



## REPORT

# Annual Environmental Return EPBC 2011/6221

Q-LNG01-15-RP-0741

## Australia Pacific LNG Upstream Project

EPBC 2011/6221 Ruby Spur Line Gas Transmission Pipeline Annual Environmental Return 2015

Revision	Date	Description	Originator	Checked	QA/Eng	Approved
						
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## 1. Introduction

The Australia Pacific LNG Project was referred to the Department of the Environment (the Department) on 6 July 2009 for a determination as to whether the proposal constituted a controlled action requiring approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Australia Pacific LNG made three separate referrals for different parts of the Project (EPBC 2009/4974; 2009/4976; 2009/4977). On 3 August 2009, the Minister determined that each action described in the referrals constituted a controlled action under the EPBC Act.

On 15 December 2011, Australia Pacific LNG made a referral in relation to the Ruby Spur Line as it was not included under the previous referrals.

On 28 November 2012, Australia Pacific LNG received 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 (EPBC 2011/6221) is the subject of this Report.

### 1.1. Purpose and Scope

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

Condition 8 of EPBC 2011/6221 requires an Annual Environmental Return to be published on the Australia Pacific LNG website. 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.*

### 1.2. Reporting Period

The reporting period relevant to this Report is 3 December 2013 to 2 December 2014 inclusive.

### 1.3. Abbreviations

**Table 1: Abbreviations**

Abbreviation	Description
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
DDPL	Darling Downs Power Station Pipeline
Department	Department of the Environment
Ha	hectare
KP	Kilometre Point
QGC	Queensland Gas Company
MNES	Matters of National Environmental Significance
ROW	Right of Way
WWF	World Wildlife Fund

### 1.4. 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

Compliance with the conditions of EPBC Approval 2011/6221 is set out in Table 3. It is noted that construction activities associated with the pipeline and associated infrastructure were completed during the reporting period, and a progressive transfer of the project from construction phase to operational phase commenced, including restoration and rehabilitation. With the completion of the construction stage, a number of conditions were closed out.

### 2.2. Non-Compliances

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

Table 3: Compliance EPBC 2011/6221

Condition No.	Condition	Status	Compliance Statement
<b>Footprint</b>			
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 / Closed	A total of 56.85 ha of vegetation was cleared for the Ruby Spur pipeline. No additional clearing occurred during the reporting period.
<b>Management</b>			
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"> <li>a) Ensure there are no impacts on this plant during construction</li> <li>b) Prior to construction, create a 5m buffer around the plant and install a barrier and signage preventing access at the 5m boundary</li> <li>c) Inform all personnel involved in construction of the location of this plant and relevant avoidance measures</li> <li>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</li> </ul>	Compliant / Closed	Conditions a) - c) were satisfied during construction, which was completed in February 2014.  The Right of Way (ROW) has been reinstated in accordance with the Ruby Spur Species Management Plan (Q-4910-15-MP-0003).
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"> <li>a) Rainbow Bee-eater (<i>Merops ornatus</i>)</li> <li>b) Brigalow Scaly-foot (<i>Paradelma orientalis</i>)</li> <li>c) Yakka Skink (<i>Egernia rugosa</i>)</li> <li>d) Five-clawed Worm Skink, Long-legged Worm-skink (<i>Anomalopus mackayi</i>)</li> </ul>	Compliant / Closed	Construction of the pipeline ROW was undertaken in accordance with the Ruby Spur Species Management Plan (Q-4910-15-MP-0003).  Construction was completed in February 2014.

Condition No.	Condition	Status	Compliance Statement
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 Fund (WWF) Australia and the Queensland Museum</p>	Compliant	There were no findings related to EPBC listed species during the reporting period.
<b>Commencement</b>			
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 / Closed	Notification of commencement was provided to the Department on 13 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 / Closed	The action commenced on 3 December 2012.
<b>Record keeping</b>			
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 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	Compliant	All records are being kept within Australia Pacific LNG's document control system.

Condition No.	Condition	Status	Compliance Statement
	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.	Compliant	The 2014 Annual Environmental Return for the Ruby Spur Line Gas Transmission Pipeline (Q-4910-15-RP-0006) was provided to the Department on 26 February 2014 and uploaded to the Australia Pacific LNG website on the same day:  <a href="http://staging1.aplng.com.au/pdf/annual_environmental_return_epbc2011_6221.pdf">http://staging1.aplng.com.au/pdf/annual_environmental_return_epbc2011_6221.pdf</a>
<b>Minister's Approval of the Modification of Management Plan</b>			
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.	Compliant	Activities have been undertaken in accordance with the Ruby Spur Species Management Plan (Q-4910-15-MP-0003). During the reporting period, the document was amended to remove those species no longer listed, and to change the species conservation status. The revision was approved by the Department on 15 April 2014.
<b>Minister's Modification to Management Plan</b>			
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	Not triggered	The Minister has not requested a modification to the management plan as specified in the conditions during the reporting period.

Condition No.	Condition	Status	Compliance Statement
	<p>approval.</p> <p>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.</p>		
<b>Publication</b>			
11	<p>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.</p>	Compliant	<p>The revised and approved Ruby Spur Species Management Plan (Q-4910-15-MP-0003) can be found on the Project website  <a href="http://www.aplng.com.au/pdf/Ruby_Spur_Species_Management_Plan.pdf">http://www.aplng.com.au/pdf/Ruby_Spur_Species_Management_Plan.pdf</a>.</p>
<b>Independent Audit</b>			
12	<p>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.</p>	Not triggered	<p>To date there has been no direction provided by the Minister to undertake an independent audit of the approval.</p>