

Approval EPBC 2009/5243

Annual Compliance Report

Reporting Period: July 2019 – June 2020

This report is prepared by Pacific National in accordance with Approval EPBC 2009/5243 August 7 2020.

NB: With the approval of the Minister it is the intention of Pacific National to apply for the termination of reporting requirements. All conditions associated with this agreement have been closed out and all offset obligations are managed externally in NSW Biobanking Agreement No. 96

No.	Condition Requirement	Status	Comments
1	The person taking the action must carry out the action in accordance with the conditions of this approval and as described in the Environment Assessment dated 23 August 2010, the Response to Submissions and Preferred Project Report dated December 2010, and the EPBC Act Biodiversity Offset Assessment dated February 2011. Where the above documents and these conditions are inconsistent, these conditions shall prevail to the extent of the inconsistency.	Closed Out	<i>Greta Train Support Facility constructed in accordance with the Environmental Assessment (23 August 2010), response to Submissions, and GHD Biodiversity Offset Assessment Package (February 2011) resulting in Approval EPBC 2009/5243</i>
2	Within 10 days from the commencement of the action, the person taking the action must advise the Department in writing of the actual date of substantial commencement	Closed Out	As per 2018-2019 Annual Report.

No.	Condition Requirement	Status	Comments
3	<p>Within three (3) months of every 12 month anniversary of the substantial commencement of the action, the person taking the action must publish a report (the compliance report) on their website addressing compliance with each of the conditions of this approval, including implementation of the management plan specified in Condition 13. Documentary evidence providing proof of the date of publication and non-compliance with any of the date of publication and non-compliance with any 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 continue to prepare and publish the annual compliance report until such time as agreed to in writing by the Minister.</p>	Compliant	<p>The Annual Compliance Report is published at: https://pacificnational.com.au/about/compliance-reporting/</p> <p>The publication of the 2018- 2019 report occurred prior to 30 July 2019</p>
4	<p>If the person taking the action wishes to carry out any activity otherwise than in accordance with the plans, reports or strategies referred to in Condition 13, the person taking the action must submit for the Minister's written approval a revised version of any such plan, report or strategy. The varied activity shall not commence until the Minister has approved the plans in writing. If the Minister approves such a revised plan, report or strategy, that plan, report or strategy must be implemented in place of the plan, report or strategy originally approved. Unless the Minister has approved the revised plan, report or strategy, then the person taking the action must continue to implement the plan, report or strategy originally approved, referred to in Condition 13.</p>	Compliant	<p>Variation to extend the timeframe for the implementation of conditions approved:</p> <ul style="list-style-type: none"> • 29 September 2012; and • 2 May 2013 <p>Variation to conditions relating to 100 percent off-site offset package approved by the Minister:</p> <ul style="list-style-type: none"> • 23 May 2018 <p>No actions or activities were carried out, otherwise than in accordance with the plans during the 2019 – 2020 reporting period</p>

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5	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species to do so, the Minister may request that the person taking the action make specified revisions to the plans, reports or strategies approved pursuant to Condition 13 prior to the covenant referred to in Condition 13 being registered and submit the revised plan, report or strategy for the Minister's written approval. The person taking the action must comply with any such request. The revised approved plan, report or strategy must be implemented. Unless the Minister has approved the revised plan, report or strategy, then the person taking the action must continue to implement the plan, report or strategy originally approved, referred to in Condition 13.	Compliant	The Minister has not requested revisions to plans during the 2019 – 2020 reporting year
6	If, at any time after five (5) years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.	Closed Out	Construction Commencement Date: 15 July 2011
7	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to these conditions of approval, including measures taken to implement the plans, reports or strategies 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	All documents associated with Pacific National's compliance with the conditions attached to EPBC 2009/5423 approval have been provided to the Department. Records are maintained at Pacific National and may be produced at the request of the Department.
8	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all management plans, reports and strategies (however described) referred to in these conditions of approval on their website. Each plan, report and strategy must be published on the website within one (1) month of being finalized	Closed Out	<p>The website https://pacificnational.com.au/p/environment</p> <ul style="list-style-type: none"> • Contains links to: EPBC Act Biodiversity Offset Assessment and amendments; • Amended Biodiversity Offset package:

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9	Clearance of native vegetation must not exceed 20.47 hectares of vegetation and must only occur within the proposed development footprint as defined on the map at Annexure 1.	Compliant	<ul style="list-style-type: none"> Annual reporting documentation in accordance with EPBC 2009/5243 for years 2012 – 2020 <p>Construction of the GTSF did not exceed the approved footprint.</p> <p>Figure 1 shows the GTSF site from the GHD 2017 offset package and indicates the biobank and development areas of the site. Figure 2 provides a 2020 comparison to this image and demonstrates no development has occurred outside of areas defined as development area zones.</p>

No. Condition Requirement

Status

Comments

Figure 1: GTSF March 2017



Figure 2: GTSF 25 April 2019



Source: <http://maps.au.nearmap.com/> 4 August 2020

No.	Condition Requirement	Status	Comments
10	Asset Protection Zones must only occur within the proposed development footprint as defined on the map at Annexure 1.	Compliant	There was no change to Asset Protection Zone during the 2019-2020 reporting year
11	Condition Deleted (see variation to Conditions attached to Approval – Pacific National Train Support Facility, Greta (EPBC 2009/5243))	NA	NA
12	Condition Deleted (see variation to Conditions attached to Approval – Pacific National Train Support Facility, Greta (EPBC 2009/5243))	NA	NA
13	To compensate for the loss of 20.47 ha of Grey-headed Flying fox, regent Honeyeater, Swift parrot and Spotted-tail Quoll habitat, the person taking the action must: <ul style="list-style-type: none"> a) Implement the Biodiversity Offset package for the area defined on the map at Annexure 2 as “Branch Lane Biobank site”. b) Secure the corresponding quantity of direct offsets at the branch Lane Biobank site (as outlined in the Biodiversity Offset package) consisting of habitat for Grey-headed Flying fox, regent Honeyeater, Swift parrot and Spotted-tail Quoll habitat of equal or better quality at the “Branch Lane site” c) By 30 August 2018, the person taking the action must, in relation to the direct offsets secured under 13(b), submit the signed biobanking agreement and corresponding management plan_ or the signed Biobanking credit retirement report to the department as evidence of compliance and the retiring of credits as outlined in the Biodiversity Offset Package. 	Compliant	Biobanking Credits associated with the Amended Assessment package (GHD 2017) were retired 30/08/2018 and the biobanking credit retirement report was submitted to DEH 10/10/2018 Termination Request for the NSW Biobank 116 was submitted in January 2020. Pacific National is awaiting Ministerial Approval for termination