



REPORT

Annual Environmental Return EPBC 2011/6221

Q-4910-15-RP-0006

Australia Pacific LNG Upstream Project

EPBC 2011/6221 Ruby Spur Line Gas Transmission Pipeline Annual Environmental Return 2014

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- **Should** indicates a recommended course of action
- **May or can** indicate a possible course of action.

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1. Introduction

The Australia Pacific LNG Project was referred to the Department of the Environment (the Department), on 15 December 2011 for a determination as to whether the proposal constitutes a controlled action requiring approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

On 27 February 2012, the Minister determined that the referral constituted a controlled action under the EPBC Act.

On 28 November 2012, Australia Pacific LNG received a conditional approval from the Department to develop, construct, operate and decommission a 17km gas transmission pipeline from the Ruby Gas Facility owned by Queensland Gas Company (QGC) to a connection point on the existing Darling Downs Power Station Pipeline (DDPL). This Approval, which is relevant to this report, is EPBC 2011/6221.

1.1. Purpose and Scope

The purpose of this report is to demonstrate compliance with specific conditions in EPBC 2011/6221.

Condition 8 of EPBC 2011/6221 requires an Annual Environmental Return be submitted to the Department to identify compliances and non-compliances relating to the conditions of approval and Matters of National Environmental Significance (MNES). This report has been prepared in accordance with condition 8.

Condition 8 requires that:

Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a compliance report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions, and provide a detailed account of any non-compliances. Documentary evidence providing proof of the date of publication and proof of non-compliances with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.

1.1.1. Reporting Period

The reporting period relevant to this report is 3rd December 2012 to 2nd December 2013 inclusive.

1.2. Abbreviations

Table 1: Abbreviations

Abbreviation	Description
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EHP	Department of Environment and Heritage Protection
DDPL	Darling Downs Power Station Pipeline
Department	Department of the Environment
Ha	Hectares
KP	Kilometre Point
MNES	Matters of National Environmental Significance
ROW	Right of Way
WDRC	Western Downs Regional Council
WWF	World Wildlife Fund

1.3. Document references

Table 2: Associated Document References

Document Number	Title
Q-4910-15-MP-0003	Ruby Spur Species Management Plan

2. Annual Environmental Return

2.1. Compliance

Refer to Table 4 to identify compliance with the conditions of EPBC Approval 2011/6221.

2.2. Commencement of Activities

The action commenced on 3rd December 2012.

2.3. Non-Compliances

There were no non-compliances with EPBC 2011/6221 during the reporting period.

2.4. Variation to Conditions

The Minister has approved a variation to conditions, dated 3 October 2013. Refer to Table 3 for the relevant sections of the revised approval conditions.

Table 3: Variation to EPBC Approval 2011/6221

Condition No.	Revision
3 (b)	Removal of Brigalow Scaly-foot
4 (b)	Removal of Brigalow Scaly-foot

Table 4: Compliance EPBC 2011/6221

Condition No.	Condition	Status	Compliance Statement
Footprint			
1	The person taking the action must ensure that no more than 69 hectares of vegetation is cleared in total across the 17 km Ruby Spur Line Alignment (Attachment 1).	Compliant	A total of 56.85 ha of vegetation has been cleared for the Ruby Spur pipeline.
Management			
2	To protect a single plant of Kogan Waxflower (<i>Philothea sporadic</i>), located at KP15.33, the person taking the action must: <ul style="list-style-type: none"> a) Ensure there are no impacts on this plant during construction b) Prior to construction, create a 5m buffer around the plant and install a barrier and signage preventing access at the 5m boundary c) Inform all personnel involved in construction of the location of this plant and relevant avoidance measures d) After construction replace all topsoil that has been removed and rehabilitate in accordance with the Ruby Spur Line Species Management Plan Q-4910-15-MP-0003 	Compliant	<ul style="list-style-type: none"> a) There were no impacts to on the plant during the reporting period. b) A barrier and signage was installed to prevent access. c) Identification of the plant's presence and its significance was discussed with relevant work crew at a daily pre-start meeting at the time of construction activities in this location. d) Reinstatement of the pipeline ROW commenced in May 2013 which included re-spreading of topsoil in accordance with the Ruby Spur Species Management Plan (Q-4910-15-MP-0003). Re-seeding of the ROW is yet to occur and will be undertaken within the current reporting period.
3	To avoid unnecessary impact to listed EPBC species, the person taking the action must apply the 'measures to avoid impact' as outlined in the Ruby Spur Line Species Management Plan Q-4910-15-MP-0003. The Department requires a particular focus on species that have been confirmed as present, or that are likely to occur, within the alignment corridor. These species include but are not limited to: <ul style="list-style-type: none"> a) Rainbow Bee-eater (<i>Merops ornatus</i>) b) Brigalow Scaly-foot (<i>Paradelma orientalis</i>) c) Yakka Skink (<i>Egernia rugosa</i>) 	Compliant	Construction of the pipeline ROW was undertaken in accordance with the Ruby Spur Species Management Plan (Q-4910-15-MP-0003). Specifically, clearing was undertaken in a sequential manner and a fauna handler was present for clearing and trenching activities.

Condition No.	Condition	Status	Compliance Statement
	d) Five-clawed Worm Skink, Long-legged Worm-skink (<i>Anomalopus mackayi</i>)		
4	<p>For continued protection and conservation of EPBC listed species the person taking the action must report any findings in writing (within 10 business days of the sighting) of EPBC listed species on, or within close proximity of, the project site to the Department, relevant Commonwealth and State agencies and the Western Downs Regional Council. These species include, but are not limited to:</p> <p>a) Kogan Waxflower (<i>Philothea sporadic</i>) b) Brigalow Scaly-foot (<i>Paradelma orientalis</i>)*</p> <p>* Sightings of the Brigalow Scaly-foot must also be reported to the World Wildlife Fun (WWF) Australia and the Queensland Museum</p>	Compliant	<p>During the reporting period there were two separate incidents (fatalities) relating to threatened fauna species, involving three Brigalow Scaly-foot individuals on the 25th and 27th April 2013.</p> <p>Notification of these incidents was provided to the Department, Western Downs Regional council (WDRC), World Wildlife Fund (WWF) and Queensland Museum on the 30th April 2013.</p> <p>In addition, notification was provided to the Department of Environment and Heritage Protection (EHP) in accordance with the Ruby Spur Species Management Plan (Q-4910-15-MP-0003).</p>
Commencement			
5	Within 30 days after the commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement.	Compliant	Notification of commencement was provided to the Department on 13 th December 2012.
6	If, at any time after five 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 written agreement from the Minister.	Compliant	The action commenced on 3 rd December 2012.
Record keeping			
7	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plan referenced by this approval, and make it available	Compliant	All records are being kept within Australia Pacific LNG's document control system.

Condition No.	Condition	Status	Compliance Statement
	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. Summarise of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.		
8	Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a compliance report on their website addressing compliance with each of the conditions of this approval, including the implementation of any management plans as specified in the conditions, and provide a detailed account of any non-compliances. Documentary evidence providing proof of the date of publication and proof of non-compliances with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.	Noted	This Annual Environmental Return (Q-4910-15-RP-0006) will be published on the Project website no later than 3 March 2014 (action commencement anniversary date 3 December 2013). Evidence of the publication will be provided to the Department.
Minister's Approval of the Modification of Management Plan			
9	If the person taking the action wishes to carry out any activity otherwise than in accordance with the management plan as specified in the conditions, the person taking the action must submit to the Department for the Minister's written approval a revised version of that management plan. The varied activity shall not commence until the Minister has approved the varied management plan in writing. The Minister will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome. If the Minister approves the revised management plan, that management plan must be implemented in place of the management plan originally approved.	Noted	Activities have been undertaken in accordance with the Ruby Spur Species Management Plan (Q-4910-15-MP-0003). There has been no amendment to the management plan during the reporting period.
Minister's Modification to Management Plan			

Condition No.	Condition	Status	Compliance Statement
10	If the Minister believes that it is necessary or convenient for the better protection of EPBC listed species and communities to do so, the Minister may request that the person taking the action make specified revisions to the management plans specified in the conditions and submit the revised management plan for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plan must be implemented within the timeframe specified by the Minister. Unless the Minister has approved the revised management plan, the person taking the action must continue to implement the management plan originally approved, as specified in the conditions.	N/A	The Minister has not requested a modification to the management plan as specified in the conditions during the reporting period.
Publication			
11	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all management plans referred to in these conditions of approval on their public website. Each management plan must be published on the website within 1 month of being approved.	Compliant	The Ruby Spur Species Management Plan (Q-4910-15-MP-0003) has been approved and was uploaded to the Project website on the 21 st August 2012.
Independent Audit			
12	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.	N/A	To date there has been no direction provided by the Minister to undertake an independent audit of the approval.