MOUNT PLEASANT OPERATION

EPBC APPROVAL 2011/5795

2024 ANNUAL COMPLIANCE REPORT

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Company:	MACH Energy Australia Pty Ltd		
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In accordance with Condition 28 of EPBC Approval 2011/5795:

> "*Within three months of every 12-month anniversary of the commencement of construction, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any Plans. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the department at the same time as the compliance report is published. The person taking the action must also notify any non-compliance with this approval to the department in writing within two business days of becoming aware of the non-compliance.*"

Commencement of construction at the Mount Pleasant Operation (MPO) began on 25 November 2016. The following Annual Compliance Report addresses compliance with the conditions of EPBC Approval 2011/5795 between 25 November 2023 and 25 November 2024. The latest variation came into effect on 24 January 2023.

EPBC Approval 2011/5795 Conditions		Status	MACH Energy Comment
Disturbance Areas			
1.	*The person taking the action must not clear more than 2,591 ha of the EPBC listed White Box – **Yellow Box** –Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community (572 ha of woodland and 2019 ha derived native grasslands) within the Mount Pleasant Project Area identified in Appendix A of these conditions.*	Compliant	Approximately 19.83 hectares (ha) of EPBC listed *"White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland"* was cleared at the MPO Project Area between 25 November 2023 and 25 November 2024[1]. The cumulative area of *"White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland"* cleared as at 25 November 2024 is approximately 463.07 ha.
Offset Areas			
2.	*Offset Areas* *To offset impacts to EPBC Act listed threatened species and ecological communities, the person taking the action must:* *a) by no later than 25 March 2023, enter into a legally binding conservation agreement with the **Minister** for the **offset areas;*** *b) through the implementation of the Offset Management Plan and Re-establishment Plan approved by the **Minister** in accordance with these conditions of approval, provide no less than the following within the **offset areas**:* *i **11 962 ha of White Box** – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community;* *ii 8 475 ha of suitable habitat for Anthochaera Phrygia (Regent Honeyeater) and Lathamus discolour (Swift Parrot);* *iii 8 475 ha of suitable habitat for Dasyurus machulatus (Spotted-tail Quoll); and* *iv 8 475 ha of suitable habitat for Nyctophilus corbeni (Greater-long-eared Bat).*	Compliant	MACH Energy's preferred mechanism for securing the offset areas is a Conservation Agreement, between MACH Energy and the Federal Minister for the Environment, pursuant to Part 14 of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). MACH Energy submitted to the Department on 9 December 2019 (during a previous reporting period) a draft Conservation Agreement for the Department's review and consideration. The Department provided a revised draft Agreement for MACH Energy's consideration on 14 August 2020. Following internal and external legal counsel review, a revised draft Agreement was most recently submitted to the Department for consideration on 3 November 2022. MACH Energy received advice from Department of Climate Change, Energy, the Environment and Water (DCCEEW) (9 March 2023) that there is no compliance risk associated with Condition 2, given that the draft Agreement is with the Department for review.

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EPBC Approval 2011/5795 Conditions		Status	MACH Energy Comment
2 cont.	*c) by no later than 25 November 2023, enter into a biodiversity stewardship agreement made under the NSW Biodiversity Conservation Act 2016 for no less than 913 ha of White Box – Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community (of which no less than 600 ha is woodland). The approval holder must provide **shapefiles** for the areas covered by the biodiversity stewardship agreement to the **department** within 20 **business days** of entering into the biodiversity stewardship agreement.* *Note: With respect to condition 2(b), offsetting requirements for some species' habitat may be accommodated within the White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community components if this habitat is verified as present and includes specific habitat requirements for each relevant species.*	Cont.	In accordance with the varied approval, MACH Energy continues to work with the Department to finalise the Conservation Agreement. In relation to the biodiversity stewardship agreement, MACH Energy lodged a request to vary the timing in Condition 2 c) of EPBC 2011/5795 on 6 July 2023 to extend the timeframe to secure the biodiversity stewardship agreement due to legal challenges afoot. MACH Energy has agreed to proposed variation wording provided by DCCEEW. MACH has been progressing the biodiversity stewardship agreement with the NSW Government. The application to establish a biodiversity stewardship agreement that would meet the requirements of Condition 2 c) was lodged on 30 March 2023 with the NSW Credit Supply Taskforce (now Nature Markets and Offsets). The application has been revised on a number of occasions to address comments from NMO, and it is expected to be finalised in 2025.
Offset Management Plan			
3.	*The person taking the action must submit to the **Minister** for approval an Offset Management Plan for the **offset areas** by no later than 31 May 2013, or as otherwise agreed to in writing by the **Minister**. The Offset Management Plan must contain details of measures to offset the impacts to the White Box – Yellow Box –Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community, and fauna species identified in condition 2. The approved Offset Management Plan must be implemented.*	Compliant	The MPO Offset Management Plan (OMP) was submitted to the Minister for the Environment for approval in May 2013. The OMP was approved by the Minister for the Environment on 18 June 2015. A revised OMP was prepared by MACH Energy and submitted to the Department on 9 September 2019 to reflect MACH Energy Australia Pty Ltd's acquisition of the MPO and the BMA properties from Rio Tinto's Coal & Allied and to include other administrative revisions. The Department provided review comments during the 2020 reporting period. As part of the revisions to the OMP to address the Department's comments, the OMP was integrated with the Re-establishment Plan (required under Condition 11 of EPBC Approval 2011/5795). The integrated OMP and Re-establishment Plan (OMPRP) was submitted to the Department on 8 June 2020. The delegate of the Minister for the Environment approved the integrated OMPRP on 22 October 2020. MACH Energy continued to implement the updated OMPRP throughout the 2024 reporting period, including the continuation of the approved Re-establishment Area planning activities. A revised OMPRP has been prepared to reflect the EPBC Approval 2011/5795 (varied on 24 January 2023). The draft revised OMPRP was provided to DCCEEW on 11 July 2023 for review. DCCEEW has provided comment on the OMPRP on 15 January 2025 and a revised OMPRP was submitted on 24 January 2025.

	EPBC Approval 2011/5795 Conditions	Status	MACH Energy Comment
4.	*The Offset Management Plan must include, but not be limited to, the following information:* *a) a text description and map to clearly define the location and boundaries of the **offset areas**. This must be accompanied with the **offset attributes** and a **shapefile**.*	Compliant	As described above, the OMP was approved by the Minister for the Environment on 18 June 2015, with the updated OMPRP approved by the delegate of the Minister for the Environment on 22 October 2020. Accordingly, with this approval, the OMPRP complies with each of the requirements of Condition 4a, b, c and d. A brief overview of compliance is detailed in rows below relevant to Condition 4. A description of the location of the BMAs is provided in Section 2.1 of the OMPRP, with mapping of the regional location shown in Figure 1 and boundaries of the BMA properties shown in Figures 3a to 3c. Appendix B of the OMPRP also provides a biophysical description of the BMAs. The offset attributes and shapefiles were submitted to the Department in May 2013 with the former OMP version. The spatial shapefiles of the BMA property boundaries, key infrastructure including fencelines and tracks, management areas (including Land Management Unit boundaries, tree buffer zones and Agricultural buffer zones) are available on the MACH Energy Biodiversity Offsets Portal. These will be updated once the revised OMPRP has been finalised. The Department has access to the portal and can retrieve information at any time.
	*b) a detailed survey and description (prior to any management activities, hence a baseline) of the current condition of the extant vegetation of each **offset area**. This must be consistent with the **State and Transition Model** and include but not be limited to:* *i location of survey points (gps reference)* *ii vegetation condition mapping* *iii photo reference points* *iv tree age class representation* *v percentage tree canopy cover* *vi number of native plant species in ground layer* *vii percentage of nativeness of total plant groundcover (herbaceous plants and small shrubs,1m tall), measured using basal area* *viii description of fauna habitat including condition, type and connectivity* *ix bird and reptile surveys.* *The detailed description will provide the baseline condition for the purpose of monitoring;*	Compliant	Section 2.5 (Baseline Ecological Condition) of the OMPRP summarises the results from baseline ecological monitoring surveys conducted in October and November 2013 across the BMAs for Indicators of Ecosystem Condition (IEC) and for EPBC Act listed Box Gum Grassy Woodlands. The complete *Baseline Flora, Fauna and Soil Assessment* report prepared by Cumberland Ecology (2013) has been incorporated into the OMPRP in Appendix E. Cumberland Ecology's (2013) report can also be accessed on the MACH Energy Biodiversity Offsets Portal. Section 2.2 of the OMPRP describes the ecological communities mapped across the BMAs. Further baseline monitoring for the relevant birds and mammals listed under the EPBC Act continued in 2014.

EPBC Approval 2011/5795 Conditions		Status	MACH Energy Comment
4 Cont.	c) *details of management actions that will improve the baseline condition of the areas specified at condition 2.b) within the **offset areas** consistent with the **State and Transition Model**, listing advice and recovery plan for the White Box – Yellow Box – Blakelys Red Gum Grassy Woodland and Derived Native Grassland Ecological Community*	Compliant	Section 2.4 of the OMPRP describes that each BMA property has been categorised into Land Management Units (LMUs). Each LMU has been assigned one of four condition categories with consideration of: • the level of disturbance of the ecological communities; • the extent and connectivity of the ecological communities; and • the "state" as classified by the "State and Transition Model" described in *A Guide to Managing Box Gum Grassy Woodlands* (Rawlings, 2010). Section 4 of the OMPRP details the Conservation Management Strategies that will be implemented for the BMAs. Section 5 of the OMPRP details the Monitoring Programme that will be implemented to assess changes in the vegetation and habitats of the BMAs against the key performance indicators in Section 3.2 and to assess the performance/effectiveness of the Conservation Management Strategies.
	d) *management implementation schedules for all **offset areas** identifying targeted activities for specific areas to protect and enhance the extent and condition of habitat values of the **offset areas**, including but not limited to:* *i a map showing areas to be managed* *ii type of actions for each area and details of methods to be used* *iii timing of management activity for each area* *iv performance criteria for each area* *v a monitoring plan to assess the success of the management activities measured against the baseline condition. The monitoring must be statistically robust and able to quantify change in the condition of White Box – Yellow Box – Blakelys Red Gum Grassy Woodland and Derived Native Grassland Ecological Community. This should include, but not limited to, control sites, periodic ecological surveys to be undertaken by a **suitably qualified ecologist*** *vi contingency measures to be implemented if performance criteria are not met* *vii a process to report to the **department** the progress of management activities undertaken in the **offset areas** and the outcome of those activities, including identifying any need for improved management and activities to undertake such improvement*	Compliant	Section 4 of the OMPRP details the Conservation Management Strategies that will be implemented for the BMAs and includes mapping of the LMUs. Section 3 of the OMPRP details the conservation objectives and the key performance indicators for the biodiversity values of the BMAs. Section 5 of the OMPRP describes the Monitoring Programme that will be implemented. Table 19 (Risks to Revegetation Success and Corrective Measures) (in Section 4.5.8) and Table 25 (Risk Management Matrix) (in Section 6) of the OMPRP identify key risks associated with the OMPRP Conservation Management Strategies and successful achievement of OMPRP objectives and performance criteria. Sections 1.2.4 and 4 of the OMPRP detail the reporting processes. Section 1.2.3 (including Table 1) details the key project roles responsible for management and implementation of the OMPRP, and outlines that the Advisory Committee provides advice on the management of the BMAs and review of the plans required under EPBC Approval 2011/5795.

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EPBC Approval 2011/5795 Conditions		Status	MACH Energy Comment
4 cont.	*viii* *details of the various parties responsible for management, monitoring and implementing the management activities, including their position or status as a separate contractor* *ix* *details of the independent committee review of the Offset Management Plan as set out in condition 24.* *Note: Unless otherwise agreed to in writing by the **department** the baseline surveys must be undertaken between 1 September and 30 November, and monitoring must be undertaken in September and November.*		
5	*Where the person undertaking the action has proposed cropping activities on non-offset areas within the **Biodiversity Management Areas**, such cropping activities must not occur within 150m of any the **offset areas**.*	Compliant	No cropping activities were undertaken within the BMAs during the reporting period, as reported in the quarterly Agricultural Audits. The Agricultural Audit reports are available to authorised parties (including the Department), on the MACH Energy Biodiversity Offsets portal. As described in Section 4.7 of the OMPRP, cropping areas of the Black Rock and Gumridge properties have been gradually converted into perennial pastures. Table 21 (Areas and Timeframes for Conversation to Perennial Pastures) of the OMPRP lists the areas that have been converted to perennial pasture and the timetable of the conversion activities. Figures 11a to 11d of the OMPRP identify the 150 m 'Agriculture buffer zones' and 'Tree buffer zones'.
6	*No cropping activities within the **Biodiversity Management Areas** are to be undertaken within 10m of a **tree**.*	Compliant	
7	*The person undertaking the action must submit to the **department**, as part of the Offset Management Plan identified in condition 3, a map identifying cropping areas in the **Biodiversity Management Areas** in relation to the **offset areas**.*	Compliant	Figures 11a to 11d of the OMPRMP identify the 'Land Management Unit 4 (Non- offset)' areas in which cropping is undertaken, and the 'Agriculture buffer zones' and 'Tree buffer zones'.
8	*Where strategic grazing has been proposed as a management activity, the person undertaking the action must provide, as part of the Offset Management Plan identified in condition 3, details of the proposed grazing activities for each **Biodiversity Management Area**. This must include:* *a) objectives* *b) a map showing areas to be grazed* *c) details of the grazing methods to be used* *d) timing including seasons in which grazing will occur, period of grazing and rest period* *e) proposed stocking rate per season* *f) monitoring of impacts of grazing including any changes in the condition of vegetation, habitat and weed density.*	Compliant	Section 4.4 of the OMPRP details the Strategic Grazing regime for the BMAs. Table 13 details the Targeted Strategic Grazing Regime for Land Management Units (LMUs) 2 and 3. Figures 11a to 11d show the locations of LMUs 2 and 3. Grazing activities within the BMAs were undertaken during the reporting period to comply with Condition 8 of EPBC Approval 2011/5795 and are subject to quarterly Agricultural Audits. The Agricultural Audit reports are available, to authorised parties (including the Department), on the MACH Energy Biodiversity Offsets portal.

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9	*Grazing activities within the **Biodive0sity Management Areas** must be undertaken in accordance with the guidelines for Strategic Grazing (Rawlings et al., 2010). A minimum sward height of 10cm and 70% groundcover must be maintained at all times on at least 50% of the area to be grazed, as specified in the Offset Management Plan.*	Compliant	Section 4.4 of the OMPRP (Strategic Grazing) has been prepared in consideration for the guidelines for strategic grazing as outlined in Section 12 of Rawlings et al. (2010) *A Guide to Managing Box Gum Grassy Woodland*. Grazing activities within the BMAs were undertaken during the reporting period to comply with Condition 4 of EPBC Approval 2011/5795 and are subject to quarterly Agricultural Audits. The Agricultural Audit reports are available, to authorised parties (including the Department), on the MACH Energy Biodiversity Offset portal. Each of the quarterly 2024 Agricultural Audit reports for the BMA paddocks assessed indicated compliance with the requirements of Condition 9.
10	*If the person undertaking the action proposes to undertake any activity in the **offset areas**, other than those management activities related to managing the **offset areas**, or as set out in the conditions, approval must be obtained in writing from the **Minister**. In seeking the **Minister's** approval the person undertaking the action must provide a detailed assessment of the area where the activity is proposed to take place and an assessment of all potential adverse impacts on **MNES** from the proposed activity. If the **Minister** agrees to the proposed activity, the area identified for the activity must be excised from the **offset areas** and alternative offsets secured at a ratio of 20:1 in relation to the area of offset excised.*	Compliant	No actions other than those described in the OMPRP were undertaken in the BMAs during the reporting period.
11	*Within 3 years of the **commencement of construction** the person undertaking the action must provide, for the approval of the Minister, a Re-establishment Plan for the offset areas. The approved Re-establishment Plan must be implemented.*	Compliant	Construction of the MPO commenced on 25 November 2016. The MPO EPBC Act Biodiversity Management Areas Re-establishment Plan (RP) was lodged with the Department on 25 November 2019. As described earlier in this report (refer Condition 3), the RP was integrated into the OMP and the delegate of the Minister for the Environment approved the OMPRP on 22 October 2020. Implementation of the RP commenced in 2021.
12	*The Re-establishment Plan must include time-bound commitments and activities to, within the **offset areas**:* *a) increase the spatial extent of remnant vegetation by at least 677 ha within 10 years of the **commencement of construction**;*	Compliant	As described earlier in this report (refer responses to Conditions 3 and 11), the RP was integrated into the OMP and the delegate of the Minister for the Environment approved the OMPRP on 22 October 2020. Sections 4.5.4 and 4.5.5 of the OMPRP describe the revegetation strategies and management measures that will be undertaken to:

EPBC Approval 2011/5795 Conditions		Status	MACH Energy Comment
12 Cont.	*b) increase the spatial extent of:* *i White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community; and* *ii suitable habitat for Greater-long-eared Bat.* *c) improve the condition of existing:* *i. White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community; and* *ii. suitable habitat for Regent Honeyeater, Swift Parrot, Spotted-tail Quoll and Greater-long-eared Bat.* *d) establish a self-sustaining functional vegetation community, with the capacity to provide habitat for the species identified in condition 2.b).*	Cont.	• deliver the increase in the spatial extent of remnant vegetation by at least 677 ha within 10 years of commencement of construction; • increase the spatial extent of Box Gum Grassy Woodland and suitable habitat for the Greater Long-eared Bat. • improve the condition of existing Box Gum Grassy Woodland and suitable habitat for Regent Honeyeater, Swift Parrot, Spotted-tail Quoll and Greater Long-eared Bat; and • establish a self-sustaining functional vegetation community, with the capacity to provide habitat for the species identified in Condition 2.b) of EPBC Approval 2011/5795.
13	*The Re-establishment Plan must include:* *a) details of the areas to be re-established (re-establishment areas) including location and maps* *b) documentation including mapping of current environmental values relevant to **MNES** of the re-establishment areas* *c) where revegetation through planting seedlings and/or seeds is intended details of appropriate species and ratios of species relevant to historically occurring listed migratory and listed threatened species habitat and the White Box-Yellow Box-Blakelys Red Gum Grassy Woodland and Derived Native Grassland Ecological Community* *d) the source and provenance of the seed and/or seedlings which will be used* *e) measures to address threats to **MNES** including but not limited to grazing pressure and damage by livestock and adverse impacts from feral animals and weeds* *f) measures to provide fire management regimes appropriate for the **MNES*** *g) measures to manage the White Box – Yellow Box –Blakelys Red Gum Grassy Woodland and Derived Native Grassland Ecological Community in accordance with the recommendations of the approved recovery plan for the ecological community* *h) monitoring measures including ecological surveys to measure the establishment and ongoing success of the revegetation based on a comparison with high quality habitat for listed migratory and listed threatened species, and ecological community reference sites*	Compliant	As described earlier in this report (refer responses to Conditions 3, 11 and 12), the RP was integrated into the OMP and the delegate of the Minister for the Environment approved the OMPRP on 22 October 2020. Accordingly, with this approval, the OMPRP complies with the requirements of Condition 13. Table A-1 in Appendix A of the OMPRP outlines where within the OMPRP each of the requirements of Condition 13 (and other Conditions relevant to the OMPRP) are addressed.

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13 Cont.	*i) performance measures and reporting requirements against identified objectives, including trigger levels for contingency measures to be taken to ensure performance measures and objectives are met* *j) identify persons responsible and arrangements for implementing the Re-establishment Plan and for reporting on performance.*		
14	*To ensure the long-term protection of the Re-establishment Areas within the **offset areas**, as described in condition 13.a), the approval holder must:* *a) manage and maintain the White Box – Yellow Box –Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community components of the Re-establishment Area* *b) specify contingency measures in the Re-establishment Plan, which will be undertaken if performance measures and reporting indicate that successful re-establishment has not been achieved within 15 years of **commencement of construction.***	Compliant	Sections 4.5.5 and 4.5.6 of the OMPRP describe the measures that will be undertaken to manage and maintain Box Gum Grassy Woodland revegetation areas, and the monitoring programme, including completion criteria commitments, that would be used to manage and maintain the Box Gum Grassy Woodland components of the Re-establishment areas. Section 4.5.8 of the OMPRP includes potential risks to revegetation success and corrective measures that would be undertaken to mitigate the risks. As described in Section 4.5.6, monitoring would be undertaken to track the successful development of the Re-establishment Areas.
Indirect Offsets			
15	*Indirect offsets security* *To compensate for the loss of the White Box – Yellow Box –Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community the person taking the action must provide $1,000,000 over the life of the project to fund **high priority weed** activities that are consistent with the recovery actions identified in the National Recovery Plans for the White Box – Yellow Box –Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community. A detailed Weed Project Plan governing the provision and timing of the $1,000,000 funding for the activities and outcomes must be developed. The Weed Project Plan must be provided to the **Minister** for approval, within 12 months of the **commencement of construction** or otherwise agreed in writing by the **Minister**.*	Compliant	The Weed Project Plan was submitted to the Department on 24 November 2017 and approved on 1 June 2018. A revised Weed Project Plan was submitted to the Department on 18 June 2024 under Condition 32 of EPBC 2011/5795. MACH Energy implemented the revised Weed Project Plan on 17 July 2024.
16	*To compensate for the loss of habitat for the regent honeyeater and swift parrot the person taking the action must provide $2,000,000 over the life of the project to deliver activities that implement the priority recovery actions identified in the National Recovery Plans for the regent honeyeater and swift parrot. A detailed Woodland Birds Project Plan governing the provision and timing of the $2,000,000 funding for the activities and outcomes must be developed. The Woodland Birds Project Plan must be provided to the **Minister** for approval, within 18 months, of the **commencement of construction**, or otherwise agreed in writing by the **Minister**.*	Compliant	The Woodland Birds Project Plan was submitted to the Department on 27 April 2018 and approved on 1 June 2018.

EPBC Approval 2011/5795 Condition		Status	MACH Energy Comment
17	*The approved Weed Project Plan and Woodland Birds Project Plan must be implemented.*	Compliant	Payment was made in 2023 by MACH Energy to Hunter Local Land Services, consistent with the approved Weed Project Plan. MACH Energy completed its funding obligations under the Woodland Birds Project Plan in 2021. Progress against established performance indicators (as described in the Weed and Woodland Birds Project Plans) were reported to MACH Energy by the participating entities during the reporting period. The Progress Reports are available, to authorised parties (including the Department), on the MACH Energy Biodiversity Offsets portal.
18	*Project plans for the listed species and ecological communities* *The Weed Project Plan and Woodland Birds Project Plan must include, at a minimum, the following information:* *a) details of governance arrangements for an independent Trust, which may include representatives of the person taking the action to oversee the implementation of the funded activities, including:* *i. roles and responsibilities of individuals or organisations involved with implementation of the Project Plan* *ii. measures to account for recovery actions identified as priorities by the White Box – Yellow Box –Blakely's Red Gum Grassy Woodland recovery teams* *iii. consultation with organisations aiming to facilitate the conservation of the White Box – Yellow Box –Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community, regent honeyeater and swift parrot.* *b) the specific activities that will be funded and the aims and objectives of the activities* *c) the timing of commencement and duration of activities;* *d) the mechanisms to monitor and assess the effectiveness of the activities undertaken* *e) the mechanisms to demonstrate the benefit to the White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community, regent honeyeater and swift parrot*	Compliant	The Weed Project Plan was developed in consultation with the Hunter – Local Land Service to support research into high priority weed activities and aid the recovery of the *White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland*. The Woodland Birds Project Plan was developed in consultation with the Australian National University, the NSW Office of Environment and Heritage, Birdlife Australia, Taronga (Sydney and Western Plains Zoos), the Swift Parrot Recovery Team and the Regent Honeyeater Recovery Team. The Weed Project Plan was submitted to the Department on 24 November 2017 and approved on 1 June 2018. A revised Weed Project Plan was submitted to the Department on 18 June 2024 under Condition 32 of EPBC 2011/5795. MACH Energy implemented the revised Weed Project Plan on 17 July 2024. The Woodland Birds Project Plan was submitted to the Department on 27 April 2018 and approved on 1 June 2018. MACH Energy completed its funding obligations to Birdlife Australia and the Australian National University for both the Regent Honey-eater Program and Swift Parrot Program, in accordance with the requirements of the Woodland Birds Project Plan, during the 2020 reporting period. MACH Energy's final funding instalment for Taronga (Sydney and Western Plains) Zoo's Regent Honey-eater Program was completed in July 2021. The provision of funding required under Condition 16 above was therefore satisfied during the reporting period.

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18 Cont.	*f) the mechanisms to ensure that new or different activities will be funded, from within the agreed funding package of $1,000,000 over the life of the project for White Box–Yellow Box–Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community and $2,000,000 over the life of the project for regent honeyeater and swift parrot, on the basis of monitoring information, advances in knowledge of species ecology, or the changing priorities as identified by recovery teams* *g) the mechanisms to ensure that knowledge and information gained from these activities is easily available and useable to the department, to the general public and the scientific community, including website details* *h) measures to ensure that funds are spent in accordance with the uses specified in these conditions of approval* *i) a mechanism for proof of payment to agreed parties to undertake agreed activities* *j) measures to incorporate and integrate with any relevant separately funded activities (if any) for the conservation of the White Box – Yellow Box –Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community, regent honeyeater and swift parrot and associated habitat for EPBC-listed species and communities at the landscape level, consistent with priorities identified by recovery teams for the relevant species or communities.*		
Mine Site Rehabilitation			
19	*The person taking the action must, within 3 years of the **commencement of construction**, submit to the **Minister** for approval a Mine Site Rehabilitation Plan for the progressive rehabilitation and revegetation of no less than 1,000ha of White Box – Yellow Box –Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community on the project area (as identified in Appendix A).*	Compliant	Construction of the MPO commenced on 25 November 2016. The MPO EPBC Act Threatened Ecological Community Mine Site Rehabilitation Plan (TEC MSRP) was lodged with the Department on 25 November 2019. The delegate of the Minister for the Environment approved the TEC MSRP on 22 October 2020.
20	*The Mine Site Rehabilitation Plan (MSRP) must include, at a minimum, the following information:* *a) the desired outcomes/objectives of implementing the MSRP* *b) details of the vegetation communities to be rehabilitated and the timing of progressive rehabilitation* *c) criteria to determine success of rehabilitation of White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community*	Compliant	With approval of the TEC MSRP, the plan complies with each of the requirements of Condition 20. Table 1-1 in Section 1.2 of the TEC MSRP outlines where within the plan each of the requirements of Condition 20 are addressed.

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	*d) a process to progressively report to the **department** the rehabilitation management actions undertaken and the outcome of those actions, and the mechanisms to be used to identify the need for improved management* *e) a description of the potential risks to successful management and rehabilitation on the project site, and a description of the contingency measures that would be implemented to mitigate these risks* *f) details of parties responsible for reviewing and implementing the MSRP* *g) details of long-term management and protection of the mine site.*		
21	*The person undertaking the action must submit to the **Minister** for approval the Mine Closure Plans, at least 6 months prior to the mine closure. The approved Plan must be implemented.*	Compliant	Not triggered. EPBC Approval 2011/5795 has effect until 28 October 2040.
Advisory Committee			
22	The person undertaking the action must, within 6 months of this approval, establish an advisory committee to review and provide advice on the management activities of the **Biodiversity Management Areas.**	Compliant	The Offset Advisory Committee was established within the 6-month period in accordance with Condition 22.
23	*Within 3 months of establishing the advisory committee, the person undertaking the action must provide to the **Minister** for approval the terms of reference for the advisory committee. The terms of reference must include:* *a) Purpose* *b) membership including the roles and responsibilities of members* *c) timeframes* *d) governance (operating guidelines)* *e) describe how the committee will consult with relevant stakeholders (e.g. recovery planning teams, Catchment Management Authority* *f) reporting* *g) resources and funding.*	Compliant	Terms of reference for the Offset Advisory Committee have been established and submitted to the Department.
24	*The person taking the action will be required to submit all plans referred to in the conditions, (with the exception of the mine closure plan referred to in Condition 21), to the advisory committee for review. Once reviewed the plans must be submitted to the **Minister** for approval as specified in the conditions.*	Compliant	The TEC MSRP was submitted to the Offset Advisory Committee for review in 2019 and then subsequently to DCCEEW in 2019. DCCEEW approved the TEC MSRP in 2020. Copies of the Offset Advisory Committee meeting minutes are available on the MACH Energy Biodiversity Offsets portal. The Department has access to the portal and can retrieve information at any time.
25	*All expenses incurred by the establishment and ongoing function of the advisory committee will be at the funding of the person undertaking the action.*	Compliant	MACH Energy financed the establishment of the Offset Advisory Committee and will continue to finance activities incurred by the function of it.

EPBC Approval 2011/5795 Conditions		Status	MACH Energy Comment
Survey Data			
26	*All survey data collected for the project must be collected and recorded so as to conform to data standards notified from time to time by the **department**. When requested by the **department**, the proponent must provide to the **department** all species and ecological survey data and related survey information from ecological surveys undertaken for **MNES**. This survey data must be provided within 30 business days of request, or in a timeframe agreed to by the **department** in writing. The **department** may use the survey data for other purposes.*	Compliant	Survey data from MPO is maintained on the MACH Energy Biodiversity Offsets Portal. The Department has access to the portal and can retrieve information at any time.
Reporting and Auditing			
27	*Within 14 days after the **commencement of construction**, the person taking the action must advise the **department** in writing of the actual date of **commencement of construction.***	Compliant	MACH Energy informed the Department of the commencement of construction of the MPO on 25 November 2016.
28	*Within three months of every 12-month anniversary of the **commencement of construction**, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any **Plans**. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the **department** at the same time as the compliance report is published. The person taking the action must also notify any non-compliance with this approval to the department in writing within two business days of becoming aware of the non-compliance.*	Compliant	MACH Energy will submit this 2024 Annual Compliance Report to the Department on or before 25 February 2025, and will publish the report on MACH Energy's website.
29	*Upon the direction of the **Minister**, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the **Minister**. The independent auditor must be approved by the **Minister** prior to the commencement of the audit. Audit criteria must be agreed to by the **Minister** and the audit report must address the criteria to the satisfaction of the **Minister**.*	Compliant	Not triggered. The Minister did not request an independent audit of compliance during the reporting period.

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EPBC Approval 2011/5795 Conditions		Status	MACH Energy Comment
30	*Where the conditions require the person undertaking the action to submit a plan for the **Minister's** approval, the person undertaking the action must maintain a register recording:* *a) the date on which each plan was approved by the **Minister*** *b) if a plan has not been approved, the date on which it was, or is expected to be, submitted to the **Minister*** *c) the dates on which reports on the outcomes of reviews have been approved by the **Minister*** *d) the dates on which the subsequent reviews are due.*	Compliant	MACH Energy maintains a register recording the details of submission and approval dates and details of the relevant plans required under EPBC Approval 2011/5795.
31	*The register must be submitted to the **department**, at the time the annual compliance report is published, but does not form part of the report.*	Compliant	The register will be submitted to the Department at the time of submission of this 2024 Annual Compliance Report.
32	*The person taking the action may choose to revise a **Plan** specified in conditions 15, 16, 18, 19, 20 and 21 without submitting it for approval under section 143A of the **EPBC Act**, if the taking of the action in accordance with the revised **Plan** would not be likely to have a **new or increased impact**. If the person taking the action makes this choice they must notify the Department in writing that the approved **Plan** has been revised and provide the Department, at least four weeks before implementing the revised **Plan**, with:* *a) an electronic copy of the revised **Plan**;* *b) an explanation of the differences between the revised **Plan** and the approved **Plan**; and* *c) the reasons the person taking the action considers that taking the action in accordance with the revised **Plan** would not be likely to have a **new or increased impact**.*	Compliant	A revised Weed Project Plan (required under Conditions 15 and 18) was submitted to the Department on 18 June 2024 under Condition 32 of EPBC 2011/5795. MACH Energy implemented the revised Weed Project Plan on 17 July 2024. MACH Energy has not revised a Plan specified in Conditions 16, 19, 20 and 21 of EPBC Approval 2011/5795 during the reporting period. Additionally, MACH Energy has not changed the action approved under EPBC Approval 2011/5795. As noted in the response to Condition 3, the revision of the OMP commenced during the 2019 reporting period, with the resulting integrated OMPRP approved during the 2020 reporting period and implemented during the 2021, 2022 and this reporting period.
32A	*The person taking the action may revoke their choice under condition 32 at any time by notice to the **Department**. If the person taking the action revokes the choice to implement a revised Plan, without approval under section 143A of the **EPBC Act**, the Plan approved by the **Minister** must be implemented.*	Compliant	Not triggered.
32B	*If the **Minister** gives a notice to the person taking the action that the **Minister** is satisfied that the taking of the action in accordance with the revised Plan would be likely to have a **new or increased impact**, then:* *a) condition 32 does not apply, or ceases to apply, in relation to the revised Plan; and*	Compliant	Not triggered.

EPBC Approval 2011/5795 Conditions		Status	MACH Energy Comment
32B Cont.	*b) the person taking the action must implement the Plan approved by the **Minister**.* *To avoid any doubt, this condition does not affect any operations of conditions 32 and 32A in the period before the day the notice is given.* *At the time of giving the notice the **Minister** may also notify that, for a specified period of time, condition 32 does not apply for one or more specified Plans required under the approval.*		
32C	*Conditions 32, 32A and 32B are not intended to limit the operation of section 143A of the **EPBC Act** which allows the person taking the action to submit a revised Plan to the **Minister** for approval.*	Compliant	Not triggered.
32D	*If, for the purposes of the **Plans** approved by the **Minister** under conditions 3 and 11, the person taking the action wishes to carry out an activity otherwise than in accordance with the approved **Plans**, the person taking the action must submit to the Department for the **Minister's** written approval a revised version of that **Plan**. The person taking the action must not commence the varied activity until the **Minister** has approved the varied **Plan**. If the **Minister** approved the revised **Plan**, the **Plan** must be implemented in place of the **Plan** originally approved.*	Compliant	Not triggered. No actions other than those described in the OMPRP were undertaken in the BMAs during the reporting period.
33	*If the **Minister** believes that it is necessary or convenient for the better protection of listed threatened species and communities or listed migratory species to do so, the **Minister** may request that the person taking the action make specified revisions to the management plan specified in the conditions and submit the revised plan for the **Minister's** written approval. The person taking the action must comply with any such request. The revised approved plan must be implemented. Unless the **Minister** has approved the revised plan then the person taking the action must continue to implement the originally approved plan, as specified in the conditions.*	Compliant	Not triggered. The Minister did not request the revision of any management plans required under EPBC Approval 2011/5795 during the reporting period.
34	*The person taking the action must **substantially commence** the action by December 2020. If the action has not **substantially commenced** by December 2020, the person taking the action must seek written agreement of the **Minister**.*	Compliant	Substantial commencement of the action approved under EPBC Approval 2011/5795 occurred in 2018, with off-site transport of coal commencing in December 2018.

EPBC Approval 2011/5795 Conditions		Status	MACH Energy Comment
Publication of Plans			
35	*The person taking the action must maintain accurate records substantiating all activities and outcomes associated with or relevant to the above conditions of approval, including measures taken to implement the **Plans** required by this approval, and make them available upon request to the **department**. Such records may be subject to audit by the **department** or an independent auditor in accordance with section 458 of the EPBC Act or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the department's website. The results of audits may also be publicised through the general media.*	Compliant	MACH Energy maintains comprehensive records comprising all activities and outcomes associated with the EPBC 2011/5795 Approval Conditions. These records are available at the request of the Department.
36	*Unless otherwise agreed to in writing by the **Minister**, the person taking the action must publish all **Plans** referred to in these conditions of approval on their website. Each management plan must be published on the website within 20 **business days** of being approved by the **Minister** or revised in accordance with condition 32.*	Compliant	The approved OMPRP and TEC MSRP are available on the MACH Energy website http://machenergyaustralia.com.au/ (conditions 3, 11 and 19). The Weed Project Plan and Woodlands Bird Project Plan are available on the MACH Energy website http://machenergyaustralia.com.au/ (Conditions 15 and 16). The Annual Compliance Report (i.e. this document) is published on the MACH Energy website http://machenergyaustralia.com.au/ within three months of every 12-month anniversary of the commencement of construction (Condition 28). To date, no independent audit of compliance with the conditions of approval has been undertaken under the direction of the Minister (Condition 29). A register of plans submitted to the minster is published annually on the MACH Energy website http://machenergyaustralia.com.au/ (Condition 30).

EPBC Approval 2011/5796 Conditions		Status	MACH Energy Comment
36A	*The person taking the action must:* *a. publish the **Plan** attached to the biodiversity stewardship agreement referred to in condition 2(c) of these approval conditions on their website, and do so within:* *i. 20 **business days** of entering into the biodiversity stewardship agreement; and* *ii. 20 **business days** of making any revisions to the **Plan**.* *b. notify the **Department** in writing of the **Plan's** publication within 2 **business days** of its publication. The notification must include:* *i. an electronic link to the published **Plan** on the website of the person taking the action; and* *ii. an unredacted version of the published **Plan**.* *provide to the Department each monitoring and management report required under the biodiversity stewardship agreement required under condition 2.c) within 20 business days of its finalisation.*	Compliant	Not triggered. As noted in the response to Condition 2, the Conservation Agreement has not been finalised.

1 Based on MPO site disturbance from aerial imagery dated 29 December 2024 and vegetation mapping prepared by Hunter Eco (2018) and Cumberland Ecology (2011). Although site disturbance as at 29 December 2024 is marginally outside of the end of the 2024 reporting period (i.e. 25 November 2024), any change in disturbance between 25 November 2024 and 29 December 2024 was marginal, if any at all.