

Compliance Report

North Galilee Basin Rail Project

EPBC 2013/6885

13 October 2019 to 12 October 2020

Report 3

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1 Declaration of Accuracy

I declare that to the best of my knowledge the information given in or attached to this compliance report is complete, current and correct. I understand that giving false or misleading information is a serious offence.

Signed:

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2 Introduction

Adani Mining Pty Ltd (Adani) has approval to develop a 60 million tonne (product) per annum (Mtpa) thermal coal mine in the northern Galilee Basin, approximately 160 kilometres north-west of Clermont in Queensland. The initial stage of mining will be a 10 Mtpa open-cut mine adopting a narrow gauge rail solution, with production ramping up over 10 years to 27.5 Mtpa.

There are several parts to the project, being:

1. the Carmichael Coal Mine, including supporting off lease infrastructure;
2. a Rail line connecting the coal mine to port - including the Carmichael Line (Separable Portion 1) and the North Galilee Basin Rail (NGBR) Projects; and
3. Abbot Point Coal Terminal as part of an overall programme for exportation of coal.

The Carmichael Coal Mine consists of a greenfield coal mine with both open cut and underground mining, on mine infrastructure and associated mine processing facilities. Adani is developing the Carmichael Rail Network to transport coal from the Galilee Basin to the Port of Abbot Point via a multi-user, greenfield, standard gauge rail line.

Adani holds *Environment Protection and Biodiversity Conservation Act 1999* controlled action approval number 2013/6885 (EPBC Act Approval) to deliver the North Galilee Basin Rail Project. The EPBC Act Approval scope covers that part of the rail line connecting the coal mine to port that is *not* the Carmichael Line (Separable Portion 1).

Condition 18 of the EPBC Act Approval states: *“Within three months of every 12 month anniversary of the commencement of the action, the approval holder must publish a report on its website addressing compliance with each of the conditions of this approval, including implementation of any management plans, reports or strategies as specified in the conditions. The report must remain on the website for three years. Documentary evidence providing proof of the date of publication must be provided to the Department at the same time as the compliance report is published. Likely (as defined by relevant triggers incorporated in the MNESMP as required by Condition 5f) or actual non-compliance with any of the conditions of this approval must be reported to the Department in writing within 2 business days of the approval holder becoming aware of the likely or actual non-compliance.”*

The purpose of this compliance report is to meet the requirements of Condition 18 for the period 13 October 2019 to 12 October 2020. This is the third compliance report for the EPBC Act Approval.

3 Description of activities

3.1 Overview

EPBC Number	2013/6885
Project Name	North Galilee Basin Rail Project
Approval holder ACN or ABN	Adani Mining Pty Ltd ACN 145 455 205
Approved action	The construction and operation of a rail corridor approximately 310 km in length, including standard gauge rail and associated infrastructure, from approximately 70 km east of the Carmichael Mine to the Port of Abbot Point, Queensland [see EPBC Act referral 2013/6885, and approved variations].
Location of project	From approximately 70 km east of the Carmichael Mine to the Port of Abbot Point, Queensland
Person accepting responsibility for the report	David Boshoff – Chief Executive Officer
Dates for the reporting period of the report	13 October 2019 to 12 October 2020
Date of preparation of the report	November and December 2020

3.2 Details of activities undertaken during report period

Activities carried out from 13 October 2019 to 12 October 2020 in accordance with the conditions of the EPBC Act Approval, and other relevant approvals were:

- clearing and grubbing and topsoil removal activities;
- establishment of fencing and gates;
- waterway barrier works;
- weed treatments;
- geotechnical investigations;
- temporary rail accommodation camp construction and operation; and
- ecological, cadastral and cultural heritage surveys.

4 Compliance with conditions

This section includes a table that addresses compliance with each of the conditions of the EPBC Act Approval, including implementation of any management plans as specified in the conditions.

The criteria used are as per the New South Wales Government Independent Audit Guideline are below:

- **Compliant:** Where there is sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the EPBC Act Approval have been complied with during the timeframe;
- **Non-compliant:** Where there is sufficient verifiable evidence to demonstrate that the intent of one or more specific elements of the EPBC Act Approval have not been complied with during the timeframe;
- **Not triggered:** EPBC Act Approval requirement has an activation or timing trigger that has not been met, therefore a determination of compliance could not be made; and
- **Note:** A statement or fact, where no assessment of compliance is required.

Adani confirms that no new environmental risks have been identified during the reporting period.

4.1 Compliance Table

Condition No.	Condition	Is the project compliant with this condition?	Evidence / comments
1	<p>Conditions attached to the approval</p> <p>The Minister may determine that a plan, report or strategy approved by the Queensland Government satisfies a plan, report or strategy required under these conditions.</p>	Note	This condition is a statement where no assessment of compliance is required.
2	<p>Project area</p> <p>For the purpose of the proposed action, the approval holder must not clear vegetation outside the project area unless targeted pre-clearance surveys have demonstrated that Matters of National Environmental Significance will not be impacted.</p>	Compliant	Clearing footprints were overlaid on geographical information system mapping. Vegetation has not been cleared outside the Project Area shown in Appendix A of the varied conditions for EPBC 2013/6885, with exception of locations where targeted pre-clearance surveys have demonstrated MNES would not be impacted.
3	<p>Disturbance limits</p> <p>The approval holder must comply with the disturbance limits for specified EPBC Act listed species and communities as specified in Table 1.</p> <p><i>Note: The maximum disturbance limits in Table 1 apply to authorised impacts on EPBC Act listed species and communities as a result of construction, operation and decommissioning of the rail corridor and associated infrastructure within the Project area (i.e. they are ‘whole of Project’ disturbance limits) for the duration of the Project approval.</i></p>	Compliant	Pre-clearance surveys were conducted prior to the commencement of activities. The total area of impact within the reporting period was confirmed to be within the disturbance limits in Table 1.

Condition No.	Condition	Is the project compliant with this condition?	Evidence / comments																														
	<p>Table 1: Maximum disturbance limits for EPBC Act listed species and communities.</p> <table border="1" data-bbox="388 394 1080 1323"> <thead> <tr> <th>Species</th> <th>Maximum disturbance (i.e. maximum residual impact to habitat)</th> </tr> </thead> <tbody> <tr> <td colspan="2">Listed threatened species – fauna</td> </tr> <tr> <td>Australian Painted Snipe</td> <td>45.6 hectares</td> </tr> <tr> <td>Black-throated Finch</td> <td>1836.2 hectares</td> </tr> <tr> <td>Squatter Pigeon</td> <td>1361.8 hectares</td> </tr> <tr> <td>Ornamental Snake</td> <td>421.6 hectares</td> </tr> <tr> <td>Koala</td> <td>2047.6 hectares</td> </tr> <tr> <td colspan="2">Listed threatened species – flora</td> </tr> <tr> <td>Black Ironbox</td> <td>175.4 hectares</td> </tr> <tr> <td>King Bluegrass</td> <td>263.3 hectares</td> </tr> <tr> <td>Bluegrass</td> <td>354.2 hectares</td> </tr> <tr> <td colspan="2">Threatened ecological community</td> </tr> <tr> <td>Brigalow (<i>Acacia harpophylla</i> dominant and co-dominant)</td> <td>195.2 hectares</td> </tr> <tr> <td>Natural grasslands of the Queensland central highlands and the northern Fitzroy Basin</td> <td>133.2 hectares</td> </tr> <tr> <td>Semi-evergreen vine thickets of the Brigalow Belt (north and south) and Nandewar regions</td> <td>55.7 hectares</td> </tr> </tbody> </table> <p><i>Note: Table 1 is derived from information in the Coordinator-General's Assessment Report (August 2014).</i></p>	Species	Maximum disturbance (i.e. maximum residual impact to habitat)	Listed threatened species – fauna		Australian Painted Snipe	45.6 hectares	Black-throated Finch	1836.2 hectares	Squatter Pigeon	1361.8 hectares	Ornamental Snake	421.6 hectares	Koala	2047.6 hectares	Listed threatened species – flora		Black Ironbox	175.4 hectares	King Bluegrass	263.3 hectares	Bluegrass	354.2 hectares	Threatened ecological community		Brigalow (<i>Acacia harpophylla</i> dominant and co-dominant)	195.2 hectares	Natural grasslands of the Queensland central highlands and the northern Fitzroy Basin	133.2 hectares	Semi-evergreen vine thickets of the Brigalow Belt (north and south) and Nandewar regions	55.7 hectares		
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4	<p>Matters of National Environmental Significance management plan/s (MNESMP)</p> <p>At least three months prior to commencement, the approval holder must submit to the Minister for approval Matters of National Environmental Significance plan/s for the management of direct and indirect impacts of the proposed action on Matters of National Environmental Significance, being for the purposes of the MNESMP: the species and communities listed in Table 1, and the Outstanding Universal Value of the Great Barrier Reef World Heritage Area.</p> <p><i>Note: If the MNESMP does not address any specific future activities it should be updated in accordance with Condition 20 and submitted to the Department prior to these specific future activities being undertaken.</i></p>	Compliant	<p>The applicable Matters of National Environmental Significance plan (MNESMP) is the <i>Species Management Plans – Carmichael Rail Network – NGBR</i>. The first submission date of that plan to the Commonwealth Government Department (the Department) was 4 November 2015.</p> <p>The NGBR project commenced on 13 October 2017, being more than three months after submission of the plan.</p>																														

Condition No.	Condition	Is the project compliant with this condition?	Evidence / comments
5	<p>The MNESMP must be consistent with relevant recovery plans, threat abatement plans and approved conservation advices and must include:</p> <ul style="list-style-type: none"> a) a description of environmental values for each of the Matters of National Environmental Significance addressed in the MNESMP b) details of baseline and impact monitoring measures to be implemented for each of the Matters of National Environmental Significance including control and impact sites to be monitored throughout the life of the project. The monitoring must provide sufficient data to quantify likely impacts resulting from the proposed action, to determine appropriate habitat management goals (See Conditions 5e and 5f) c) details of potential impacts, including area of impact, on each of the Matters of National Environmental Significance from the proposed action, including impacts from: <ul style="list-style-type: none"> i. vegetation clearing ii. earthworks iii. construction works iv. noise and vibration v. train strike vi. emissions (including dust) vii. light spill and other visual impacts viii. waterway crossings ix. weeds and pests d) measures that will be undertaken to mitigate and manage impacts on Matters of National Environmental Significance resulting from the proposed action. These measures must include but not be limited to: <ul style="list-style-type: none"> i. for Matters of National Environmental Significance to which the MNESMP apply (see Conditions 4, 7 and 9), relevant mitigation measures proposed in sections 7.6, 7.8 and 7.9 of Volume 2 Appendix D of the Final EIS ii. the use of fauna spotters prior to and during all vegetation clearing activities to ensure impacts on Matters of National Environmental Significance are minimised iii. measures to avoid impacts on Matters of National Environmental Significance and their habitat located in the Project Area, but outside areas to be cleared or constructed upon, including adjacent to cleared areas iv. measures to rehabilitate all areas for Matters of National Environmental Significance addressed in the MNESMP (see Conditions 4, 7 and 9) e) goals for habitat management for each relevant Matters of National Environmental Significance 	Compliant	<p>The requirements of condition 5 and paragraphs (a) to (j) have been incorporated into the relevant parts of the MNESMP. The <i>Species Management Plans – Carmichael Rail Network – NGBR</i> was approved by the delegate for the Minister on 20 July 2016. An updated version (4a) was submitted to the Department on 28 August 2019 and approved by the Department on 2 December 2019 (within current reporting period).</p>

Condition No.	Condition	Is the project compliant with this condition?	Evidence / comments												
	<p>f) a table of specific criteria for assessing the success of management measures against goals, and triggers for implementing corrective measures if criteria are not met within specified timeframes. Goals and triggers must be based on the baseline condition the relevant Matters of National Environmental Significance as determined through baseline monitoring (see Condition 5b)). Corrective measures must include provision of offsets where it is determined that corrective management measures have not achieved goals within specified timeframes</p> <p>g) an ongoing monitoring program to determine the success of mitigation and management measures against the stated criteria in Condition 5f, including monitoring locations, parameters and timing</p> <p>h) details of how non-compliance will be reported</p> <p>i) details of how the MNESMP will be updated to incorporate and address outcomes from surveys undertaken for Matters of National Environmental Significance under this and any state approvals, including updating of goals, criteria and triggers (as required under Conditions 5e and 5f)</p> <p>j) provisions to ensure that suitably qualified and experienced persons are responsible for undertaking monitoring, review and implementation of the MNESMP</p>														
6	<p>The approval holder must not commence until all the required MNESMP have been approved by the Minister in writing. The approved plan/s must be implemented.</p>	Compliant	<p>The <i>Species Management Plan – Carmichael Rail – NGBR</i> was approved by the delegate for the Minister on 20 July 2016. The action commenced on 13 October 2017, which is over 1 year after the approval of the MNESMP. Adani took steps to implement the plan to the extent the plan was relevant to activities conducted during the reporting period.</p>												
7	<p>Where pre-clearance surveys, as required under state approvals, identify individuals of, or habitat for, an EPBC Act listed species or community not previously identified and reported to the Department, the approval holder must notify the Department in writing within five business days of finding these individual or habitat, and within 40 business days of finding these individuals or habitat must submit to the Department for the Minister’s written approval updated MNESMP detailing how impacts to the newly identified EPBC Act listed species or community will be avoided, mitigated and /or offset. Once approved, the revised MNESMP must be implemented.</p>	Compliant	<p>During pre-clearance surveys for the rail corridor in the <i>previous</i> reporting period, Adani found EPBC Act listed species not previously located in the area. The below table describes these species, when they were identified and when the Department was notified of the findings:</p> <table border="1" data-bbox="1528 1367 2742 1541"> <thead> <tr> <th>Species</th> <th>Date Identified</th> <th>Date Notified</th> </tr> </thead> <tbody> <tr> <td>Poplar Box Grassy Woodland on Alluvial Plains</td> <td>15 August 2019</td> <td>21 August 2019</td> </tr> <tr> <td>Greater Glider</td> <td>11 July 2019</td> <td>16 July 2019</td> </tr> <tr> <td>Painted Honeyeater</td> <td>13 July 2019</td> <td>16 July 2019</td> </tr> </tbody> </table> <p>Adani submitted an updated <i>Species Management Plan – Carmichael Rail Network – NGBR</i> on 28 August 2019 to the Department (previous reporting period). It was also confirmed that the updated plan did not include changes to environmental offsets. The Department provided feedback and a revised plan was submitted on 23 October 2019 (within the current reporting period). A review of the updated MNESMP was completed by the Department and the updated version (4a) was approved on 2 December 2019. Adani took steps to implement the plan to the extent the plan was relevant to activities conducted during the reporting period.</p>	Species	Date Identified	Date Notified	Poplar Box Grassy Woodland on Alluvial Plains	15 August 2019	21 August 2019	Greater Glider	11 July 2019	16 July 2019	Painted Honeyeater	13 July 2019	16 July 2019
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Condition No.	Condition	Is the project compliant with this condition?	Evidence / comments
8	The approval holder must revise the MNESMP following pre-clearance surveys required under state approvals, and resubmit the MNESMP to the Department for the Minister's written approval within 3 months of pre-clearance surveys being completed. Once approved, the revised MNESMP must be implemented.	Compliant	<p>Adani submitted an updated <i>Species Management Plan – Carmichael Rail Network – NGBR</i> on 28 August 2019 to the Department (previous reporting period). It was also confirmed that:</p> <ul style="list-style-type: none"> the updated plan did not include changes to environmental offsets; and the plan was updated within 3 months of the pre-clearance surveys being completed. <p>The Department provided feedback and a revised plan was submitted on 23 October 2019 (current reporting period). A review of the updated MNESMP was completed by the Department and the updated version (4a) was approved on 2 December 2019. Adani took steps to implement the plan to the extent the plan was relevant to activities conducted during the reporting period.</p>
9	<p>If, through pre-clearance surveys as required under state approvals, individuals of, or habitat for, an EPBC Act listed species or community not previously identified or reported to the Department are identified, the approval holder must not start or, in the case of work already commenced, must immediately cease any part of the proposed action that may significantly impact that EPBC Act listed species or community, until MNESMP addressing these impacts have been approved by the Minister in writing. Once approved the revised MNESMP must be implemented.</p> <p><i>Note: Management plans may also be required under associated EPBC approvals (EPBC 2010/5736 and EPBC 2011/6194) and under state approvals. Whenever possible a combined document should be prepared to address both state government and EPBC Act approval conditions.</i></p>	Compliant	When pre-clearance surveys identified the listed species and communities not previously located in the area, the proposed action that may significantly impact the listed species and communities had not commenced and did not commence until the updated plan was approved by the Department on 2 December 2019.
10	<p>Biodiversity Offset Strategy</p> <p>To compensate for authorised unavoidable impacts on Matters of National Environmental Significance, the approval holder must submit a Biodiversity Offset Strategy (BOS) to the Minister at least two months prior to commencement.</p>	Compliant	The <i>Biodiversity Offset Strategy – North Galilee Basin Rail Project</i> (BOS) was first submitted to the delegate for the Minister on 15 January 2017. The action commenced on 13 October 2017, being more than two months after the submission of the BOS.
11	Offsets for authorised unavoidable impacts (defined as maximum disturbance limits in Table 1, or actual impacts as defined after detailed design and pre-clearance surveys required under state approvals), must be managed in accordance with the BOS.	Not triggered	Pursuant to condition 12(b), offset sites must be legally secured within 4 years of commencement. As the action commenced on 13 October 2017, offset sites must be legally secured by 13 October 2021.
12	<p><i>General requirements</i></p> <p>The BOS must be consistent with the Galilee Basin Offset Strategy, where relevant, relevant recovery plans, threat abatement plans, conservation advices and MNESMP (see Condition 5), and must include:</p> <ol style="list-style-type: none"> location of species and communities habitat offset areas including maps in electronic Geographic Information System (GIS) format details of how offset sites have been or will be legally secured within 4 years of commencement to ensure their long-term protection 	Compliant	<p>On 26 September 2019, condition 12 was varied by the delegate of the Minister. The condition in the column is the varied condition.</p> <p>The BOS was approved by the delegate of the Minister as being consistent with the requirements of condition 12 on 22 August 2017.</p>

Condition No.	Condition	Is the project compliant with this condition?	Evidence / comments
	<p>c) details of how offset sites adequately compensated for residual significant impacts to Matters of National Environmental Significance in accordance with the EPBC Act Offsets Policy</p> <p>d) a monitoring program for the offset site/s suitable to measure the success of the management measures against stated performance criteria including monitoring locations, parameters and timing</p> <p>e) a description of the potential risks to the successful implementation of the BOS, and details of contingency measures that will be implemented to mitigate these risks</p> <p>f) details of how the BOS will be updated to incorporate outcomes from surveys undertaken for Matters of National Environmental Significance under this and any state approvals, including updating of goals, criteria and triggers (as outlined at Conditions 5e and 5f)</p> <p>g) an outline of how compliance with the BOS will be reported</p> <p>h) provisions to ensure that suitably qualified and experienced persons are responsible for undertaking monitoring, review and implementation of the BOS</p> <p>i) detailed processes for any residual impacts on Matters of National Environmental Significance, (see Condition 5f) to be offset in accordance with the EPBC Act Offsets Policy, including a process for offset requirement to be developed in consultation with the Department and relevant Queensland Government agencies</p> <p>j) a detailed process for any significant residual impact on any EPBC Act listed threatened species or community not identified in Table 1 to be offset in accordance with the EPBC Act Offsets Policy (see Condition 7)</p>		
13	<p>The approval holder must not commence unless and until the BOS has been approved by the Minister in writing. The approved BOS must be implemented.</p> <p><i>Note: A Biodiversity Offset Strategy is also required under the State Government approval for the project. A single document may be prepared to address both State Government and EPBC Act approval conditions.</i></p>	Compliant	<p>The BOS was approved the delegate of the Minister on 22 August 2017. Adani took steps to implement the BOS to the extent the strategy was relevant to activities conducted during the reporting period.</p>
14	<p><i>Offset area management plans</i></p> <p>Within six months of approval of the BOS in accordance with Conditions 5 or 12, the approval holder must submit to the Minister for approval a management plan for that offset area. Each offset area management plan must address the relevant requirements of the BOS, and contain:</p> <p>a) detailed baseline description of offset areas, including surveys undertaken, condition of existing Matters of National Environmental Significance and their habitats, relevant environmental values, area of primary habitat for each EPBC Act listed threatened species and</p>	Compliant	<p>The BOS was approved the delegate of the Minister on 22 August 2017. The following offset area management plans were submitted on 1 February 2017:</p> <ul style="list-style-type: none"> • Moray West Downs Offset Area Management Plan (Rail); • A second offset area management plan (property name not included to protect individual's privacy); • A third offset area management plan (property name not included to protect individual's privacy); <p>and</p> <ul style="list-style-type: none"> • An alternate offset area management plan. <p>Adani subsequently submitted the <i>Moray Downs West Offset Area Management Plan - Carmichael Coal Mine and Rail Project – Offset Delivery Stage 1 and North Galilee Basin Rail Project (6 April 2020)</i> to the Department on 6 April 2020. This management plan is under consideration by the Department.</p>

Condition No.	Condition	Is the project compliant with this condition?	Evidence / comments
	<p>community, connectivity with other habitat areas and biodiversity corridors</p> <p>b) management measures and offset plans for each offset area to improve the habitats of relevant Matters of National Environmental Significance</p> <p>c) a table of specific goals and associated timeframes for habitat management measures for each offset area with criteria for assessing the success of habitat management measures and corrective measures to be implemented if criteria are not met</p>		
15	Once approved, offset area management plans must be implemented.	Not yet triggered	The submitted offset area management plans are under consideration by the Department. Once approved, the plans will be implemented.
16	<p>Standard conditions</p> <p>Within 30 days of the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.</p>	Compliant	The action commenced on 13 October 2017. Adani also notified the Department of the commencement on 13 October 2017, which was within the 30 day timeframe required by this condition.
17	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans, reports, and 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	Adani has maintained records substantiating all activities associated with or relevant to the conditions of approval and has made them available upon request to the Department.
18	Within three months of every 12 month anniversary of the commencement of the action, the approval holder must publish a report on its website addressing compliance with each of the conditions of this approval, including implementation of any management plans, reports or strategies as specified in the conditions. The report must remain on the website for three years. Documentary evidence providing proof of the date of publication and must be provided to the Department at the same time as the compliance report is published. Likely (as defined by relevant triggers incorporated in the MNESMP as required by Condition 5f) or actual non-compliance with any of the conditions of this approval must be reported to the Department in writing within 2 business days of the approval holder becoming aware of the likely or actual non-compliance.	Compliant	<p>The <i>Compliance Report – North Galilee Basin Rail Project - EPBC 2013/6885 - 13 October 2018 to 12 October 2019</i> (second Compliance Report) was published on Adani's website on 8 January 2020 and can be accessed by via the following link: https://www.adaniaustralia.com/projects-businesses/rail-environment-reporting#plans-reports-strategies</p> <p>Documentary evidence of publication of the reports was sent to the Department on 9 January 2019.</p>
19	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	Note	This has not occurred.

Condition No.	Condition	Is the project compliant with this condition?	Evidence / comments
20	<p>The approval holder may choose to revise a management plan, report or strategy approved by the Minister under condition 4 without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the revised management plan, report or strategy would not be likely to have a new or increased impact. If the approval holder makes this choice they must:</p> <ul style="list-style-type: none"> a) notify the Department in writing that the approved management plan, report or strategy has been revised and provide the Department with an electronic copy of the management plan, report or strategy; b) implement the revised management plan, report or strategy from the date that the management plan, report or strategy is submitted to the Department; and c) for the life of this approval, maintain a record of the reasons the approval holder considers that taking the action in accordance with the revised management plan, report or strategy would not be likely to have a new or increased impact. 	Compliant	<p>No plans or strategies have been revised pursuant to this condition.</p> <p>It is noted that, during pre-clearance surveys for the rail corridor conducted prior to the reporting period, Adani found EPBC Act listed species not previously located in the area. Adani submitted an updated <i>Species Management Plan – Carmichael Rail Network – NGBR</i> on 28 August 2019 (outside reporting period) under condition 20 to the Department. It was also confirmed that the updated plan did not include changes to environmental offsets. The Department provided feedback and a revised plan was submitted 23 October 2019 and approved 2 December 2019 by the delegate of the Minister (within the reporting period).</p>
20A	<p>The approval holder may revoke their choice under condition 20 at any time by notice to the Department. If the approval holder revokes the choice to implement a revised management plan, report or strategy, without approval under section 143A of the Act, the management plan, report or strategy approved by the Minister must be implemented.</p>	Note	This has not occurred.
20B	<p>Condition 20 does not apply if the revisions to the approved management plan, report or strategy include changes to environmental offsets provided under the management plan, report or strategy in relation to the matter, unless otherwise agreed in writing by the Minister. This does not otherwise limit the circumstances in which the taking of the action in accordance with a revised management plan, report or strategy would, or would not, be likely to have new or increased impacts.</p>	Note	This has not occurred.
20C	<p>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 management plan, report or strategy would be likely to have a new or increased impact, then:</p> <ul style="list-style-type: none"> a) condition 20 does not apply, or ceases to apply, in relation to the revised management plan, report or strategy; and b) the approval holder must implement the management plan, report or strategy approved by the Minister. <p>To avoid any doubt, this condition does not affect any operation of conditions 20, 20A and 20B in the period before the day the notice is given.</p>	Not triggered	This has not occurred.

Condition No.	Condition	Is the project compliant with this condition?	Evidence / comments
	At the time of giving the notice the Minister may also notify that for a specified period of time that condition 20 does not apply for one of more specified management plans, reports or strategies required under the approval.		
20D	Conditions 20, 20A, 20B and 20C are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised management plan, report or strategy to the Minister for approval.	Note	See response to condition 20.
21	If the Minister believes that it is necessary or convenient for the better protection of World Heritage properties, National Heritage places, listed migratory species, the Great Barrier Reef Marine Park or Commonwealth marine areas to do so, the Minister may request that the approval holder make specified revisions to the management plans, reports, and strategies specified in the conditions and submit the revised management plans, reports, and programs for the Minister's written approval. The approval holder must comply with any such request. The revised approved management plans, reports, and strategies must be implemented. Unless the Minister has approved the revised management plans, reports, and strategies, then the approval holder must continue to implement the management plans, reports, and strategies originally approved, as specified in the conditions.	Note	This has not occurred.
22	If, at any time after 10 years from the date of this approval, the approval holder has not substantially commenced the action, then the approval holder must not substantially commence the action without the written agreement of the Minister.	Compliant	The action commenced on 13 October 2017.
23	Unless otherwise agreed to in writing by the Minister, the approval holder must publish all management plans, reports, and strategies referred to in these conditions of approval on their website. Each management plan, report, and strategy must be published on the website within one month of being approved and remain on the website for not less than ten years, or a longer period if specified in writing by the Minister, and be otherwise made available to any party upon written request for the duration of the approval. The approval holder must provide the requested management plan/s, report/s and/or strategies to the requesting party within 10 business days of receiving the request.	Compliant	<p>Version 4a of the <i>Species Management Plan – Carmichael Rail Network – NGBR</i> was submitted to the Department on 28 August 2019 and approved by the Department on 2 December 2019 (within current reporting period). The revised report was uploaded to Adani's website on 5 January 2020.</p> <p>All other management plans, reports, and strategies have been uploaded prior to the compliance report period and no additional documents were uploaded during the period.</p> <p>The relevant documents are available on Adani's website and can be accessed via the following link: https://www.adaniaustralia.com/projects-businesses/rail-environment-reporting#plans-reports-strategies</p>