions are outlined in the OMP Table 8 and Table 9 list quarterly monitoring records, reported annually. The 2023 █████ Offset Implementation Monitoring Report, provided as an Appendix to the 2024 Compliance Report, summarised the land manager inspection reports for July 2022 to June 2023 and evaluated the efficacy of the offset. A number of actions were recommended:</p> <ol style="list-style-type: none"> grazing to be undertaken in areas with higher fuel loads tracks to be graded to continue to control cats and pigs, to better document changes in pest animal numbers and facilitate adaptive management of pest species, to develop a weed management plan for the Offset area. consideration should be given to planting feed trees and to installing nesting hollows are in short supply 	<ul style="list-style-type: none"> Quarterly Landholder monitoring records: <ul style="list-style-type: none"> Jul-Sep 2023 Oct-Dec 2023 – not available Jan-Mar 2024 – Note the audit only considered January and February, as within the audit period: <ul style="list-style-type: none"> Bottom Scott Paddock Management and Offset Inspection June 2024 Brolgas Crossing Management and Offset Inspection June 2024 Silver Tank Paddock Management and Offset Inspection June 2024 Steer Paddock Management and Offset Inspection June 2024 	<p>Quarterly Landholder monitoring records sampled were found either not available or incomplete. Not all the monitoring sites were covered for a very brief period when ownership of the Station changed. AngloAmerican did take it up with the new Landholder and based on the interviews and emails reviewed during the audit, it was considered a temporary issue that only occurred during the transition period. The new landholders may require support during the first year to improve Landholder monitoring and reporting.</p> <p>It was also observed that there is an opportunity to improve the Offset Management Plan. The current OMP, Table 8 does not include the management of preventative actions or recommendations made by ecologists as it focus on prescribed corrective actions only.</p>	OBSERVATION

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding	
		<p>The audit assessed whether these recommendations were implemented. Items 1 to 3 were implemented.</p> <p>Only the 2023 and 2024 Quarterly Landholder monitoring records not covered in the 2023 [REDACTED] Offset Monitoring report, thus the seven and a half (7.5) months from 1 July 2023 to mid-February 2024 were sampled during this audit. It was found that actions 1 to 3 were implemented however, there were minor issues with monitoring actions required under Table 8 of the OMP.</p> <p>It was also noted that in the Oct-Dec 2023 quarter monitoring was either not conducted or the record not provided. On request the new Landholder emailed a summary to the Approval Holder for the period November 2023 to January 2024. This summary was incomplete as it only covered rainfall and confirmed no cropping and grazing activities occurred in this period. The monitoring records for the last two quarters in 2023 and the first quarter in 2024 were found incomplete as not all the monitoring points / paddocks were included in these records. Tanks Paddock was not covered in Jul-Sept 2023 reports while Enviro Dam, Junction Paddock and 11 Mile Paddock were not covered in the Jan-Mar 2024 report.</p> <p>AngloAmerican did take it up with the new Landholder and based on the interviews and emails reviewed during the audit, it was considered a temporary issue that only occurred during the transition period.</p> <p>It was also observed that there is an opportunity to improve the Offset Management Plan. The current OMP, Table 8 does not include the management of preventative actions or recommendations made by ecologists as it focuses on prescribed corrective actions only.</p>	<ul style="list-style-type: none"> • [REDACTED] 2023, Offset Implementation Monitoring Report 2023. Dated 13 September 2023. • [REDACTED] 2019, Anglo American Metallurgical Coal Grasstree Mine Extension Project 2018/8171, EPBC Offset Management Plan. Dated 4 June 2019. 			
<p>4.a.</p> <p>Original dated 5/12/2019</p>	<p>The Offset Management Plan must include details of environmental offset/s to compensate for the EPBC Act listed threatened species habitat to be impacted as identified in condition 2</p>	<ul style="list-style-type: none"> • Desktop – review OMP to determine if the plan contains all the required information under Conditions 4.a. to 4.l; and • Desktop – Review supporting records including the field validation survey, baseline description, GIS (spatial data). 	<p>The [REDACTED] 2020 independent audit determined that the Approval holder is compliant with this condition. It was not re-assessed in depth by [REDACTED] in 2022 as previously verified as complaint and no updates to the OMP since 2019. During this audit, the auditor reviewed ‘Section 5 Proposed offset site description’ of the OMP as part of the desktop audit and reconfirmed the OMP include details of environmental offset/s to compensate for the EPBC Act listed threatened species habitat to be impacted.</p>	<ul style="list-style-type: none"> • [REDACTED] 2020 EPBC 2018/8171 Independent Compliance Audit – Grasstree Mine (EPBC Audit 2018:8171). Final Issue March 2021 • [REDACTED] 2021. Grasstree Independent EPBC Compliance Audit report 2021 -Grasstree Mine Extension Project. Final issue 29 April 2022 • [REDACTED] 2019. Anglo American Metallurgical Coal Grasstree Mine Extension Project 2018/8171, EPBC Offset Management Plan. 4 June 2019 	<p>This condition was previously verified as compliant in the [REDACTED] 2020 Independent Audit report. The project is still subject to the 2019 approved OMP and no OMP updates have occurred during the audit period. Until the OMP is revised Capcoal Management (Aquila Mine) remains compliant with this condition.</p>	COMPLIANT
<p>4.b.</p>	<p>The Offset Management Plan must include a description of the condition of the habitat to be impacted for the EPBC Act listed</p>		<p>The [REDACTED] 2020 independent audit determined that the Approval holder is compliant with this condition. It was not re-assessed in depth by [REDACTED] in 2022 as previously verified as complaint and no updates to the OMP since</p>	<p>As above</p>	<p>This condition was previously verified as compliant in the [REDACTED] 2020 Independent Audit report. The project is still subject to the 2019 approved OMP and no OMP</p>	COMPLIANT

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition		Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding
Original dated 5/12/2019	threatened species habitat as identified in condition 2.		2019. During this audit, the auditor reviewed 'Section 4 Impact site description' and Appendix A1: Terrestrial Ecology Report, Grasstree Extension Project of the OMP as part of the desktop audit and reconfirmed the OMP include a description of the condition of the habitat to be impacted.		updates have occurred during the audit period. Until the OMP is revised Capcoal Management (Aquila Mine) remains compliant with this condition.	
4.c. Original dated 5/12/2019	The Offset Management Plan must include details of how the proposed environmental offset/s and Offset Management Plan meet the requirements of the EPBC Act Environmental Offsets Policy.		The █████ 2020 independent audit determined that the Approval holder is compliant with this condition. It was not re-assessed in depth by █████ in 2022 as previously verified as complaint and no updates to the OMP since 2019. During this audit, the auditor reviewed 'Section 3 EPBC Act Environmental Offsets Policy' of the OMP as part of the desktop audit and reconfirmed the OMP meet the requirements of the EPBC Act Environmental Offsets Policy (October 2012).	As above	This condition was previously verified as compliant in the █████ 2020 Independent Audit report. The project is still subject to the 2019 approved OMP and no OMP updates have occurred during the audit period. Until the OMP is revised Capcoal Management (Aquila Mine) remains compliant with this condition.	COMPLIANT
4.d. Original dated 5/12/2019	The Offset Management Plan must include a field validation survey and baseline description of the current condition (prior to any management activities) of the offset area/s, including existing vegetation.		The █████ 2020 independent audit determined that the Approval holder is compliant with this condition. It was not re-assessed in depth by █████ in 2022 as previously verified as complaint and no updates to the OMP since 2019. During this audit, the auditor reviewed 'Section 2.2 Purpose of the Plan' (Table 2) and Appendix A2: Picardy Ecological Assessment, of the OMP as part of the desktop audit and reconfirmed the OMP cover the requirements.	As above	This condition was previously verified as compliant in the █████ 2020 Independent Audit report. The project is still subject to the 2019 approved OMP and no OMP updates have occurred during the audit period. Until the OMP is revised Capcoal Management (Aquila Mine) remains compliant with this condition.	COMPLIANT
4.e. Original dated 5/12/2019	The Offset Management Plan must include a description and map (including shapefiles) to clearly define the location and boundaries of the proposed offset area/s, accompanied by the offset attributes.	<ul style="list-style-type: none"> • Desktop – review OMP to determine if the plan contains all the required information under Conditions 4.a. to 4.l; and • Desktop – Review supporting records including the field validation survey, baseline description, GIS (spatial data). 	The █████ 2020 independent audit determined that the Approval holder is compliant with this condition. It was not re-assessed in depth by █████ in 2022 as previously verified as complaint and no updates to the OMP since 2019. During this audit, the auditor reviewed 'Section 5 Overview of the offset property' and Figures 2-9, of the OMP as part of the desktop audit and reconfirmed the OMP cover the requirements. █████ viewed the submission record and Shapefiles provide to the Department.	As above	This condition was previously verified as compliant in the █████ 2020 Independent Audit report. The project is still subject to the 2019 approved OMP and no OMP updates have occurred during the audit period. Until the OMP is revised Capcoal Management (Aquila Mine) remains compliant with this condition.	COMPLIANT
4.f. Original dated 5/12/2019	The Offset Management Plan must include information about how the proposed offset area/s provide connectivity with other relevant habitats and biodiversity corridors.		The █████ 2020 independent audit determined that the Approval holder is compliant with this condition. It was not re-assessed in depth by █████ in 2022 as previously verified as complaint and no updates to the OMP since 2019. During this audit, the auditor reviewed the OMP, and connectivity is addressed throughout Sections 5 – 8, with detail in 'Section 5.2.1 Offset site landscape scale values', 'Section 6.1 Habitat and landscape connectivity' and 'Appendix A2: Picardy Ecological Assessment'.	As above	This condition was previously verified as compliant in the █████ 2020 Independent Audit report. The project is still subject to the 2019 approved OMP and no OMP updates have occurred during the audit period. Until the OMP is revised Capcoal Management (Aquila Mine) remains compliant with this condition.	COMPLIANT
4.g. Original dated 5/12/2019	The Offset Management Plan must include a description of the management measures (including timing, frequency and duration) that will be implemented in each proposed offset area/s.	As above	The █████ 2020 independent audit determined that the Approval holder is compliant with this condition. It was not re-assessed in depth by █████ in 2022 as previously verified as complaint and no updates to the OMP since 2019. During this audit, the auditor reviewed 'Section 9 Offset management measures', of the OMP and reconfirmed compliance.	<ul style="list-style-type: none"> • █████ 2020 EPBC 2018/8171 Independent Compliance Audit – Grasstree Mine (EPBC Audit 2018:8171). Final Issue March 2021 • █████ 2021. Grasstree Independent EPBC Compliance Audit report 2021 -Grasstree Mine Extension Project. Final issue 29 April 2022 	This condition was previously verified as compliant in the █████ 2020 Independent Audit report. The project is still subject to the 2019 approved OMP and no OMP updates have occurred during the audit period. Until the OMP is revised Capcoal Management (Aquila Mine) remains compliant with this condition.	COMPLIANT

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition		Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding
			The appropriate timing for review of the OMP follows the scheduled review of completion criteria with the first review due in 2027.	<ul style="list-style-type: none"> ██████████ 2019. Anglo American Metallurgical Coal Grasstree Mine Extension Project 2018/8171, EPBC Offset Management Plan. 4 June 2019 		
4.h. Original dated 5/12/2019	The Offset Management Plan must include a discussion of how proposed management measures take into account relevant approved conservation advices and are consistent with the measures contained in relevant recovery plans and threat abatement plans.		The ██████████ 2020 independent audit determined that the Approval holder is compliant with this condition. It was not re-assessed in depth by ██████████ in 2022 as previously verified as complaint and no updates to the OMP since 2019. During this audit, the auditor reviewed 'Section 3.2 Addressing relevant EPBC plans and advice', of the OMP and reconfirmed compliance.	As above	This condition was previously verified as compliant in the ██████████ 2020 Independent Audit report. The project is still subject to the 2019 approved OMP and no OMP updates have occurred during the audit period. Until the OMP is revised Capcoal Management (Aquila Mine) remains compliant with this condition.	COMPLIANT
4.i. Original dated 5/12/2019	The Offset Management Plan must include completion criteria and performance targets for evaluating the effectiveness of the Offset Management Plan implementation, and criteria for triggering corrective actions.		The ██████████ 2020 independent audit determined that the Approval holder is compliant with this condition. It was not re-assessed in depth by ██████████ in 2022 as previously verified as complaint and no updates to the OMP since 2019. During this audit, the auditor reviewed 'Section 9 Offsets management measures', of the OMP and reconfirmed compliance.	As above	This condition was previously verified as compliant in the ██████████ 2020 Independent Audit report. The project is still subject to the 2019 approved OMP and no OMP updates have occurred during the audit period. Until the OMP is revised Capcoal Management (Aquila Mine) remains compliant with this condition.	COMPLIANT
4.j. Original dated 5/12/2019	The Offset Management Plan must include a program to monitor, report on and review the effectiveness of the Offset Management Plan.		The ██████████ 2020 independent audit determined that the Approval holder is compliant with this condition. It was not re-assessed in depth by ██████████ in 2022 as previously verified as complaint and no updates to the OMP since 2019. During this audit, the auditor reviewed 'Section 10 Monitoring and reporting' of the OMP and reconfirmed compliance.	As above	This condition was previously verified as compliant in the ██████████ 2020 Independent Audit report. The project is still subject to the 2019 approved OMP and no OMP updates have occurred during the audit period. Until the OMP is revised Capcoal Management (Aquila Mine) remains compliant with this condition.	COMPLIANT
4.k. Original dated 5/12/2019	The Offset Management Plan must include a description of potential risks to the successful implementation of the environmental offset/s, and contingency measures that would be implemented to mitigate against these risks.		The ██████████ 2020 independent audit determined that the Approval holder is compliant with this condition. It was not re-assessed in depth by ██████████ in 2022 as previously verified as complaint and no updates to the OMP since 2019. During this audit, the auditor reviewed 'Section 8 Analysis of risks to achieving management objectives and offset completion criteria', of the OMP and reconfirmed compliance.	As above	This condition was previously verified as compliant in the ██████████ 2020 Independent Audit report. The project is still subject to the 2019 approved OMP and no OMP updates have occurred during the audit period. Until the OMP is revised Capcoal Management (Aquila Mine) remains compliant with this condition.	COMPLIANT
4.l. Original dated 5/12/2019	The Offset Management Plan must include details of the mechanism to legally secure the environmental offset/s.	<ul style="list-style-type: none"> See above methods for 4.a. to 4.l. 	The ██████████ 2020 independent audit determined that the Approval holder is compliant with this condition. It was not re-assessed in depth by ██████████ in 2022 as previously verified as complaint and no updates to the OMP since 2019. During this audit, the auditor reviewed 'Section 7 Legally binding mechanism' of the OMP and reconfirmed compliance.	<ul style="list-style-type: none"> ██████████ 2020 EPBC 2018/8171 Independent Compliance Audit – Grasstree Mine (EPBC Audit 2018:8171). Final Issue March 2021 ██████████ 2021. Grasstree Independent EPBC Compliance Audit report 2021 -Grasstree Mine Extension Project. Final issue 29 April 2022 ██████████ 2019. Anglo American Metallurgical Coal Grasstree Mine 	This condition was previously verified as compliant by the ██████████ 2020 Independent Audit. The offsets were legally secured in 2019, and this condition is considered closed-out.	COMPLIANT

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding
			Extension Project 2018/8171, EPBC Offset Management Plan. 4 June 2019		
5. <small>Original dated 5/12/2019</small> The approval holder must legally secure the environmental offset/s described in the Offset Management Plan within two (2) years from the commencement of the action.	<ul style="list-style-type: none"> Desktop - Review of relevant offset documents (e.g. Voluntary Declaration, Offset Area Management Plan) correspondence/land titles and date; Desktop - Review of evidence verifying purchase of offset site e.g. invoice or agreement or contract of sale; and On site – Inspect offset area(s). 	The [REDACTED] 2020 independent audit determined that the Approval holder is compliant with this condition based on the Commencement of Action letter, date of the OMP and evidence of the purchase of Picardy Station correspondence and documentation sighted by [REDACTED]. It was considered closed-out by [REDACTED] and was also not rechecked during this audit as offset already legally secured.	As above	This condition was previously verified as compliant by the [REDACTED] 2020 Independent Audit. The offsets were legally secured in 2019, thus within the required timeframe and this condition is considered closed-out.	COMPLIANT
6. <small>Original dated 5/12/2019</small> The approval holder must not impact any EPBC Act listed threatened species habitat identified in condition 2 until the Offset Management Plan has been approved by the Minister.	<ul style="list-style-type: none"> Desktop – Review Permit to Disturb records for date/area of initial disturbance; Desktop – Review OMP for date and evidence of approval; and Desktop - Review LiDAR/GIS historical (pre-disturbance) and initial disturbance. 	The [REDACTED] 2020 independent audit determined that the Approval holder is compliant with this condition. It was considered closed-out by [REDACTED] and was also not rechecked during this audit.	As above	This condition was previously verified as compliant by the [REDACTED] 2020 Independent Audit.	COMPLIANT

Part B – Standard administrative conditions

Notification of date of commencement of the action

7. <small>Original dated 5/12/2019</small> The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	<ul style="list-style-type: none"> Desktop - Review of notification correspondence submitted to the Department and date of commencement of the action. 	The [REDACTED] 2020 independent audit determined that the Approval holder is compliant with this condition. It was considered closed-out by [REDACTED] and was also not rechecked during this audit.	<ul style="list-style-type: none"> [REDACTED] 2020 EPBC 2018/8171 Independent Compliance Audit – Grasstree Mine (EPBC Audit 2018:8171). Final Issue March 2021 [REDACTED] 2021. Grasstree Independent EPBC Compliance Audit report 2021 -Grasstree Mine Extension Project. Final issue 29 April 2022 	This condition was previously verified as compliant by the [REDACTED] 2020 Independent Audit and is considered closed-out.	COMPLIANT
8. <small>Original dated 5/12/2019</small> If the commencement of the action does not occur within five (5) years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.	<ul style="list-style-type: none"> Desktop - Review of date of commencement of the action and associated correspondence and approvals. 	The [REDACTED] 2020 independent audit determined that the Approval holder is compliant with this condition. It was considered closed-out by [REDACTED] and was also not rechecked during this audit.	As above	This condition was previously verified as compliant by the [REDACTED] 2020 Independent Audit and is considered closed-out.	COMPLIANT

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding	
Compliance records						
9. <small>Original dated 5/12/2019</small>	The approval holder must maintain accurate and complete compliance records.	<ul style="list-style-type: none"> Desktop – Review procedure for maintaining compliance records; and On site – Verify compliance with record management requirements and availability of compliance records. 	Whilst the independent audit generally observed complete compliance records, it was difficult to retrieve records, and a lot of time was spent on searching for records and consulting previous employees on the availability and locations of records. The compliance record filing system was found fragmented as compliance records were saved in more than one location i.e. Aquila Mine and Grasree Open-cut Mine drives. The records were poorly managed with reference to a filing structure and record naming conventions. The auditor was aware that the responsibility for managing the EPBC approval changed within Capcoal in March 2024, and this was considered. A document map or record management plan was not available. Records were saved in the following drives: \\lsaucap001\wrkgrou\Environmental\03Planning\Compliance\3 EPBC\Grasree [Grasree Open cut] Q:\Aquila\1. AQUILA\6. SHE\Environment\05 - Performance Evaluation\02 - Compliance\3. EPBC 2024 [Aquila Mine]	<ul style="list-style-type: none"> Records referenced under each Condition Drives: <ul style="list-style-type: none"> \\lsaucap001\wrkgrou\Environmental\03Planning\Compliance\3 EPBC\Grasree [Grasree Open cut] Q:\Aquila\1. AQUILA\6. SHE\Environment\05 - Performance Evaluation\02 - Compliance\3. EPBC 2024 [Aquila Mine] 	At the time of the audit not all compliance records requested were readily available. It therefore appears that internal record management requirements and the filing system could be improved.	OBSERVATION
10. <small>Original dated 5/12/2019</small>	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.	<ul style="list-style-type: none"> Desktop – Review email and other correspondence; and On site – Interviews 	There was no record of requests by the Department reported in the three Compliance reports for this audit period. During an interview it was confirmed that the Department had not requested any copies of compliance records.	<ul style="list-style-type: none"> Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2021 to 14 February 2022. Grasree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2022. Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2022 to 14 February 2023. Grasree Mine. EPBC Approval No: 2018/8171. Dated 10 May 2023. Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2023 to 14 February 2024. Grasree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2024. Interview with Aquila Superintendent responsible for the EPBC 2018/8171 approval on 9 September 2024. 	Based on evidence sighted and the results of an interview, this condition is considered not applicable for the audit period.	NOT APPLICABLE
Preparation and publication of the Offset Management Plan						
11.a. <small>Original dated 5/12/2019</small>	The approval holder must submit the Offset Management Plan electronically to the Department for the written approval by the Minister.	<ul style="list-style-type: none"> Desktop – Review email and other submission and approval correspondence. 	The 2021 independent audit conducted by █████ confirmed that the condition was found to be compliant under the 2020 independent audit completed by █████ (refer to Section 3.3.9, Table 3-2 of the independent audit report). As the original 2019 approved OMP is still in place and no	<ul style="list-style-type: none"> █████ 2020 EPBC 2018/8171 Independent Compliance Audit – Grasree Mine (EPBC Audit 2018:8171). Final Issue March 2021 	This condition was previously verified as compliant by the █████ 2020 Independent Audit and is considered closed-out.	COMPLIANT

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding
		changes occurred since the 2020 audit, this condition is considered closed-out.	<ul style="list-style-type: none"> 2021. Grasstree Independent EPBC Compliance Audit report 2021 -Grasstree Mine Extension Project. Final issue 29 April 2022 		
<p>11.b.</p> <p>Original dated 5/12/2019</p>	<ul style="list-style-type: none"> Desktop – Verify availability on website and review publication/upload date; and Desktop – Review email and other correspondence (if applicable). 	<p>The 2020 independent audit found that the OMP has been approved on 5 June 2019 and uploaded onto the Approval Holder's website on 13 December 2019. sighted correspondence via an email chain with final email dated 13 December 2019 indicated that the OMP was ready for upload with no redactions necessary by the Approval Holder. considered the Approval holder compliant with this condition.</p> <p>As the OMP was approved and uploaded outside the audit period and has not changed since 2019, compliance with this condition was not redetermined.</p>	As above	This condition was previously verified as compliant by the 2020 Independent Audit and is considered closed-out.	COMPLIANT
<p>11.c.</p> <p>Original dated 5/12/2019</p>	<ul style="list-style-type: none"> Desktop – Review content of publicly available OMP; and On site – Interview personnel. 	According to 2021, this condition was found to be not applicable under the 2020 independent audit completed by (refer to Section 3.3.10, Table 3-3 of the independent audit report). It is considered closed-out.	As above	This condition was previously verified as not applicable by the 2020 Independent Audit and is considered closed-out.	NOT APPLICABLE
<p>11.d.</p> <p>Original dated 5/12/2019</p>	<ul style="list-style-type: none"> Desktop – Verify availability on company website. 	The Approval holder's website was accessed on 2 September 2024 and the 2019 OMP remained published on the website under 'Environmental management and compliance'.	<ul style="list-style-type: none"> Website – Anglo American Australia 'Environmental management and compliance' https://australia.angloamerican.com/sustainability/environment accessed on 2 September 2024 https://australia.angloamerican.com/~media/Files/A/Anglo-American-Group-v5/Australia/media/publications/2018-8171_Grasstree_Extension_EPBC_OMP.pdf accessed on 2 September 2024. 	Based on evidence sighted this condition is considered compliant.	COMPLIANT
<p>12.</p> <p>Original dated 5/12/2019</p>	<ul style="list-style-type: none"> Desktop - Review of email and other correspondence; Desktop – Review records, information and data supplied to determine if prepared in accordance with the Department's requirements. 	<p>According to 2021, this condition was found to be compliant under the 2020 independent audit completed by (refer to Section 3.3.9, Table 3-2 of the independent audit report).</p> <p>During this audit, the ecological (targeted fauna) surveys reviewed, conducted by in 2021 and 2022 stated that the targeted fauna surveys within the Grasstree Offset Area were conducted in accordance with the relevant state and federal survey guidelines and it was noted these guidelines were included under references. The Department's Guidelines for biological survey and mapped data (2018) was not specifically references.</p>	<ul style="list-style-type: none"> 2020 EPBC 2018/8171 Independent Compliance Audit – Grasstree Mine (EPBC Audit 2018:8171). Final Issue March 2021 2021. Grasstree Independent EPBC Compliance Audit report 2021 - Grasstree Mine Extension Project. Final issue 29 April 2022 Guidelines for biological survey and mapped data, 	<p>This condition was previously found compliant and closed out based on the data provided based for the referral applications and environmental impact assessment.</p> <p>The condition is ongoing for any monitoring surveys required and data and reports submitted for meeting approval conditions.</p> <p>The core data for biological observations as required under the 2018 Guidelines were generally available in the ecological reports, however, minor improvements were required. The spatial data was not</p>	OBSERVATION

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding	
		<p>As there was no evidence of any datasets for the three targeted fauna surveys (one survey was conducted outside the audit period) have been provided to the Department, and the 2018 Guideline was not referenced, the audit assessed the core data for biological (records of listed fauna species) observations in the 2021 and 2022 survey reports against the guidelines:</p> <ul style="list-style-type: none"> • Scientific name of species - Provided • Geocode of observation – in latitude and longitude – Indicated on the figures for Koala, Greater Glider, Ornamental Snake and Squatter Pigeon observations, but geocodes of observation not provided in the report. • Datum of the geocode, i.e. GDA 94 – GCS GDA 1994 • Precision of the geocode - radius in metres, may be a grid block; GPS coordinates have a precision of 15 – 100 metres – Precision of geocode not stated in the report. • Site identifier – a unique survey number (and visit number) as generated and maintained by the custodian - Provided - Type of observation, colour coded, [redacted] and year used for both the survey number and visit number (visits were annually). • Date of the observation - Month and year provided and dates of the site visit provided. <p>The 2020 and 2021 ecology reports were not provided to the Department as Appendices to the 2021 and 2022 Annual Offset Area Reports as required under the OMP Table 10.</p> <p>The 2022 ecology report was provided to the Department as an Appendix to the 2022/2023 Compliance Report.</p> <p>As it was found under Condition 4 of the Approval, that not all the monitoring and reporting requirements of the approved Offset Management Plan were implemented including the submission of two of the ecology reports.</p>	<p>Commonwealth of Australia 2018</p> <ul style="list-style-type: none"> • [redacted] 2021, AAMC Grasstree Extension Offset Project: Picardy Station - Offset Implementation Monitoring Report 2021. Dated 8 July 2021. • [redacted] 2022, AAMC Grasstree Extension Offset Project: Picardy Station - Offset Implementation Monitoring Report 2020. Dated 30 June 2022. • [redacted] 2020, Picardy 2020 Offset Area Monitoring Report. Dated 11 January 2021. • [redacted] 2021, Picardy 2021 Offset Area Monitoring Report. Dated 1 July 2021. • [redacted] 2022, Picardy 2022 Offset Area Monitoring Report. Dated 30 June 2022. • Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2022 to 14 February 2023. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 10 May 2023 	<p>made available to review and the reports did not include the actual Geocode of observation and the precision of the geocode.</p> <p>There was also not evidence that the ecological data associated with the reports were submitted to the department. However, as a non-compliance for this is raised under Condition 4, a duplicate finding was not raised under Condition 12.</p> <p>[Note: Compliant spatial data might have been provided by the consultant to Capcoal as Data/Metadata records in Ms Excel format, however, the PDF reports sighted during the audit did not include the geocode information.]</p>		
Annual compliance reporting						
<p>13.</p> <p>Varied dated 23/03/2023</p>	<p>The approval holder must submit to the department a compliance report for each 12-month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister, within 3 months of the 12 month period following the date of the commencement of the action.</p>	<ul style="list-style-type: none"> • Desktop – Review records/ evidence of annual compliance reports and dates; and • Desktop – Confirm date of commencement of the action. 	<p>Action commenced on 15 February 2019 and all three annual reports for the audit period covered the 12-month period from 15 February to 14 February the following year.</p> <p>Note only the last two reports were subject to the varied condition requiring that the report be submitted to the department within 3 months.</p> <p>The reports were submitted to the department as follows</p> <ul style="list-style-type: none"> • 2022/2023 on 15/05/2023 • 2023/2024 on 03/05/2024 	<ul style="list-style-type: none"> • Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2021 to 14 February 2022. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2022 • Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2022 to 14 February 2023. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 10 May 2023 	<p>Action commenced on 15 February 2019 and all three annual reports covered the 12-month period from 15 February to 14 February the following year.</p> <p>The 2022-2023 and 2023-2024 reports were submitted to the Department within 3 months of the end of reporting period.</p>	COMPLIANT

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding
			<ul style="list-style-type: none"> Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2023 to 14 February 2024. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2024. Email correspondence to the Department Annual Compliance Report EPBC Act 2018/8171 dated 15/05/2023 and 03/05/2024 		
<p>13A.</p> <p>Varied dated 23/03/2023</p> <p>Each compliance report must be consistent with the department's Annual Compliance Report Guidelines (2014), or any subsequent official version.</p>	<ul style="list-style-type: none"> Desktop – Assess report for consistency with the latest version of the department's guidelines 	<p>All three annual compliance reports for the audit period, were prepared in accordance with the department's 2014 guidelines. These guidelines were revised in 2023. The project is conditioned to comply with the 2014 guidelines or any subsequent official version.</p> <p>The Compliance Report EPBC Approval No: 2018/8171 Grasstree Mine for the period 15 February 2021 to 14 February 2022 (dated: Dated 29 April 2022.) was not prepared in accordance with the subsequent official, thus the 2023 version of the Compliance Report Guidelines.</p> <p>All three reports did not contain the following information, which was required under both the 2014 and 2023 versions of the guidelines i.e. PDFs were not bookmarked to the major components, did not contain the approval holder ABN, or document version control, nor a Table of contents.</p> <p>The conditions compliance table in the annual report, list the condition number and detailed condition. The designation, evidence and comments are covered under 'Status' in the table and meets the intent of the guidelines.</p> <p>Maps for example Figure 1 and 2 in Appendix 2 of the 2023/2024 report does not fully comply with the requirements for maps, for example EPBC number and correct project name not included.</p> <p>The 2023/2024 report did not reference any other parts of the compliance report that may relate to that approval condition. Although it provided material on compliance with the specifics of the Offset Management Plan, it did not comment on the areas that requires attention identified in this material or the actions implemented or planned to address these.</p> <p>The 2021/2022 report did not use the designations to record findings, and it only provided a summary of evidence. However, as subsequent reports use the designations, and the requirements were previously not conditioned but listed under the definition of Compliance report, this item was not included in the finding.</p> <p>The 2023/2024 compliance report had not been prepared in accordance with the subsequent official version of the</p>	<ul style="list-style-type: none"> Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2021 to 14 February 2022. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2022. Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2022 to 14 February 2023. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 10 May 2023. Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2023 to 14 February 2024. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2024. Department of Climate Change, Energy, the Environment and Water 2023, Annual Compliance Report Guidelines, Canberra. CC BY 4.0. Annual Compliance Report Guidelines, Commonwealth of Australia 2014 	<p>Annual Compliance reports were prepared and submitted to the Department as required. The audit found the 2022/2023 and 2023/2024 compliance reports inconsistent with the department's compliance reporting guidelines (detail provided in the below section), as the reports meet most but not all the format and content requirements.</p> <p>It was also observed that the 2023/2024 report was not prepared in accordance with the most recent official version of the guidelines.</p> <p>Both compliance reports, subject to the varied Condition 13A, for the audit period did not meet the following format and content requirements of the Department's Annual Compliance Report Guidelines:</p> <ul style="list-style-type: none"> format requirements – each page did not contain the approval number, name of project and date of the report, and the PDF was not bookmarked to the major components. It was also noted some of the pages of the reports identified the document erroneously as the GRO-5317-PLN-Sediment and Erosion Management Plan. content requirements – declaration of accuracy did not include the ACN or ABN; the report did not include document version control or a Table of contents, Title blocks of plans (Appendix - [redacted] report) did not include the EPBC number, there was no Description of activities section although most of the relevant information was available on the cover page, declaration and approval details except the 	<p>NON-COMPLIANT</p>

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023						
EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding	
		Compliance Report Guidelines. With reference to Conditions 13A the reports states: 'This compliance report was prepared in accordance with the department's guidelines (DoE 2014).'		<p>ACN or ABN , and the report did not reference other parts of the compliance report that may relate to that approval condition</p> <p>As the holder is not conditioned to specifically comply with the 2014 version of the guidelines as many other holders are, it is a reasonable expectation that the latest report should have been prepared in accordance with the subsequent official version of the guidelines.</p> <p>It was observed that the 2023/2024 annual compliance report was prepared in accordance with the 2014 and not the 2023 official version of the guidelines.</p>		
<p>13B.a.</p> <p>Varied dated 23/03/2023</p>	Each compliance report must include accurate and complete details of compliance and any non-compliance with the conditions and the plans, and any incidents.	<ul style="list-style-type: none"> Desktop – Review report to ensure it contains all the information and data required under 13B.a. to 13B.c. 	<p>Condition 13B were included in the variation and the 2022/2023 and 2023/2024 compliance reports were subject to compliance with this new condition.</p> <p>It was noted that the 2022/2023 report stated it has been prepared to meet the requirements of Condition 13B but as the original conditions were in force for the reporting period, the report addressed the unamended conditions. Hence the 2022/2023 report did not include Condition 13B in the compliance table. Therefore, the audit sampled the 2023/2024 report as it addressed the amended conditions. It was however, noted that the definition of Compliance reports in the original conditions is similar to Condition 13B.</p> <p>Under sub-criterion 13B.a. it did not reference the information that deals with non-compliances under Condition 14. This observation is an example of the report not being consistent with the content requirements of the Annual Compliance Report Guidelines. Refer to the finding raised under Condition 13A.</p> <p>The Compliance report for the period 15 February 2021 to 14 February 2022 (dated 29 April 2022) stated under Condition 18 p.10 'Awaiting approval from the department before publishing audit report on AAMC website'. However, the following report for the period 15 February 2022 to 14 February 2023 is silent on this matter (Condition 17.d) and the non-compliance not identified by the holder.</p> <p>This non-compliance was not detected by the holder in reviewing and preparing subsequent compliance reports and was only identified by this independent audit. Refer to Condition 17 for the audit finding.</p>	<ul style="list-style-type: none"> Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2022 to 14 February 2023. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 10 May 2023. Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2023 to 14 February 2024. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2024. 	<p>The 2023/2024 compliance report contained complete and accurate details of compliance and non-compliance. It was however, observed that the report could have included references to relevant sections in the report, especially to demonstrate that sub-conditions such as condition 13B.b) was not relevant during the reporting period. In the body of the report, it could have discussed some of the Offset Management Plan actions identified by a consultant, that required attention which had been provided in the Appendices.</p> <p>The 2022/2023 compliance report contained incomplete details about non-compliance. It was reported in the 2021/2022 compliance report that the 2020/2021 independent audit report was not yet published, as approval had not yet been received from the department at the time of the report. When the 2022/2023 report were prepared, the annual compliance review process failed to identify a non-compliance, which occurred in the 2022/2023 reporting period and was only identified during this audit (See NC03 – Condition 17).</p>	OBSERVATION
<p>13B.b.</p> <p>Varied dated 23/03/2023</p>	Each compliance report must include one or more shapefiles showing all clearing of any protected matters, and/or their	The 2023/2024 annual compliance report that was subject to the varied Condition 13B b) did not provide shapefiles showing all clearing of any protected matters, and/or their habitat, undertaken or that it was considered but as no	<ul style="list-style-type: none"> Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2023 to 14 February 2024. Grasstree 	The 2023-2024 annual compliance report that was subject to the varied Condition 13B b) did not include shapefiles showing all clearing of any protected matters,	OBSERVATION	

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023						
EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding	
	habitat, undertaken within the 12-month period at the end of which that compliance report is prepared.		clearing was conducted within the compliance reporting period no shapefiles were provided.	<p>Mine. EPBC Approval No: 2018/8171. Dated 29 April 2024.</p> <ul style="list-style-type: none"> Email correspondence to the Department Annual Compliance Report EPBC Act 2018/8171 dated 15 May 2023 and 03 May 2024. 	and/or their habitat, undertaken. Nor did it state that that this requirement was considered and as no clearing was conducted within the compliance reporting period no shapefiles were provided as no change since the previous shapefiles submitted.	
13B.c. Varied dated 23/03/2023	Each compliance report must include a schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented	<p>The 2023-2024 address 13B.c. It list the OMP as the only relevant plan and it provides details of how the plan is being implemented in Appendix 2 of the annual report.</p> <p>As observed under Condition 4 and 13A although it appends material on compliance with the specifics of the Offset Management Plan, it did not comment on the areas that requires attention identified in this material or the actions implemented or planned to address these. This finding is dealt with under Condition 4, and the report technically meet Condition 13 B.c.</p>	<ul style="list-style-type: none"> Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2023 to 14 February 2024. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2024. 	The compliance report listed the plans in existence and appended details of how it is being implemented.	COMPLIANT	
13C.a. Varied dated 23/03/2023	The approval holder must publish each compliance report on the website within 60 business days following the end of the 12-month period for which that compliance report is required.	<ul style="list-style-type: none"> Desktop - Verify availability on company website and date of upload. 	<p>Varied Conditions 13C.a. applied to all three Compliance reports for the audit period as it was covered under original Condition 13.a.</p> <p>Action commenced on 15 February 2019 and a 12-month reporting period is from 15 February to 14 February the following year.</p> <p>The reports were published on the website as follows</p> <ul style="list-style-type: none"> 2020/2021 on 14/05/2021 2021/2022 on 29/04/2022 2022/2023 on 15/05/2023 2023/2024 on 02/05/2024 <p>All three compliance reports for the audit period and the compliance report for the preceding period but published in the audit period, have been published on the Approval holder's website within the 60 business days following the end of the 12 month period.</p>	<ul style="list-style-type: none"> Website – Anglo American Australia 'Environmental management and compliance' https://australia.angloamerican.com/sustainability/environment accessed on 4 September 2024 Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2023 to 14 February 2024. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2024. https://australia.angloamerican.com/~media/Files/A/Anglo-American-Group-v5/Australia/sustainability/environment/Grasstree-Extn-EPBC-Annual-Report-April-2024-2018-8171.pdf accessed on 4 September 2024 Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2022 to 14 February 2023. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 10 May 2023. https://australia.angloamerican.com/~media/Files/A/Anglo-American-Group-v5/Australia/sustainability/environment/EPBC-approval-2018%208171-annual-compliance-report-signed-10may23- 	All three compliance reports for the audit period have been published on the Approval holder's website within the 60 business days following the end of the 12 month period.	COMPLIANT

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding
			<p>redactedp.pdf accessed on 4 September 2024</p> <ul style="list-style-type: none"> Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2021 to 14 February 2022. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2022. https://australia.angloamerican.com/~media/Files/A/Anglo-American-Group-v5/Australia/sustainability/environment/grasstree_extn_epbc%20annual%20report_march_2022_final.pdf accessed on 4 September 2024. Email to internal Brand and Marketing specialist to publish report to the AA website, dated 1 May 2024. 		
<p>13C.b. Varied dated 23/03/2023</p>	<ul style="list-style-type: none"> Desktop - Review content of notification email/correspondence and date. 	<p>Varied Condition 13C.b. applied to all three compliance reports for the audit period as it was covered under original Condition 13.b.</p> <p>The department were notified electronically that the reports were published on the website, as follows</p> <ul style="list-style-type: none"> 2020/2021 on 18/05/2021 2021/2022 on 29/04/2022 2022/2023 on 15/05/2023 2023/-2024 on 03/05/2024 <p>The evidence sighted confirmed that the Department were notified electronically of the publication of the compliance reports on the Approvals holder's website within the required timeframe.</p>	<ul style="list-style-type: none"> Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2021 to 14 February 2022. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2022. Email correspondence to the Department, Annual Compliance Report EPBC Act 2018/8171 dated 15 May 2023 and 03 May 2024. DAWE email 15/05/2023 2018-8171 Grasstree Mine Extension Annual Compliance Report Receipt [Acknowledge receipt of the 2022/2023 Annual Compliance Report] DAWE email 13/05/2022 2018-8171 Grasstree Mine Extension Annual Compliance Report Receipt [Acknowledge receipt of the 2021/2022 Annual Compliance Report] 	<p>The evidence sighted confirmed that the Department were notified electronically that the compliance reports have been published on the Approval holder's website within the required timeframe.</p>	<p>COMPLIANT</p>
<p>13C.c. Varied dated 23/03/2023</p>	<p>The approval holder must provide the weblink for the compliance report in the notification to the department.</p>	<p>Varied Condition 13C.c. only applied to the 2012/2023 and 2023/2024 compliance reports for the audit period as it was not included under original Condition 13.</p> <p>The emails sighted regarding notification of the publication of the compliance reports for the periods listed below also contained a weblink as required.</p> <ul style="list-style-type: none"> 2022/2023 2023/2024 	<ul style="list-style-type: none"> Email correspondence to the Department, Annual Compliance Report EPBC Act 2018/8171 dated 15 May 2023 and 03 May 2024. 	<p>The evidence sighted confirmed a weblink to the compliance reports have been provided to the Department.</p>	<p>COMPLIANT</p>

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023						
EPBC Approval Condition		Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding
13C.d. Varied dated 23/03/2023	The approval holder must keep all published compliance reports required by these conditions on the website until the expiry date of this approval.	<ul style="list-style-type: none"> Desktop - Verify availability on company website of all reports. 	<p>Varied Condition 13C.d. applied to all three compliance reports for the audit period as it was covered under original Condition 13.c.</p> <p>The Approval holder's website was accessed on 4 September 2024 and all the compliance reports for the Audit period, as listed under Conditions 13C.a., have been individually verified as available at the time of the audit on the website under 'Environmental management and compliance'.</p>	<ul style="list-style-type: none"> Refer to Condition 13C.a. for the complete list of reports and associated weblinks. 	The Approval holder's website was accessed on 4 September 2024 and all the compliance reports for the Audit period, have remained published on the website.	COMPLIANT
13C.e. Varied dated 23/03/2023	The approval holder must exclude or redact sensitive ecological data from compliance reports published on the website or otherwise provided to a member of the public.	<ul style="list-style-type: none"> Desktop - Review of relevant documentation; and On site - Interview personnel. 	<p>Varied Condition 13C.e. applied to all three compliance reports for the audit period as it was covered under original Condition 13.d.</p> <p>The Compliance Reports published under on the Approval holder's website have been redacted as follows:</p> <ul style="list-style-type: none"> 2021/2022 no redactions and no ecological data included 2022/2023 names, positions and contact information of individuals redacted for privacy, no ecological data redacted 2023/2024 names, positions and contact information of individuals redacted for privacy, no ecological data redacted <p>Ecological data in the 2022/2023 and 2023/2024 Compliance reports were checked during the audit and it was not considered sensitive, e.g. the actual locations (latitude & longitude) of the MNES species confirmed during the surveys were not provided and the general locations is already publicly available on the Protected Matter Search Tool. The requirement was discussed in an interview and based on the documents sighted and the interview it was determined that this condition was not triggered during the audit period.</p>	<ul style="list-style-type: none"> Refer to Condition 13C.a. for the complete list of Compliance reports for the Audit period published on Approval holder's website and the associated weblinks. Interview on 9 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. 	This condition was not triggered during the audit period.	NOT APPLICABLE
13C.f. Varied dated 23/03/2023	The approval holder must if sensitive ecological data is excluded or reacted from the published version, 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.	<ul style="list-style-type: none"> Desktop – If relevant, review of submission records and date. 	The audit found that Condition 13C.e was not applicable during the audit period hence 13C.f was also not triggered.	None	This condition was not triggered during the audit period.	NOT APPLICABLE
13C Note Varied dated 23/03/2023	Compliance reports may be published on the department's website.	<ul style="list-style-type: none"> Not a client compliance matter - for completeness check and record if any 	No compliance audit report or summary of compliance audit findings for EPBC 2018/8171 was published on the Department's website at the time of this audit.	<ul style="list-style-type: none"> DCCEEW website, Summaries of compliance audit findings https://www.dcceew.gov.au/environment/epbc/compliance/audit 		

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023						
EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding	
	published on Department's website.		s#toc_6 accessed on 2 September 2024.			
Reporting non-compliance						
14. Varied dated 23/03/2023	The approval holder must notify the Department electronically, within two (2) business days of becoming aware of any incident or non-compliance within the conditions or commitments made in a plan.	<ul style="list-style-type: none"> Desktop – Review incident/non-compliance reporting process, procedure and records Desktop – Review register/database of incident/non-compliance; Desktop – Review all annual compliance reports for the audit period; Desktop – Review any email and other correspondence with the Department and other affected parties; and On site – Interview personnel. 	<p>The three compliance reports for the audit period noted the following non-compliances reported to the department:</p> <p>2021/2022 Compliance Report – The late submission of the 2019/2020 Picardy Offset Area Report. The report was due by 30 June 2020. The non-compliance was detected on 27 July 2021 and the Department was notified on 29 July 2021 and details provided on 10 August 2021. This non-compliance was sampled to determine compliance with all the conditions under the 'Reporting non-compliance'.</p> <p>2022/2023 Compliance Report – No incidents/non-compliances were identified for the reporting period.</p> <p>2023/2024 Compliance Report – No incidents/non-compliances were identified for the reporting period.</p> <p>The interview confirmed no incidents or non-compliances was not identified during the audit period with the exception of the late submission of the 2019/2020 Picardy Offset Area Report.</p> <p>Capcoal detected the (Potential) Non-compliance on 27 July 2021 and notified the department within 2 days in accordance with Condition 14.</p>	<ul style="list-style-type: none"> Interview on 9 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2021 to 14 February 2022. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2022. Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2022 to 14 February 2023. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 10 May 2023. Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2023 to 14 February 2024. Grasstree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2024. Correspondence Letter - Capcoal Underground Operations – Grasstree Mine – EPBC 2018/8171 – 2019/2020 Picardy Offset Area Report – Potential Non-compliance with Offset Management Plan Commitment. Dated 29 July 2021. 	Based on correspondence sighted this condition is considered compliant.	COMPLIANT
14A.a Varied dated 23/03/2023	The approval holder must specify in the notification any condition or commitment made in a plan which has been or may have been breached.	<ul style="list-style-type: none"> Desktop – Review any incident /non-compliance notifications to determine if compliant with content requirements under 14A.a to 14A.c. 	Capcoal did specify the relevant commitment in the letter, namely the commitment to submit the 2019/2020 Picardy Offset Area Report as required in Table 10 (Reporting Schedule) of the OMP.	<ul style="list-style-type: none"> Correspondence Letter - Capcoal Underground Operations – Grasstree Mine – EPBC 2018/8171 – 2019/2020 Picardy Offset Area Report – Potential Non-compliance with Offset Management Plan Commitment. Dated 29 July 2021 	Based on correspondence sighted this condition is considered compliant.	COMPLIANT
14A.b Varied dated 23/03/2023	The approval holder must specify in the notification a short description of the incident and/or potential non-compliance and/or actual non-compliance.		Capcoal did provide a brief description of the non-compliance, namely the failure to submit the 2019/2020 Picardy Offset Area Report to Department as required in Table 10 (Reporting Schedule) of the OMP.	<ul style="list-style-type: none"> Correspondence Letter - Capcoal Underground Operations – Grasstree Mine – EPBC 2018/8171 – 2019/2020 Picardy Offset Area Report – Potential Non-compliance with Offset Management Plan Commitment. Dated 29 July 2021 	Based on correspondence sighted this condition is considered compliant.	COMPLIANT

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition		Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding
14A.c <small>Varied dated 23/03/2023</small>	The approval holder must specify in the notification the location (including co-ordinates), date, and time of the incident and/or potential non-compliance and/or actual non-compliance.		Capcoal did specify the date, as it was an administrative non-compliance, locations and time of the incident was not relevant.	<ul style="list-style-type: none"> Correspondence Letter - Capcoal Underground Operations – Grasstree Mine – EPBC 2018/8171 – 2019/2020 Picardy Offset Area Report – Potential Non-compliance with Offset Management Plan Commitment. Dated 29 July 2021 	Based on correspondence sighted this condition is considered compliant.	COMPLIANT
14A. Note <small>Varied dated 23/03/2023</small>	If the exact information cannot be provided, the approval holder must provide the best information available.	<ul style="list-style-type: none"> Onsite – Interview personnel. 	N/A	N/A		
15. <small>Varied dated 23/03/2023</small>	The approval holder must provide to the department in writing, within 12 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance, the details of that incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a plan.	<ul style="list-style-type: none"> Desktop – Review incident/non-compliance reporting process, procedure and records Desktop – Review any incident /potential or actual non-compliance notifications content and dates. 	<p>2021/2022 Compliance Report – The late submission of the 2019/2020 Picardy Offset Area Report. The report was due by 30 June 2020. The non-compliance was detected on 27 July 2021 and the Department was notified on 29 July 2021 and details provided on 10 August 2021.</p> <p>Capcoal submitted the detail as required under Conditions 15 to the on 10 August 2021 thus within the required time frame.</p>	<ul style="list-style-type: none"> Correspondence Letter - Capcoal Underground Operations – Grasstree Mine – EPBC 2018/8171 – 2019/2020 Picardy Offset Area Report – Potential Non-compliance with Offset. Dated 10 August 2021. 	Based on correspondence sighted this condition is considered compliant.	COMPLIANT
15.a. <small>Varied dated 23/03/2023</small>	The approval holder must specify any corrective action or investigation which the approval holder has already taken.	<ul style="list-style-type: none"> Desktop – Review any incident /potential or actual non-compliance notifications for corrective action taken. 	The correspondence sighted listed the corrective actions and investigation already taken at the time of the letter.	<ul style="list-style-type: none"> Correspondence Letter - Capcoal Underground Operations – Grasstree Mine – EPBC 2018/8171 – 2019/2020 Picardy Offset Area Report – Potential Non-compliance with Offset. Dated 10 August 2021. 	Based on correspondence sighted this condition is considered compliant.	COMPLIANT
15.b. <small>Varied dated 23/03/2023</small>	The approval holder must specify the potential impacts of the incident and/or non-compliance	<ul style="list-style-type: none"> Desktop – Review any incident /potential or actual non-compliance notifications for potential impacts. 	The correspondence sighted specified the potential impacts. It was noted that it was considered a purely administrative mater that would be resolved through further corrective actions and unlikely to have any potential for environmental harm.	<ul style="list-style-type: none"> Correspondence Letter - Capcoal Underground Operations – Grasstree Mine – EPBC 2018/8171 – 2019/2020 Picardy Offset Area Report – Potential Non-compliance with Offset. Dated 10 August 2021. 	Based on correspondence sighted this condition is considered compliant.	COMPLIANT
15.c. <small>Varied dated 23/03/2023</small>	The approval holder must specify the method and timing of any corrective action that will be undertaken by the approval holder.	<ul style="list-style-type: none"> Desktop – Review any incident /potential or actual non-compliance notifications for method and timing of planned corrective action. On site – Interview personnel; and verify implementation of corrective action (where related to non-administrative management 	The correspondence sighted listed the corrective actions which the Approval Holder intended to take in the immediate future as well as remedial actions that would have been undertaken in December 2021.	<ul style="list-style-type: none"> Correspondence Letter - Capcoal Underground Operations – Grasstree Mine – EPBC 2018/8171 – 2019/2020 Picardy Offset Area Report – Potential Non-compliance with Offset. Dated 10 August 2021. 	Based on correspondence sighted this condition is considered compliant.	COMPLIANT

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding	
	measures visit the location of the incident.					
Independent audit						
<p>16.</p> <p>Varied dated 23/03/2023</p>	<p>The approval holder must ensure that the independent audit of compliance with the conditions is conducted for every five-year period following the commencement of the action until this approval expires, unless otherwise specified in writing by the Minister.</p>	<ul style="list-style-type: none"> Desktop - Review previous independent audit reports and correspondence with the Department associated with the audit schedule. Auditor note: The Department require the 2024 audit to cover the period from 2021-2024 (15/02/21-14/02/24) as under the original Condition 16, audits have already been conducted for the periods 2019/20 and 2020/21 and reports submitted and approved (Email: DCCEEW, [redacted] 28/03/23). 	<p>The varied conditions replaced a requirement for an annual independent audit. As the action commenced on 15 February 2019, the 1st five-year period covers 15 February 2019 to 14 February 2024. Viewed correspondence from the Department regarding commencement.</p> <p>However, [redacted] 2020 audit covered the audit period 15 February 2019 to 14 February 2020 and [redacted] 2021 audit covered the audit period 15 February 2020 to 14 February 2021.</p> <p>The [redacted] 2024 audit (this audit) cover the audit period 15 February 2021 to 14 February 2024 as per the Audit Criteria proposed and approved under Condition 17a.</p> <p>The Department suggested the 2024 audit cover the period from 2021 to 2024 as under the original Condition 16, audits have already been conducted for the periods 2019 to 2021. Viewed email from the Department regarding the varied conditions and the audit period.</p> <p>The three independent audits of compliance combined covers the five-year period as required.</p>	<ul style="list-style-type: none"> [redacted] 2020 EPBC 2018/8171 Independent Compliance Audit – Grasstree Mine (EPBC Audit 2018:8171) Final Issue March 2021 [redacted] 2021 Grasstree Independent EPBC Compliance Audit report 2021 -Grasstree Mine Extension Project, Final issue 29 April 2022. [redacted] 2024 Proposed Audit Criteria and Methodology, Grasstree Mine Extension Project EPBC 2018/8171 DAWE letter (reference 2018/8171) Commencement of the Action Grasstree Mine Extension Project EPBC 2018/8171. Dated 13 March 2019. DCCEEW email ([redacted] re [varied approval, audits completed and suggested audit period]. Dated 28 March 2023. 	<p>It was found that two annual audits were conducted under the original Condition 16 as required at the time. The varied condition changed the period from one to five years. This audit is the 1st audit conducted under varied condition 16. As agreed with the department, as the previous audits covered the 1st two years of the five-year period, this audit only covered the remaining three years of the five-year period. The three independent audit of compliance combined covers the five-year period as required.</p>	<p>COMPLIANT</p>
<p>17.a.</p> <p>Varied dated 23/03/2023</p>	<p>For each independent audit, the approval holder must provide the name and qualifications of the nominated independent auditor and the draft audit criteria, and proposed timeframe for submitting the audit report to the department prior to commencing the independent audit.</p>	<ul style="list-style-type: none"> Desktop – Review previous audit reports and associated correspondence for submission of the nominated auditor, draft criteria, and timeframe. 	<p>Audit Conducted by [redacted] in 2020 - This was assessed by [redacted] in 2020 and considered compliant.</p> <p>Audit conducted by [redacted] in 2021 - The names and qualifications of the independent auditor and the draft audit criteria were provided to the Department on 4 November 2021. The auditor viewed correspondence from Department approving both the auditor and audit criteria on 21 December 2021. The audit report was due within 6 months of the audit i.e. 21 June 2022.</p> <p>Audit conducted by [redacted] in 2024 (this audit) - The names and qualifications of the independent auditor and the draft audit criteria were provided to the Department on 10 May and 31 July 2024, respectively. The auditor viewed correspondence from Department regarding the independent auditor and draft audit criteria for the 2021/2024 audit. The auditor was approved by the Department on 25 July 2024 and the audit criteria on 2 August 2024. The audit report is due by no later than 28 October 2024.</p>	<ul style="list-style-type: none"> [redacted] 2020 EPBC 2018/8171 Independent Compliance Audit – Grasstree Mine (EPBC Audit 2018:8171) Final Issue March 2021 [redacted] 2021 Grasstree Independent EPBC Compliance Audit report 2021 -Grasstree Mine Extension Project, Final issue 29 April 2022. DAWE, 6 October 2020. Re: Grasstree Mine Extension project, Queensland (EPBC 2018/8171) – Approval of audit criteria for independent compliance audit [and auditors] DAWE, 21 December 2021. Re: Grasstree Mine Extension project, Queensland (EPBC 2018/8171) – Approval of auditor and audit criteria for independent compliance audit DCCEEW, 25 July 2024. Grasstree Mine Extension Project, south-west 	<p>Based on the documented evidence provided this condition is considered compliant.</p>	<p>COMPLIANT</p>

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023						
EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding	
			<p>of Middlemount, Queensland, EPBC 2018/8171 [Letter to approve nominated auditor].</p> <ul style="list-style-type: none"> • DCCEEW, 2 August 2024. Grasstree Mine Extension Project, south-west of Middlemount, Queensland, EPBC 2018/8171 [Letter to approve audit criteria]. 			
<p>17.b.</p> <p>Varied dated 23/03/2023</p>	<p>For each independent audit, the approval holder must only commence the independent audit once the nominated independent auditor and audit criteria have been approved in writing by the department.</p>	<ul style="list-style-type: none"> • Desktop – Review previous audit planning, reports and associated correspondence for approval from the Department of auditor and criteria. 	<p>Audit Conducted by ██████ in 2020 - This was assessed by ██████ in 2020 and considered compliant.</p> <p>Audit conducted by ██████ in 2021 - The audit criteria was approved by the Department on 21 December 2021. ██████ provided a RFI Document Checklist to Anglo Coal on 24 February 2021 and completed the site inspection on 16-17 March 2021.</p> <p>Audit conducted by ██████ in 2024 (this audit) - The audit criteria was approved by the Department on 2 August 2024. A Request for information (RFI) was provided to Capcoal on 29 August 2024 and a site inspection conducted on 9 and 10 September.</p>	<ul style="list-style-type: none"> • ██████ 2020 EPBC 2018/8171 Independent Compliance Audit – Grasstree Mine (EPBC Audit 2018:8171) Final Issue March 2021 • ██████ 2021 Grasstree Independent EPBC Compliance Audit report 2021 -Grasstree Mine Extension Project, Final issue 29 April 2022. • Email from ██████ ██████ to ██████ Aquila Mine. Grasstree Mine Extension Project, EPBC 2018/8171 Independent audit – RFI. Dated 29 August 2024. 	<p>Based on the documented evidence provided this condition is considered compliant.</p>	<p>COMPLIANT</p>
<p>17.c.</p> <p>Varied dated 23/03/2023</p>	<p>For each independent audit, the approval holder must submit an audit report to the department within 6 months of the date of the independent audit.</p>	<ul style="list-style-type: none"> • Desktop – Review email/correspondence/ date of submission 	<p>Audit Conducted by ██████ in 2020 - This was assessed by ██████ in 2020 and considered compliant.</p> <p>Audit conducted by ██████ in 2021 - The ██████ audit report was completed in March 2022, report submitted to the Department on 29 April 2022</p> <p>Audit conducted by ██████ in 2024 (this audit) – Compliance to be determined by the next five-yearly audit.</p>	<ul style="list-style-type: none"> • ██████ 2021 Grasstree Independent EPBC Compliance Audit report 2021 -Grasstree Mine Extension Project, Final issue 29 April 2022. • Letter – Capcoal Underground Operations – Grasstree Mine – Grasstree Extension Project (2018/8171) – Part B Schedule 17c. [Submission of ██████ audit report]. Dated 29 April 2022. 	<p>Based on the documented evidence provided this condition is considered compliant.</p>	<p>COMPLIANT</p>
<p>17.d.</p> <p>Varied dated 23/03/2023</p>	<p>For each independent audit, the approval holder must publish each audit report on the website within 15 business days of the date of the department's approval of the audit report.</p>	<ul style="list-style-type: none"> • Desktop - Verify availability on company website and date of upload. 	<p>The two independent compliance audits conducted by ██████ in 2020 and ██████ in 2021 were subject to Condition 18 of the original approval conditions, which required the audit report to be published on Anglo American's website within 10 days of receiving the Department's approval of the report.</p> <p>The ██████ audit found that the ██████ report was approved by the Department on 27 August 2021 and uploaded on or prior to 1 September 2021. Under Sustainability, Environment, 'Environmental management and compliance' section of the Approval holder's website, the ██████ audit report was accessed on 2 September 2024.</p> <p>There is no evidence that the ██████ audit report was published on the Approval holder's website within the required number of days. [Note this was previously required under Condition 18 of the original conditions].</p>	<ul style="list-style-type: none"> • Website – Anglo American Australia 'Environmental management and compliance' https://australia.angloamerican.com/sustainability/environment accessed on 2 September 2024 • ██████ 2020 EPBC 2018/8171 Independent Compliance Audit – Grasstree Mine (EPBC Audit 2018:8171) Final Issue March 2021 • https://australia.angloamerican.com/~media/Files/A/Anglo-American-Group-v5/Australia/sustainability/environment/EPBC2018_8171_2020_Ind_A 	<p>The independent audit report for the audit conducted by ██████ in 2021 for the period 5 February 2020 to 14 February 2021 was completed, provided to the Department and approved by the Department. However, it has not been published on the Anglo American Australia website as required, thus there was no evidence to support that it was done within the required timeframe.</p>	<p>NON-COMPLIANT</p>

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023						
EPBC Approval Condition	Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding	
		Audit report prepared by ██████ in 2024 (this audit) – Compliance to be determined by the next five-yearly audit.	udit.pdf accessed on 2 September 2024 <ul style="list-style-type: none"> ██████ 2021 Grasstree Independent EPBC Compliance Audit report 2021 -Grasstree Mine Extension Project, Final issue 29 April 2022. 			
17.e. Varied dated 23/03/2023	For each independent audit, the approval holder must keep every audit report published on the website until this approval expires.	<ul style="list-style-type: none"> Desktop – Review previous audit records, reports, and relevant correspondence. Auditor note: the original conditions required annual reports 	As for above 17d. The ██████ 2020 independent audit report was available on the Approval holder's website at the time of this audit. The ██████ 2021 independent audit report was not available on the Approval holder's website at the time of this audit.	<ul style="list-style-type: none"> As for above 17d. Website – Anglo American Australia 'Environmental management and compliance' https://australia.angloamerican.com/sustainability/environment accessed on 2 September 2024 Image of the computer screen output of all published reports and management plans for Grasstree. 	The independent audit report for the audit conducted by ██████ in 2021 for the period 5 February 2020 to 14 February 2021 has not been published on the Anglo American Australia website at the time of this audit, thus it did not meet the requirement to remain on the website until the approval expires.	NON-COMPLIANT
18. Varied dated 23/03/2023	Each audit report must report for the five-year period preceding that audit report.	<ul style="list-style-type: none"> Desktop – Review previous audit records, reports, and relevant correspondence. Auditor note: the original conditions required annual reports 	The varied conditions replaced a requirement for an annual independent audit. As the action commenced on 15 February 2019, the 1 st five-year period covers 15 February 2019 to 14 February 2024. Viewed correspondence from the Department regarding commencement. However, ██████ 2020 audit report covered the audit period 15 February 2019 to 14 February 2020 and ██████ 2021 audit report covered the audit period 15 February 2020 to 14 February 2021. The ██████ 2024 audit report cover the audit period 15 February 2021 to 14 February 2024 as per the approved Audit Criteria under Condition 17a. The Department suggested the 2024 audit and report to cover the period from 2021 to 2024 as under the original Condition 16, audits have already been conducted for the periods 2019 to 2021. Viewed email from the Department regarding the varied conditions and the audit period. The three independent audit reports combined covers the five-year period as required.	<ul style="list-style-type: none"> ██████ 2020 EPBC 2018/8171 Independent Compliance Audit – Grasstree Mine (EPBC Audit 2018:8171) Final Issue March 2021 ██████ 2021 Grasstree Independent EPBC Compliance Audit report 2021 -Grasstree Mine Extension Project, Final issue 29 April 2022. ██████ 2024 Proposed Audit Criteria and Methodology, Grasstree Mine Extension Project EPBC 2018/8171 DAWE letter (reference 2018/8171). Commencement of the Action Grasstree Mine Extension Project EPBC 2018/8171. Dated 13 March 2019. DCCEEW email (██████), re [varied approval, audits completed and suggested audit period]. Dated 28 March 2023. 	This audit is the 1 st audit conducted under varied condition 18. As agreed with the department, as the previous audit reports covered the 1 st two years of the five-year period, this audit report only cover the remaining three years of the five-year period. The three independent audit reports combined covers the five-year period as required.	COMPLIANT
18A. Varied dated 23/03/2023	Each audit report must be completed to the satisfaction of the Minister and be consistent with the department's <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> (2019), or any subsequent official version.	<ul style="list-style-type: none"> Desktop – Review approval of audit report correspondence and verify content meet Department's current reporting requirements. 	The ██████ 2020 independent audit report was approved by the Department on 27 August 2021. The ██████ independent audit report was submitted to the Department on 29 April 2022 and approved by the Department on 10 June 2022. Audit report prepared by ██████ in 2024 (this audit) – Compliance to be determined by the next five-yearly audit.	<ul style="list-style-type: none"> DAWE letter (reference 2018/8171) Independent Compliance Audit Report: Grasstree Mine Extension, Middlemount, QLD (EPBC 2018/8171). Date 10 June 2022. 	Based on the documented evidence provided this condition is considered compliant.	COMPLIANT
Revision of the Offset Management Plan						

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition		Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding
19. <small>Original dated 5/12/2019</small>	The approval holder may, at any time, apply to the Minister for a variation to the Offset Management Plan approved by the Minister under condition 4, 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 the revised Offset Management Plan then, from the date specified, the approval holder must implement the revised Offset Management Plan in place of the previous Offset Management Plan.	<ul style="list-style-type: none"> Desktop - Review of relevant OMP variation/s and evidence of revised OMP; and On site – Interview(s) 	During an interview it was confirmed that the Approval holder had not revised the OMP or applied for a variation and the approved 2019 OMP remains in place.	<ul style="list-style-type: none"> Interview on 10 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. 	No variation was sought to the Offset Management Plan and the condition not triggered during the audit period.	NOT APPLICABLE
20. <small>Original dated 5/12/2019</small>	The approval holder may choose to revise the Offset Management Plan approved by the Minister under condition 4, or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the revised Offset Management Plan would not be likely to have a new or increased impact.	<ul style="list-style-type: none"> Desktop - Review of relevant OMP variation/s and evidence of revised OMP. 	During an interview it was confirmed that the Approval holder had not revised the OMP. Therefore, this Condition is not applicable during this audit period.	<ul style="list-style-type: none"> Interview on 10 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. 	The original approved Offset Management Plan remains in place. There was no revisions to it and the condition not triggered during the audit period.	NOT APPLICABLE
21.a. <small>Original dated 5/12/2019</small>	If the approval holder makes the choice under condition 20 to revise the approved Offset Management Plan without submitting it for approval, the approval holder must notify the Department in writing that the approved Offset Management Plan has been revised.	<ul style="list-style-type: none"> Desktop – Review notification and submission records, other correspondence, electronic copies of the approved and revised OMP (with track changes), explanations of differences, impacts of revised OMP and implementation date if applicable; and On site – Interview(s) if applicable 	During an interview it was confirmed that the Approval holder had not revised the OMP. Therefore, this Condition is not applicable during this audit period.	<ul style="list-style-type: none"> Interview on 10 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. 	The original approved Offset Management Plan remains in place. There was no revisions to it and the condition not triggered during the audit period.	NOT APPLICABLE
21.a.i. <small>Original dated 5/12/2019</small>	Provide the Department with an electronic copy of the revised Offset Management Plan.		During an interview it was confirmed that the Approval holder had not revised the OMP. Therefore, this Condition is not applicable during this audit period.	<ul style="list-style-type: none"> Interview on 10 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. 	This condition was not triggered during the audit period.	NOT APPLICABLE
21.a.ii. <small>Original dated 5/12/2019</small>	Provide the Department with an electronic copy of the revised Offset Management Plan marked up with track changes to show the differences between the approved Offset Management Plan and the revised Offset Management Plan.		During an interview it was confirmed that the Approval holder had not revised the OMP. Therefore, this Condition is not applicable during this audit period.	<ul style="list-style-type: none"> Interview on 10 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. 	This condition was not triggered during the audit period.	NOT APPLICABLE

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023

EPBC Approval Condition		Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding
21.a.iii. <small>Original dated 5/12/2019</small>	Provide the Department with an explanation of the differences between the approved Offset Management Plan and the revised Offset Management Plan.		During an interview it was confirmed that the Approval holder had not revised the OMP. Therefore, this Condition is not applicable during this audit period.	<ul style="list-style-type: none"> Interview on 10 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. 	This condition was not triggered during the audit period.	NOT APPLICABLE
21.a.iv. <small>Original dated 5/12/2019</small>	Provide the Department with the reasons the approval holder considers that taking the action in accordance with the revised Offset Management Plan would not be likely to have a new or increased impact.		During an interview it was confirmed that the Approval holder had not revised the OMP. Therefore, this Condition is not applicable during this audit period.	<ul style="list-style-type: none"> Interview on 10 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. 	This condition was not triggered during the audit period.	NOT APPLICABLE
21.a.v. <small>Original dated 5/12/2019</small>	Provide the Department with written notice of the date on which the approval holder will implement the revised Offset Management Plan (revised Offset Management Plan implementation date), being at least 20 business days after the date of providing notice of the revision of the Offset Management Plan, or a date agreed to in writing with the Department.	<ul style="list-style-type: none"> As above for Conditions 21.a.to 21.a.iv; and Desktop and on site – Evidence of implementation of the revised OMP. 	During an interview it was confirmed that the Approval holder had not revised the OMP. Therefore, this Condition is not applicable during this audit period.	<ul style="list-style-type: none"> Interview on 10 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. 	This condition was not triggered during the audit period.	NOT APPLICABLE
21.b. <small>Original dated 5/12/2019</small>	If the approval holder makes the choice under condition 20 to revise the approved Offset Management Plan without submitting it for approval, the approval holder must subject to condition 23, implement the revised Offset Management Plan from the revised Offset Management Plan implementation date.	<ul style="list-style-type: none"> On site – Interview(s) and verification of implementation of the revised OMP if applicable. 	During an interview it was confirmed that the Approval holder had not revised the OMP. Therefore, this Condition is not applicable during this audit period.	<ul style="list-style-type: none"> Interview on 10 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. 	This condition was not triggered during the audit period.	NOT APPLICABLE
22. <small>Original dated 5/12/2019</small>	The approval holder may revoke its choice to implement the revised Offset Management Plan under condition 20 at any time by giving written notice to the Department. If the approval holder revokes the choice under condition 20, the approval holder must implement the previous Offset Management Plan approved by the Minister.	<ul style="list-style-type: none"> Desktop – Review relevant correspondence/ notifications. 	During an interview it was confirmed that the Approval holder had not revised the OMP. Therefore, this Condition is not applicable during this audit period.	<ul style="list-style-type: none"> Interview on 10 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. 	This condition was not triggered during the audit period.	NOT APPLICABLE
23.a. <small>Original dated 5/12/2019</small>	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 Offset Management Plan would be likely to have a new or increased impact, then condition	<ul style="list-style-type: none"> Desktop – Review relevant correspondence/ notifications 	During an interview it was confirmed that the Approval holder had not revised the OMP. Therefore, this Condition is not applicable during this audit period.	<ul style="list-style-type: none"> Interview on 10 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. 	This condition was not triggered during the audit period.	NOT APPLICABLE

CONDITIONS OF EPBC ACT APPROVAL (EPBC 2018/8171) Original dated 5/12/2019 and Variation dated 23/03/2023						
EPBC Approval Condition		Verification Method	Evidence	Documents Sighted	Determination	Compliance Finding
	20 does not apply, or ceases to apply, in relation to the revised Offset Management Plan.					
23.b. <small>Original dated 5/12/2019</small>	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 Offset Management Plan would be likely to have a new or increased impact, then the approval holder must implement the Offset Management Plan specified by the Minister in the notice.		During an interview it was confirmed that the Approval holder had not revised the OMP. Therefore, this Condition is not applicable during this audit period.	<ul style="list-style-type: none"> Interview on 10 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. 	This condition was not triggered during the audit period.	NOT APPLICABLE
24. <small>Original dated 5/12/2019</small>	At the time of giving the notice under condition 23, the Minister may also notify that for a specified period of time, condition 20 does not apply for the Offset Management Plan.	<ul style="list-style-type: none"> Desktop – Review relevant correspondence/ notifications. 	During an interview it was confirmed that the Approval holder had not revised the OMP. Therefore, this Condition is not applicable during this audit period.	<ul style="list-style-type: none"> Interview on 10 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. 	This condition was not triggered during the audit period.	NOT APPLICABLE
Completion of the action						
25. <small>Original dated 5/12/2019</small>	Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.	<ul style="list-style-type: none"> Desktop – Review relevant correspondence/ notifications; and On site – Confirm continuation of action through interview(s) and visual observation. 	Although no further clearing of the Grasstree Extension project area is planned at this stage, mining activities including rehabilitation on the mining lease (ML1831) is ongoing and the action not yet completed.	<ul style="list-style-type: none"> Interview on 10 September 2024 with Aquila Superintendent responsible for compliance with the EPBC 2018/8171 approval. Visual observations of the Capcoal Complex. 	At the time of the audit the action was ongoing and therefore this condition was not triggered.	NOT APPLICABLE

APPENDIX B: APPROVAL FOR AUDITOR AND METHODOLOGY



Australian Government
**Department of Climate Change, Energy,
the Environment and Water**

Our ref: EPBC 2018/8171

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Dear [Redacted]

Grasstree Mine Extension Project, south-west of Middlemount, Queensland, EPBC 2018/8171

I refer to your correspondence dated 10 May 2024, nominating an independent auditor from [Redacted] Technical for the Grasstree Mine Extension (EPBC 2018/8171) independent audit of compliance with conditions of approval.

Grasstree Mine Extension was approved under *the Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 5 February 2019.

I approve the nominated auditor from [Redacted] Technical Pty Ltd to conduct the independent audit required under condition 16 of the EPBC 2018/8171 approval. I request that you submit the proposed audit criteria to the Department no later than 20 business days from the date of this letter.

If you have any questions regarding this matter, please contact [Redacted] at audit@dcceew.gov.au.

Yours sincerely

[Redacted Signature Block]



Australian Government
**Department of Climate Change, Energy,
the Environment and Water**

Our ref: EPBC 2018/8171

[Redacted]

Dear [Redacted]

Grasree Mine Extension Project, south-west of Middlemount, Queensland, EPBC 2018/8171

I refer to your correspondence dated 31 July 2024, submitting the audit criteria for the Grasree Mine Extension (EPBC 2018/8171), approved under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 5 February 2019.

I approve the audit criteria prepared by the independent auditor from [Redacted] Technical Pty Ltd, and request that you submit the independent audit report to the department by no later than 28 October 2024. I look forward to receiving a copy of the audit report.

If you have any questions regarding this matter, please contact [Redacted] at audit@dcceew.gov.au.

Yours sincerely

[Redacted signature block]

APPENDIX C: AUDITOR CERTIFICATION

Auditor's name, position, company and contact details:

[REDACTED] Senior ESG Principal and Lead Auditor, [REDACTED] Technical Pty Ltd

Auditor's qualifications and experience:

- Edith Cowan University, Master of Environmental Management (Certification 06/04/2011). Listed below are the most relevant units completed
 - SCI5128 Environmental Management Systems & Auditing
 - SCI5250 Environmental Impact Assessment Procedures
 - SCI5127 Environmental Monitoring and Investigation
- PWC, Integrated Management Systems Lead Auditor (Certificate number 13794383-8947553, 17/05/2022) with the following scope
 - Exemplar Global AU – Auditing Management Systems (ISO 19011:2018)
 - Exemplar Global TL – Leading Audit Teams (ISO 19011:2018)
 - Exemplar Global QM – Auditing Quality Management Systems (ISO 19001:2015)
 - Exemplar Global EM – Auditing Environmental Management Systems (ISO 14001:2015)
 - Exemplar Global OH – Auditing OH&S Management Systems (ISO 45001:2018)
- Exemplar Global, Lead Auditor (Certificate number C-465362, 08/11/2023) in the qualification based Environmental Management Systems Auditor with the following scope
 - 01. Environmental Management Audit
 - 02. ISO 14001:2015 Audit
 - 05. Regulatory Compliance Audit

Environment, sustainability and cultural heritage professional with more than 25 years' experience in the mining and other industry in Australia and South Africa. Proven history of conducting environmental systems and compliance audits since 1996. An Exemplar Global, Lead Auditor and a member of the Environment Institute of Australia and New Zealand (Member number [REDACTED]).

Auditor's declaration:

I, [REDACTED] [REDACTED] for environmental audits that are required by a condition of an Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) approval I certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct and complete.

I am aware that section 491 of the EPBC Act makes it an offence in certain circumstances to knowingly provide false or misleading information or documents to specified persons who are known to be performing a duty or carrying out a function under the EPBC Act or the regulations. The offence is punishable on conviction by imprisonment for not more than 1 year, a fine not more than 60 penalty units, or both.

Signature: [REDACTED]

Date: 24/10 [REDACTED]

APPENDIX D: DOCUMENTS REGISTER

The following key documentation, including interview notes, were considered in the audit.

Document #	Document type	Title or description
1	Annual Offset Area Report	██████████ 2023, Offset Implementation Monitoring Report 2023. Dated 13 September 2023.
2	Annual Offset Area Report	██████████ 2021, AAMC Grasree Extension Offset Project: Picardy Station - Offset Implementation Monitoring Report 2021. Dated 8 July 2021.
3	Annual Offset Area Report	██████████ 2022, AAMC Grasree Extension Offset Project: Picardy Station - Offset Implementation Monitoring Report 2020. Dated 30 June 2022.
4	Approval Notice	APPROVAL Grasree Mine Extension Project, south-west of Middlemount, Queensland (EPBC 2018/8171), 5/02/2019
5	ArcGIS mapping	Capcoal June 2024 Mosaic dataset (aerial image data)
6	ArcGIS mapping	Disturbance GG shape file
7	ArcGIS mapping	Disturbance Koala shape file
8	ArcGIS mapping	Disturbance MNES Habitat shape file
9	ArcGIS mapping	Disturbance OS shape file
10	ArcGIS mapping	Disturbance SP shape file
11	ArcGIS mapping	GT EX Project Disturbance EPBC Subject Areas shape files
12	ArcGIS mapping	Main Map
13	Audit criteria	██████████ 2024, Proposed Audit Criteria and Methodology, Grasree Mine Extension Project EPBC 2018/8171. Dated 1 May 2024.
14	Audit Report	██████████ 2021, Grasree Independent EPBC Compliance Audit report 2021 - Grasree Mine Extension Project. Dated 29 April 2022.
15	Audit Report	██████████ 2020, EPBC 2018/8171 Independent Compliance Audit – Grasree Mine (EPBC Audit 2018:8171). Dated March 2021.
16	Compliance Report	Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2021 to 14 February 2022. Grasree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2022
17	Compliance Report	Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2022 to 14 February 2023. Grasree Mine. EPBC Approval No: 2018/8171. Dated 10 May 2023.
18	Compliance Report	Anglo American. EPBC ACT 1999, Approval Compliance Report. Reporting period 15 February 2023 to 14 February 2024. Grasree Mine. EPBC Approval No: 2018/8171. Dated 29 April 2024.
19	Email	Anglo American, Annual Compliance Report EPBC Act 2018/8171. Dated 15 May 2023. [Submission of annual Compliance Report 2022/2023 and notification of report published on website]
20	Email	Anglo American, Annual Compliance Report EPBC Act 2018/8171. Dated 3 May 2024. [Submission of annual Compliance Report 2023/2024 and notification of report published on website]
21	Email	Aquila Mine, Email to Anglo American Steelmaking Coal, Brand and Marketing specialist to publish report to the AA website, dated 1 May 2024.
22	Email	DAWE, 13/05/2022, 2018-8171 Grasree Mine Extension Annual Compliance Report Receipt [Acknowledge receipt of the 2021/2022 Annual Compliance Report].
23	Email	DAWE, 15 May 2023, 2018-8171 Grasree Mine Extension Annual Compliance Report Receipt [Acknowledge receipt of the 2022/2023 Annual Compliance Report]
24	Email	DAWE, 29 July 2021. RE: EPBC 2018/8171 – 2020/2021 Picardy Offset Area Report.[Acknowledge receipt of the 2020/2021 Annual Picardy Offset Area Report].

Document #	Document type	Title or description
25	Email	DCCEEW email (██████████), re [varied approval, audits completed and suggested audit period]. Dated 28 March 2023.
26	Email	██████████ Technical. Grasstree Mine Extension Project, EPBC 2018/8171 Independent audit – RFI. Dated 29 August 2024.
27	Excel spreadsheet	GT Extension EPBC Disturbance Tracking (Excel spreadsheet). Database totals for Koala, Greater Glider, Squatter Pigeon, Ornamental Snake habitat and Brigalow ecological community.
28	External Guideline	Annual Compliance Report Guidelines, Commonwealth of Australia 2014
29	External Guideline	Department of Climate Change, Energy, the Environment and Water 2023, Annual Compliance Report Guidelines, Canberra. CC BY 4.0.
30	External Guideline	Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines, Commonwealth of Australia 2019
31	External Guideline	Guidelines for biological survey and mapped data, Commonwealth of Australia 2018
32	Interview	Interview with Aquila Environmental Officer responsible for GIS on 9 September 2024.
33	Interview	Interview with Aquila Environmental Superintendent responsible for the EPBC 2018/8171 approval on 9 and 10 September 2024.
34	Interview	Interview with Landholders of Picardy Station on 10 September 2024.
35	Landholder monitoring record	Jan-Mar 2024 – Note the audit only considered January and February 2024, as within the audit period: <ul style="list-style-type: none"> • Bottom Scott Paddock Management and Offset Inspection June 2024 • Brolgas Crossing Management and Offset Inspection June 2024 • Silver Tank Paddock Management and Offset Inspection June 2024 • Steer Paddock Management and Offset Inspection June 2024
36	Letter	Capcoal Underground Operations – Grasstree Mine – EPBC 2018/8171 – 2019/2020 Picardy Offset Area Report – Potential Non-compliance with Offset Management Plan Commitment. Dated 29 July 2021
37	Letter	Capcoal Underground Operations – Grasstree Mine – EPBC 2018/8171 – 2019/2020 Picardy Offset Area Report – Potential Non-compliance with Offset. Dated 10 August 2021.
38	Letter	Capcoal Underground Operations – Grasstree Mine – Grasstree Extension Project (2018/8171) – Part B Schedule 17c. [Submission of ██████████ audit report]. Dated 29 April 2022.
39	Letter	DAWE, 10 June 2022 (reference 2018/8171) Independent Compliance Audit Report: Grasstree Mine Extension, Middlemount, QLD (EPBC 2018/8171).
40	Letter	DAWE, 13 March 2019, (reference 2018/8171) Commencement of the Action Grasstree Mine Extension Project EPBC 2018/8171.
41	Letter	DAWE, 21 December 2021. Re: Grasstree Mine Extension project, Queensland (EPBC 2018/8171) – Approval of auditor and audit criteria for independent compliance audit.
42	Letter	DAWE, 6 October 2020. Re: Grasstree Mine Extension project, Queensland (EPBC 2018/8171) – Approval of audit criteria for independent compliance audit [and auditors]
43	Letter	DCCEEW, 2 August 2024. Grasstree Mine Extension Project, south-west of Middlemount, Queensland, EPBC 2018/8171 [Letter to approve audit criteria]
44	Letter	DCCEEW, 25 July 2024. Grasstree Mine Extension Project, south-west of Middlemount, Queensland, EPBC 2018/8171 [Letter to approve nominated auditor]

Document #	Document type	Title or description
45	Letter	Department of the Environment and Energy, EPBC 2018/8171; Grasree Extension Stage 1, 5 June 2019. [approval Offset Management Plan, dated 4 June 2019]
46	Management Plan	██████████ 2019, Anglo American Metallurgical Coal Grasree Mine Extension Project 2018/8171, EPBC Offset Management Plan. Dated 4 June 2019
47	Memorandum	██████████ 2021. Memo: Inspection of Grasree Offset Area (AAMC) 27th Sept 2021 and management outcomes required prior to the Annual Inspection in May 2022. Dated 22 October 2021.
48	Permit to Disturb	Permit to Disturb (1602.1 GT Exploration UGGL20-C-21-22 and 35) dated 01/09/2020
49	System network drive and folders	\\saucap001\wrkgroup\Environmental\03Planning\Compliance\3 EPBC\Grasree [Grasree Open cut]
50	System network drive and folders	Q:\Aquila\1. AQUILA\6. SHE\Environment\05 - Performance Evaluation\02 - Compliance\3. EPBC 2024 [Aquila Mine]
51	Targeted Survey Report	██████████ 2020, Picardy 2020 Offset Area Monitoring Report. Dated 11 January 2021.
52	Targeted Survey Report	██████████ 2021, Picardy 2021 Offset Area Monitoring Report. Dated 1 July 2021.
53	Targeted Survey Report	██████████ 2022, Picardy 2022 Offset Area Monitoring Report. Dated 30 June 2022.
54	Variation Notice	VARIATION OF CONDITIONS ATTACHED TO APPROVAL Grasree Mine Extension, south-west of Middlemount, QLD (EPBC 2018/8171)
55	Website	Anglo American Australia 'Environmental management and compliance' https://australia.angloamerican.com/sustainability/environment accessed on 2 September 2024
56	Website	DCCEEW website 'Summaries of compliance audit findings' https://www.dcceew.gov.au/environment/epbc/compliance/audits#toc_6 accessed on 2 September 2024.

APPENDIX E: INTERVIEWS AND SITE VISIT

As per the audit methodology, interviews were held with key stakeholders and a site inspection conducted on 9 and 10 September 2024.

The interviews focussed on collecting evidence of compliance with the EPBC 2018/8171 approval and the approved Offset Management Plan. It also provided additional information to understand the context of the project and nature of the activities at the project site and the offset area.

Participants	Organisation
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

* Provided evidence and attended Opening and Close-out meetings.

Site inspections of the Project area and of Picardy Station Offset area were undertaken on 9 and 10 September 2024 to verify the extent of clearing at the Project Site and to view management actions implemented at Picardy Station Offset Area as required under the Offset Management Plan

APPENDIX F: SITE VISIT PHOTOGRAPHS



Figure 1 Site 1 Steer Paddock



Figure 2 *Harrisia martinii* (harissia cactus) at Site 1



Figure 3 Site 2 Brolgas Crossing



Figure 4 *Cryptostegia grandiflora* (rubber vine) immediately downstream of Brolgas crossing



Figure 5 Parkinsonia aculeata (parkinsonia), next to Eucalyptus along watercourse, downstream of Brolgas crossing.



Figure 6 New fencing near Site 2 along the creek



Figure 7 Site 3



Figure 8 Site 4

The above site numbering correspond with the new Landholders' site monitoring records.