




## Variation of conditions attached to approval

### Boggabri Coal Mine Extension, NSW (EPBC 2009/5256)

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

#### Approved action

<b>approval holder</b>	Boggabri Coal Pty Limited ACN: 77 122 087 398 Chugoku Electric Power Australia Resources Pty Ltd ACN 600 294 068 NS Boggabri Pty Limited ABN 47 113 447 313
<b>approved action</b>	To construct and operate an extension to the Boggabri open cut coal mine at Boggabri in New South Wales, including associated infrastructure. See EPBC Act referral 2009/5256
<b>period for which the approval has effect</b>	This approval has effect until 31 December 2053
<b>variation of conditions attached to approval</b>	<p>The variation is:</p> <p>Delete conditions 1, 2, 5, 6, 7, 8, 10, 12, 21, 22, 23, 24, 25 and 31 attached to the approval and substitute with the conditions specified in table below.</p> <p>Revoke condition 11 attached to the approval.</p> <p>Delete definitions of Commencement of new mining activities, Commencement of new mining operations, EPBC Act, National Water Quality Management Strategy, Native vegetation communities, Offset attributes, and State and Transition Model attached to the approval and substitute with the definitions specified in the table below.</p> <p>Add definitions of Clear, cleared or clearing, Environmental assessment, Greater long-eared bat habitat, Native vegetation, Project area, Regent Honeyeater habitat, Swift Parrot habitat, Website, and White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community specified in the table below.</p> <p>Revoke definitions of Boggabri extension project area and Clear native vegetation attached to the approval.</p>

<b>date of effect</b>	This variation has effect on the date this instrument is signed.
<b>Person authorised to make decision</b>	
<b>name and position</b>	Brendan Linton-Smith, Acting Branch Head Environment Assessments (VIC, Tas) and Post Approvals Branch
<b>signature</b>	
<b>date of decision</b>	11 August 2025
<b>date of decision</b>	<b>conditions attached to approval</b>
<i>As varied on the date this instrument was signed</i>	<b>Disturbance areas</b> <ol style="list-style-type: none"> <li>1) The person taking the Action must not <b>clear</b> outside of the <b>project area</b> as part of this Action. The person taking the Action must not <b>clear</b> more than 82 ha of the <b>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community</b> within the <b>project area</b>.</li> </ol>
<i>As varied on the date this instrument was signed</i>	<ol style="list-style-type: none"> <li>2) The person taking the Action must not <b>clear</b> more than 650 ha of known <b>native vegetation communities</b> and/or <b>Regent Honeyeater habitat, Swift Parrot habitat</b> and <b>Greater Long-eared Bat</b> habitat within the <b>project area</b>. The <b>clearing</b> of up to 650 ha must not be inconsistent with the requirement of condition 3 that the approval holder retain the <b>biodiversity corridor</b>. The approved 650 ha of <b>clearing native vegetation communities</b> includes the approved 82 ha of <b>clearing White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community</b>.</li> </ol>
Original dated 11/2/2013	<ol style="list-style-type: none"> <li>3) The person taking the Action must submit a Biodiversity Corridor Plan for the approval of the <b>Minister</b> within three months of the date of this approval. The plan must address the following matters: <ol style="list-style-type: none"> <li>a. protection of <b>native vegetation</b> of a total width of 500 metres (m) where the Boggabri coal mine lease boundary is adjacent to the Maules Creek coal mine lease boundary;</li> <li>b. maintenance in perpetuity of this area as a <b>biodiversity corridor</b>; and</li> <li>c. evidence that the <b>biodiversity corridor</b> will be protected in perpetuity through a legal mechanism that would provide the equivalent protection of a conservation covenant.</li> </ol> </li> </ol>

The approved Biodiversity Corridor Plan must be implemented.	
Original dated 11/2/2013	4) The person taking the Action is required to submit a Conservation and Biodiversity Bond under condition 52 of the NSW state government project approval dated 18 July 2012 (application number 09_0182). It is noted that this bond may be combined with the rehabilitation security deposit as required by the NSW Trade and Investment - Division of Resources and Energy under the NSW <i>Mining Act 1992</i> . The person taking the Action must submit details of this bond and the rehabilitation security deposit, to the <b>Minister</b> . If the <b>Minister</b> is not satisfied that the bond and the rehabilitation security deposit lodged by the person taking the Action is adequate to provide for the implementation of the requirements referred to under conditions 3, 12, 21-23 the <b>Minister</b> may require the person taking the Action to establish an additional bond or equivalent financial instrument in trust, under conditions approved in writing by the <b>Minister</b> .
As varied on the date this instrument was signed	5) The person taking the Action must submit to the <b>Minister</b> for approval, within three months of the commencement of the Action, an approach that: <ul style="list-style-type: none"> <li>a. limits the maximum <b>project area</b> disturbance (in hectares) specified for each of the years 5, 10, 15 and 21 from the date of this approval of the <b>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community</b> and habitat or <b>Regent Honeyeater habitat, Swift Parrot habitat and Greater Long-eared Bat habitat</b>;</li> <li>b. incorporates an analysis, undertaken by independent ecological experts approved by the <b>department</b>, that demonstrates the maximum disturbance limits which will minimise any impacts on relevant <b>matters of national environmental significance</b>;</li> <li>c. demonstrates collaboration with the person taking the Action to develop and operate the Maules Creek Coal Project (EPBC 2010/5566), in order to minimise progressive <b>project area</b> disturbance limits across both sites. The progressive disturbance limits are to be reflected in the development of the Leard Forest Mining Precinct Biodiversity Strategy.</li> </ul>
As varied on the date this instrument was signed	6) The person taking the Action must not <b>clear</b> more than the maximum <b>project area</b> disturbance limits specified for each of the years 5, 10, 15 and 21 in the approved 'approach' required under condition 5.

<i>As varied on the date this instrument was signed</i>	<p><b>Offset areas</b></p> <p><i>Mechanism to secure offsets</i></p> <p>7) The person taking the Action must register a legally binding conservation covenant over the offset areas comprising at least 5866.1 ha of 'equivalent or better' quality threatened species habitat meeting the definition of <b>native vegetation communities</b>. This must include no less than 1537.4 ha of 'equivalent or better' quality <b>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community</b>.</p>
<i>As varied on the date this instrument was signed</i>	<p>The offset areas must be those specified in <u>Attachment B</u>.</p> <hr/> <p>8) The approval holder must ensure that the conservation covenant(s) required under condition 7 provide protection in perpetuity for the offset areas and are registered by 31 December 2025. The approval holder must ensure that progress in achieving this requirement is advised to the <b>department</b> in writing by 30 September 2025.</p> <p>The approval holder must provide written evidence to the <b>department</b> within 20 <b>business days</b> of registering the legally binding conservation covenant(s) required by condition 7 of this approval.</p>
Original dated 11/2/2013	<p>9) The person taking the Action must verify through an independent review by 30 December 2013, the quantity and quality of habitat or potential habitat for the regent honeyeater, swift parrot and greater long-eared bat of all proposed offset areas. The review will:</p> <ul style="list-style-type: none"> <li>a. validate the quantity, quality and ecological characteristics of the offset areas in line with the requirements of the <b>department's Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy</b> October 2012;</li> <li>b. be undertaken by ecological experts who have been agreed in writing by the <b>department</b>.</li> </ul>
<i>As varied on the date this instrument was signed</i>	<p>10) If the independent review carried out in accordance with condition 9 of this approval finds that the minimum quantities of threatened species habitat and ecological community required under condition 7 of this approval do not meet the 'equivalent or better' quality, or the criteria required under condition 9a, then additional areas must be protected until all the relevant criteria under condition 9 of this approval are met.</p> <p>Note: the 1537.4 ha of <b>White Box Yellow Box Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community</b> may be inclusive of the 5866.1 ha of habitat for the woodland species, as long as it meets the listing criteria for the <b>EPBC Act</b>-</p>

	listed ecological community as defined in the <b>EPBC Act</b> listing advice for that community and the quantity and quality is validated through the independent review.
As varied on the date this instrument was signed	11) Revoked.
As varied on the date this instrument was signed	<p><b>Offset management plan</b></p> <p>12) To offset the impacts to the <b>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community</b> and <b>Regent Honeyeater habitat, Swift Parrot habitat</b> and <b>Greater Long-eared Bat habitat</b>, the person taking the Action must submit to the <b>Minister</b> for approval an <i>Offset management plan</i> for all of the offset areas, specified in condition 7 of this EPBC Act approval, within 6 months of the date of this approval. The approved Offset management plan must be implemented prior to the <b>commencement of new mining operations</b>.</p> <p>Note: for consistency, the person taking the Action may develop a Biodiversity Management plan that includes the requirements set for managing offsets as set out in these conditions, to align with the requirements of the NSW state government Project Approval dated 18 July 2012 (application number 09_0182) and this approval.</p>
Original dated 11/2/2013	<p>13) The <i>Offset management plan</i> must include, but not be limited to, the following information:</p> <ul style="list-style-type: none"> <li>a. objectives to clearly identify baseline conditions of the offset sites, establish performance indicators and discuss methods for adaptive management.</li> <li>b. a text description and map to clearly define the location and boundaries of the offset areas. This must be accompanied by the <b>offset attributes</b> and <b>shapefiles</b>.</li> <li>c. 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 <b>State and Transition Model</b>, including but not limited to: <ul style="list-style-type: none"> <li>i. location of survey points (GPS reference)</li> <li>ii. vegetation condition mapping</li> <li>iii. photo reference points</li> <li>iv. tree age class representation</li> <li>v. percentage tree canopy cover</li> <li>vi. number of native plant species in ground layer</li> <li>vii. percentage of nativeness of total plant groundcover (herbaceous plants and small shrubs, 1 m tall), measured using basal area</li> </ul> </li> </ul>

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viii. description of fauna habitat including condition, type and connectivity

ix. surveys of the regent honeyeater, swift parrot and greater long-eared bat

d. **Plans** to improve upon the baseline condition (identified in the surveys required by condition 13c) consistent with the **State and Transition Model**, **EPBC** listing advice, and threatened species habitat defined as **native vegetation communities**, including but not limited to:

i. a map showing areas to be managed

ii. management actions for each area and details of management methods to be used

iii. timing of management activity for each area

iv. performance criteria for each area

v. a set of measurable ecological indicators for detecting changes to the **White Box-Yellow Box-Blakely's Red Gum Grassy Woodland** and **Derived Native Grassland Ecological Community**, including those that may be ascribed to ongoing water stress.

vi. 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-Blakely's Red Gum Grassy Woodland** and **Derived Native Grassland Ecological Community**. This should include, but not be limited to, control sites and periodic ecological surveys to be undertaken by a qualified ecologist.

vii. a description of the potential risks to successful management against the performance criteria, and a description of the contingency measures that would be implemented to mitigate these risks.

viii. 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.

ix. details of the various parties responsible for management, monitoring and implementing the management activities, including their position or status as a separate contractor.

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Original dated 11/2/2013	14) Unless otherwise agreed to in writing by the <b>department</b> , the baseline surveys (identified in surveys required by condition 13c) must be conducted in accordance with the <b>department's</b> Survey guidelines for Australia's threatened birds and the survey guidelines for Australia's threatened bats. Subsequent monitoring must be carried out annually at the same time of year as the baseline surveys each year unless otherwise agreed to in writing by the <b>department</b> .
Original dated 11/2/2013	<p><b>Surface and groundwater management plans</b></p> <p>15) The person taking the action must provide to the <b>Minister</b> for approval, the <b><i>surface and groundwater management plans</i></b> as identified in condition 38 of the NSW state government Project Approval dated 18 July 2012 (application number 09_0182). The <b><i>surface and groundwater management plans</i></b> approved by the <b>Minister</b> must be implemented prior to the <b>commencement of new mining operations</b>.</p>
Original dated 11/2/2013	16) The <i>surface and groundwater management plans</i> must be consistent with the <b>National Water Quality Management Strategy</b> .
Original dated 11/2/2013	<p>17) The person taking the Action must within 6 months of this approval, in collaboration with the person taking the Action to develop and operate the Maules Creek Coal Project (EPBC 2010/5566) and any other approved mines within 20 km of the mine site provide written advice to the <b>Minister</b> demonstrating how the approved <i>surface and groundwater management plans</i> (specified in condition 15), addresses the cumulative impact of groundwater drawdown as a result of mining and how this may impact on the consequent health of the remnant <b>native vegetation</b> in the Leard State Forest, the Leard State Conservation Area and surrounding areas. In particular the advice must address the following matters:</p> <ul style="list-style-type: none"> <li>a. maximum amount of allowable drawdown in the alluvial aquifer</li> <li>b. drawdown in hard rock aquifer</li> <li>c. trigger levels pertaining to drawdown in the alluvial aquifer when corrective actions will be required to be undertaken</li> <li>d. identify the depth of root zone of the native vegetation</li> <li>e. monitoring to assess the ongoing quality and quantity of both surface and groundwater to identify impacts on the <b>native vegetation</b>.</li> </ul>
Original dated 11/2/2013	18) The person taking the Action must within 6 months of the date of this approval, or such other timeframe specified by the <b>Minister</b> , provide to the <b>Minister</b> a report on:

	<ul style="list-style-type: none"> <li>a. any updated modelling of surface and groundwater impacts that has been undertaken in preparing the surface and groundwater management plans;</li> <li>b. how the surface and groundwater management plans addressed groundwater and surface water impacts on <b>native vegetation</b>.</li> </ul>
Original dated 11/2/2013	19) A risk-based assessment of the disposal of mine water by irrigation on soils must be undertaken. The assessment must include the risk of metal and salinity accumulation in soils.
Original dated 11/2/2013	<p><b>Leard Forest Mining Precinct Regional Biodiversity Strategy</b></p> <p>20) The person taking the Action must implement the regional biodiversity strategy as required under conditions 40-46 of the NSW state government Project Approval dated 18 July 2012 (application number 09_0182). The required scoping report for the development of the strategy must be submitted to the <b>Minister</b> for approval on or before 31 July 2013. The approved strategy must be implemented.</p>
As varied on the date this instrument was signed	<p><b>Mine site rehabilitation</b></p> <p>21) To mitigate the impacts to the <b>White Box-Yellow Box Blakely's Red Gum Grassy Woodland and Derived Native Grassland and Regent Honeyeater habitat, Swift Parrot habitat and Greater Long-eared Bat habitat</b>, the person taking the Action must, within 12 months of <b>commencement of new mining activities</b>, submit to the <b>Minister</b> for approval a Mine site rehabilitation plan for the progressive rehabilitation and revegetation of no less than 650 ha (less the portion included in the <b>biodiversity corridor</b> identified in condition 2) in the <b>project area</b> using species consistent with a <b>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community</b>. This approved <i>Mine site rehabilitation plan</i> must be implemented.</p>
As varied on the date this instrument was signed	<p>22) The person taking the Action must:</p> <ul style="list-style-type: none"> <li>a. rehabilitate the site to be consistent with the proposed rehabilitation strategy as provided in the <b>Environment Assessment</b> and, as required under the NSW state government Project Approval dated 18 July 2012 (application number 09_0182); and</li> <li>b. not replace top soil and sub soil layers at a depth less than the minimum depths determined through pre-stripping soil surveys as described in condition 23c.</li> <li>c. comply with the NSW state government Project Approval dated 18 July 2012 (application number 09_0182) Condition 36 (a) &amp; (b) and Condition 49 (e)(iii) that require pre-stripping soil surveys and inventories to be undertaken to inform the availability, rehandling, stockpiling and management</li> </ul>



	of soil, and maximising the salvaging of soil to be used, in the rehabilitation of the site.
<i>As varied on the date this instrument was signed</i>	<p>23) The Mine site rehabilitation plan must include, at a minimum, the following information:</p> <ul style="list-style-type: none"> <li>a. targets and performance indicators to achieve effective restoration of the <b>native vegetation communities</b></li> <li>b. details of the vegetation communities to be rehabilitated and the timing of progressive rehabilitation (commencing as soon as practicable following disturbance)</li> <li>c. detailed soil depth surveys and analysis to inform the effective placement and restoration of soils underlying the proposed rehabilitation sites; including mapping of soils across the disturbance sites and soil sampling at no less than one sample point per 20 ha of each soil type identified. Sampling must identify; type, depth, water holding capacity, structure and physio-chemical properties of each of the soil and subsoil layers.</li> <li>d. processes and methodologies for the removal, storage and re-layering of the top soil and sub soil layers underlying the disturbed sites being prepared for rehabilitation. These processes and methodologies must ensure the replacement of top soil and sub soil layers: <ul style="list-style-type: none"> <li>i. meet the minimum depth requirements determined from sampling outcomes as identified in condition 23c; and,</li> <li>ii. replicates the other existing soil parameters including, but not limited to, soil type, water holding capacity, structure and physio-chemical properties.</li> </ul> </li> <li>e. criteria to determine success of rehabilitation of <b>native vegetation</b></li> <li>f. 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</li> <li>g. 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,</li> <li>h. details of long-term management and protection of the mine site.</li> </ul>

Note: for consistency, the person taking the Action may develop a single mine rehabilitation plan to align with the requirements including timing of reports of the NSW state government Project Approval dated 18 July 2012 (application number 09\_0182) requirements and this approval. The Offset management plan and the Mine site rehabilitation plan need to be substantially integrated for achieving biodiversity objectives for the rehabilitated mine-site.

*As varied on the date this instrument was signed*

#### **Final Landform**

24) The person taking the Action must rehabilitate the site consistent with the proposed Rehabilitation Strategy as required under conditions 69, 70, 71 and 72 of the NSW state government Project Approval dated 18 July 2012 (application number 09\_0182) such that the final landform provides the optimum opportunity for the successful restoration of **native vegetation communities** including the **White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community**.

*As varied on the date this instrument was signed*

25) The person taking the Action must:

- a. Undertake rehabilitation to ensure the final landform minimises the extent of any resulting pit lake, avoids salt scalding and ensures that drained waters do not adversely affect the downstream environment and avoids any impacts on **matters of national environmental significance**.
- b. Prepare and implement an updated Final Void and Mine Closure Plan, in accordance with the NSW state government project approval conditions dated 18 July 2012 (application number 09\_0182) that considers interactions with the adjoining mines, including interaction between final voids, opportunities for integrated mine planning with adjoining mines to minimise environmental impacts, all reasonable and feasible landform options for the final void (including filling) and predicted hydrochemistry and hydrogeology (including long-term groundwater recovery and void groundwater quality).

Original dated  
11/2/2013

#### **Survey data**

26) All survey data collected for the project must be recorded so as to conform to data standards notified from time to time by the **department**. When requested by the **department**, the person taking the action must provide to the **department** all species and ecological survey data and related survey information from ecological surveys undertaken for **matters of national environmental significance**. 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.

Original dated  
11/2/2013

#### **Reporting and auditing**

	27) Within 14 days after the <b>commencement of new mining activities</b> , the person taking the action must advise the <b>department</b> in writing of the actual date of <b>commencement of new mining activities</b> .
Original dated 11/2/2013	28) Within three months of every 12 month anniversary of the <b>commencement of new mining activities</b> , the person taking the Action must publish a report on their <b>website</b> addressing compliance with each of the conditions of this approval, including implementation of any <b>plans</b> as specified in the conditions. 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 <b>department</b> 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 <b>department</b> in writing within two <b>business days</b> of becoming aware of the non-compliance.
Original dated 11/2/2013	29) Upon the direction of the <b>Minister</b> , 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 <b>Minister</b> . The independent auditor must be approved by the <b>Minister</b> prior to the commencement of the audit. Audit criteria must be agreed to by the <b>Minister</b> and the audit report must address the criteria to the satisfaction of the <b>Minister</b> .
Original dated 11/2/2013	30) If the person taking the action wishes to carry out any activity otherwise than in accordance with the <b>plans</b> , as specified in the conditions, the person taking the action must submit to the <b>department</b> for the <b>Minister's</b> written approval a revised version of that <b>plan</b> . The varied activity shall not commence until the <b>Minister</b> has approved the revised <b>plan</b> in writing. The <b>Minister</b> will not approve a revised <b>plan</b> , unless the revised <b>plan</b> would result in an equivalent or improved environmental outcome. If the <b>Minister</b> approves the revised <b>plan</b> that <b>plan</b> must be implemented in place of the <b>plan</b> originally approved.
<i>As varied on the date this instrument was signed</i>	31) If the <b>Minister</b> believes that it is necessary or convenient for the better protection of <b>EPBC Act</b> listed threatened species and communities or <b>EPBC Act</b> listed migratory species to do so, the <b>Minister</b> 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 <b>Minister's</b> written approval. The person taking the Action must comply with any such request. The revised approved plan must be implemented. Unless the <b>Minister</b> has approved the revised plan then the person taking the Action must continue to implement the originally approved plan, as specified in the conditions.
Original dated 11/2/2013	32) If, at any time after 5 years from the date of this approval, the person taking the action has not <b>commenced new mining actions</b> , then the person taking the action must not commence the action without the written agreement of the <b>Minister</b> .

Original dated 11/2/2013	<p><b>Publication of plans</b></p> <p>33) 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 management <b>plans</b> required by this approval, and make them available upon request to the <b>department</b>. Such records may be subject to audit by the <b>department</b> or an independent auditor in accordance with section 458 of the <b>EPBC Act</b>, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the <b>department's</b> website. The results of audits may also be publicised through the general media.</p>
Original dated 11/2/2013	<p>34) Unless otherwise agreed to in writing by the <b>Minister</b>, the person taking the action must publish all management <b>plans</b> referred to in these conditions of approval on their <b>website</b>. Each management <b>plan</b> must be published on the website within 1 month of being approved</p>
<b>Date of decision</b>	<b>Definitions attached to approval</b>
Original dated 11/2/2013	<p><b>Biodiversity corridor</b> - an area of native vegetation at least 250 m wide that has not been previously <b>cleared</b> for mining, which links the existing <b>native vegetation</b> to the east and west of the Maules Creek and Boggabri coal mine leases and is located within the Boggabri coal mine lease where it is adjacent to the Maules Creek coal mine lease boundary. The purpose is to ensure that a minimum 500 m wide <b>native vegetation</b> corridor is maintained between the Boggabri and Maules Creek mines and that any alternative corridor provides an equivalent or better ecosystem functionality (including habitat for the regent honeyeater, swift parrot and greater long-eared bat).</p>
<i>As varied on the date this instrument was signed</i>	<b>Boggabri extension project area</b> - Revoked.
<i>As varied on the date this instrument was signed</i>	<b>Clear, cleared or clearing</b> means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting, or burning of vegetation.
<i>As varied on the date this instrument was signed</i>	<b>Clear native vegetation</b> - Revoked.
<i>As varied on the date this instrument was signed</i>	<b>Commencement of new mining activities</b> means any preparatory works required to be undertaken including <b>clearing</b> vegetation, the erection of any onsite temporary structures and the use of heavy duty equipment

	for the purpose of breaking the ground for mining, buildings or infrastructure in the <b>project area</b> .
<i>As varied on the date this instrument was signed</i>	<b>Commencement of new mining operations</b> - means any activity associated with the extraction of coal in the <b>project area</b> .
Original dated 11/2/2013	<b>Department</b> - the Australian Government <b>department</b> responsible for the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
<i>As varied on the date this instrument was signed</i>	<b>EPBC Act</b> means the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).
<i>As varied on the date this instrument was signed</i>	<b>Environmental assessment</b> mean the Boggabri Coal Mine Project Environmental Assessment dated December 2010 titled, Hansen Bailey (2010). <i>Continuation of Boggabri Coal Mine Environmental Assessment</i> prepared for Boggabri Coal Pty Limited, and includes subsequent revised reports undertaken to address requested modification under the NSW Development Consent (application number 09_0182).
<i>As varied on the date this instrument was signed</i>	<b>Greater long-eared bat habitat</b> means any habitat preferred by the <b>EPBC Act</b> listed <b>Greater Long-eared Bat</b> ( <i>Nyctophilus corbeni</i> ) where the species may occur, and any known <b>Greater Long-eared Bat</b> foraging or breeding habitat.
Original dated 11/2/2013	<b>Matters of national environmental significance</b> - means <b>matters of national environmental significance</b> , being the relevant matters protected under Part 3 of the <b>EPBC Act</b> .
Original dated 11/2/2013	<b>Minister</b> - the <b>Minister</b> administering the <i>Environment Protection and Biodiversity Conservation Act 1999</i> and includes a delegate of the <b>Minister</b>
<i>As varied on the date this instrument was signed</i>	<b>National Water Quality Management Strategy</b> or <b>NWQMS</b> means the joint national approach to improving water quality in waterways overseen by the Australian Government. On the date of this variation decision, the NWQMS is available at the following weblink – <a href="https://www.waterquality.gov.au/about">https://www.waterquality.gov.au/about</a> .
<i>As varied on the date this instrument was signed</i>	<b>Native vegetation</b> means vegetation which is indigenous to the state of New South Wales.

*As varied on the date this instrument was signed*

**Native vegetation communities** mean vegetation communities that provide habitat for **matters of national environmental significance** within the **project area** as identified in the table below:

<b>Vegetation Communities</b>	<b>ha</b>
Yellow Box - Blakely's Red Gum grassy woodland*	0.5
White Box - White Cypress Pine grassy woodland*	12.2
White Box - Narrow-leaved Ironbark - White Cypress Pine grassy open forest*	69.1
Pilliga Box - Poplar Box- White Cypress Pine grassy open woodland	8.8
White Box Narrow-leaved Ironbark - White Cypress Pine shrubby open forest	124
Narrow-leaved Ironbark - White Cypress Pine shrubby open forest	418.7
Silver-leaved Ironbark shrubby woodland	1.6
Narrow-leaved Ironbark - Brown Bloodwood -White Cypress Pine shrubby open forest	14.8
Dwyers Red Gum woodland	0.3
<b>Total</b>	<b>650 ha</b>

\* forms part of an Endangered Ecological Community - **White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community**.

*As varied on the date this instrument was signed*

**Offset attributes** means an '.xls' file capturing relevant attributes of the Offset Area, including the **EPBC** reference number, the physical address of the offset site, coordinates of the boundary points in decimal degrees, the **EPBC Act** protected matters that the offset compensates for, any additional **EPBC Act** protected matters that are benefiting from the offset, and the size of the offset in hectares.

Original dated  
11/2/2013

**Plan(s)** means the following plans, **Offset management plan, Surface and groundwater management plans, and Mine site rehabilitation plan**.

*As varied on the date this instrument was signed*

**Project area** means the location of the Action in which the Boggabri extension project occurs and is represented in the map at **Attachment A**

	by the zone enclosed by the dashed orange and black line identified as ' <i>Proposed Disturbance Limit (Boggabri Extension)</i> '.
<i>As varied on the date this instrument was signed</i>	<b>Regent Honeyeater habitat</b> means any forested habitat preferred by the <b>EPBC Act</b> listed <b>Regent Honeyeater</b> ( <i>Anthochaera Phrygia</i> - formally <i>Xanthomyza phrygia</i> ) where the species may occur, and any known <b>Regent Honeyeater</b> foraging or breeding habitat.
Original dated 11/2/2013	<b>Shapefiles</b> -means an ESRI Shapefile containing '.shp', '.shx' and '.dbf' files and other files capturing attributes of the Offset Area, including the shape, <b>EPBC</b> reference ID number and <b>EPBC</b> protected matters present at the relevant site. Attributes should also be captured in '.xls' format. A geographically referenced raster img file/s must be provided to provide context for the <b>shapefiles</b> .
<i>As varied on the date this instrument was signed</i>	<b>State and Transition Model</b> - Section 3.2 of <i>A Guide to Managing Box Gum Grassy Woodlands</i> (Caring for our Country Environmental Stewardship, 2010), depicts the different condition states (as reflected by disturbance, inputs and altered land use) in which a given vegetation can exist. On the date that this variation decision was made, this publication was available at: <a href="https://www.dcceew.gov.au/sites/default/files/documents/guide-managing-box-gum-grassy-woodlands.pdf">https://www.dcceew.gov.au/sites/default/files/documents/guide-managing-box-gum-grassy-woodlands.pdf</a> .
<i>As varied on the date this instrument was signed</i>	<b>Swift Parrot habitat</b> means any habitat preferred by the <b>EPBC Act</b> listed <b>Swift Parrot</b> ( <i>Lathamus discolor</i> ) where the species may occur, and any known <b>Swift Parrot</b> foraging or breeding habitat.
<i>As varied on the date this instrument was signed</i>	<b>Website</b> means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.
<i>As varied on the date this instrument was signed</i>	<b>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community</b> means the <b>EPBC Act</b> listed threatened ecological community <b>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland</b> .
<b>date of decision</b>	<b>Annexure</b>
Original dated 11/2/2013	Attachment A - Map - Figure 3: Distribution of Threatened Ecological Communities and species within Boggabri Extension as listed under the <b>EPBC Act</b>
Original dated 11/2/2013	Attachment B - Table of Offset Areas





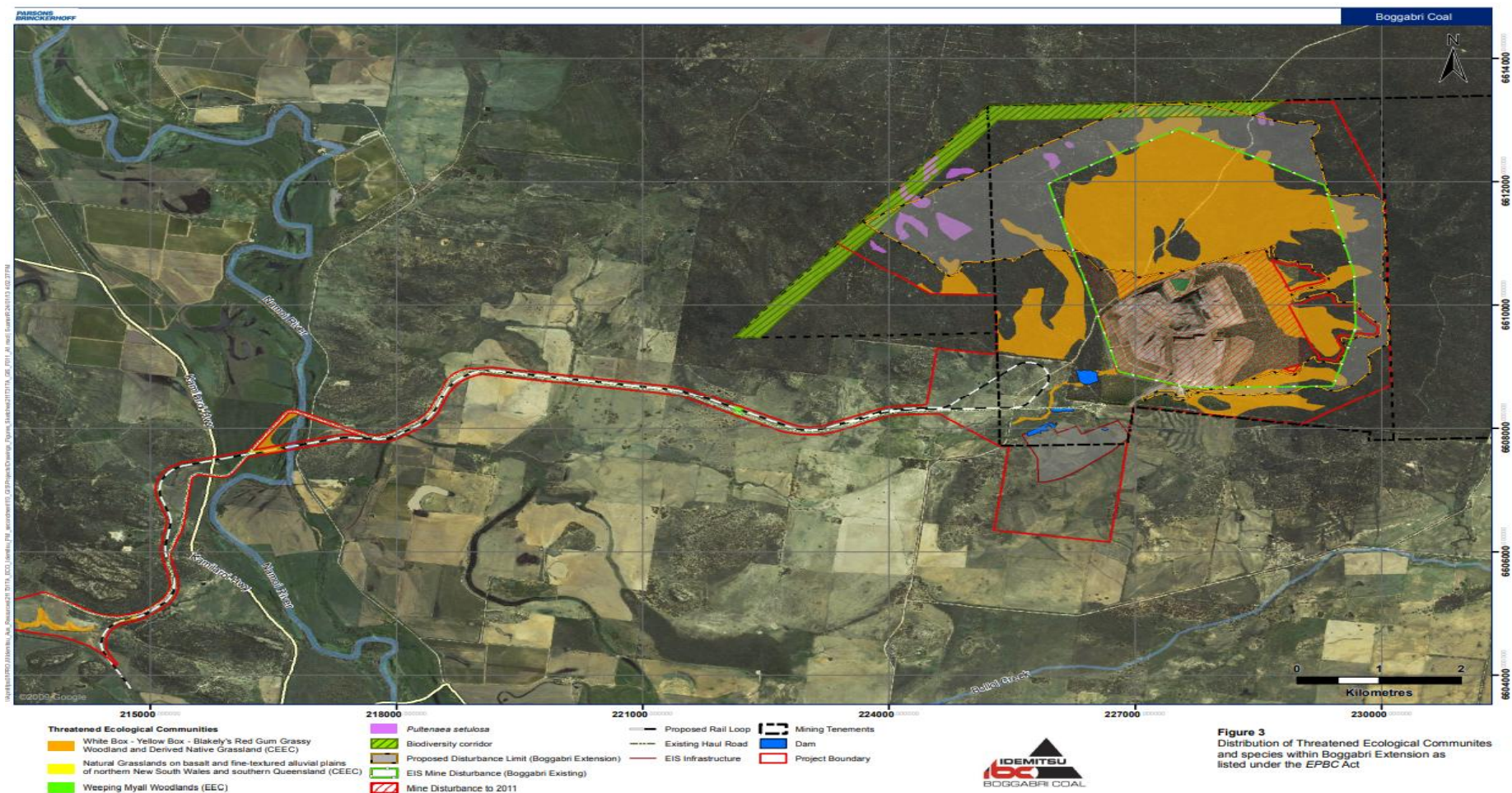
Australian Government

Department of Climate Change, Energy,  
the Environment and Water

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## Annexure A

Attachment A - Map - Figure 3: Distribution of Threatened Ecological Communities and species within Boggabri Extension as listed under the EPBC Act





## Attachment B - Table of Offset Areas

**Table of Offset Areas – Boggabri Coal Mine Extension – EPBC 2009/5256**

Biodiversity offset property			Box Gum Woodland <sup>1</sup>		HABITAT for Matters of National Environmental significance (Regent Honeyeater, Swift Parrot and Greater Long-eared Bat.)		Combined Total HABITAT
Property (describe each discrete property separately)	Size property (ha)	Location property (map coordinates Lat/Long)	Remnant Vegetation habitat (ha)	Derived native grassland for re vegetation (ha)	Remnant Vegetation habitat (ha)	Derived native grassland for re vegetation (ha)	Remnant and revegetation Area (ha)
Namoi	5123	30°39'09"S 150°00'38"E	189.12	491.2	1645.9	822.8  (491.2 to Box Gum Woodland, 286 to Pilliga Box Woodland and 45.4 to River Red Gum Forest)	<b>2468.7</b>
Mallee	2066.2	30°34'30"S 150°17'42"E	37.5	36.3	2029.9	36.3 to Box Gum Woodland	<b>2066.2</b>
Merriendi	1336.9	30°34'30"S 150°17'42"E	194	170	371.1	170 to Box Gum Woodland	<b>541.1</b>
Myall Plains	480.5	30°32'34"S 150°03'28"E	172.1	19.7	418.2	19.7 to Box Gum Woodland	<b>437.9</b>
Special Lease/Crown land (3 separate parcels of land)	552.1	1. 30°39'50"S 150°02'57"E 2. 30°38'39"S 150°01'59"E 3. 30°38'47"S 149°59'49"E	35.8	41.9	382.4	58.7 (41.9 to Box Gum Woodland, 16.8 to River Red Gum Woodland)	<b>441.1</b>
Wirrilah	1041.2	30°34'40"S 150°14'25"E	258.9	374.2	368.6	374.2 to Box Gum Woodland	<b>742.8</b>
Additional residual offset commitment	1000		650	350	650	350 to Box Gum Woodland	1000
<b>Total</b>	<b>11599.9</b>		<b>1537.4</b>	<b>1483.3</b>	<b>5866.1</b>	<b>1831.7</b>	<b>7697.8</b>

1 = Box Gum Woodland - White Box, Yellow Woodland and Derived Native Box, Blakely's Red Gum, Grassy Grassland Community as described in the EPBC Listing advice  
(<http://www.environment.gov.au/biodiversity/threatened/communities/pubs/box-gum.pdf>)