

Mt Buller Water Storage Project - Compliance Report 2025

Authority	Document	Description	Reference	Condition	Condition detail	Timing	(Complete / Ongoing)	Compliance Status Y=Yes N=no IP=In progress NYD=not yet determined NA=not applicable										
Department of the Environment and Energy (DoEE)*	Approval conditions	Disturbance areas	1	The approval holder must only undertake the action in the project area.			Ongoing	N Infringement issued under the EPBC Act May 2020 for construction impacts outside of the Project Control Footprint (PCF)		Y	2022	2023	2024	2025	2026	2027	2028	2029
Department of the Environment and Energy (DoEE)	Approval conditions	Disturbance areas	2	For the life of the approval, and relative to baseline monitoring and control sites, the approval holder must achieve the following:														
Department of the Environment and Energy (DoEE)	Approval conditions	Disturbance areas	2a		no direct impacts to Alpine bogs;		Ongoing	N Infringement issued under the EPBC Act May 2020 for direct construction impacts to Alpine Bogs downstream of the PCF		Y	Y	Y	Y	Y				
Department of the Environment and Energy (DoEE)	Approval conditions	Disturbance areas	2b		no more than a 10% (0.090 ha) reduction in the total combined area of indirectly affected areas of Alpine bogs;		Ongoing			Y	Y	Y	Y	Y				
Department of the Environment and Energy (DoEE)	Approval conditions	Disturbance areas	2c		no more than a 10% reduction in the total 'bog-dependent' native flora species richness of indirectly affected areas of Alpine bogs;		Ongoing			Y	Y	Y	Y	Y				
Department of the Environment and Energy (DoEE)	Approval conditions	Disturbance areas	2d		no more than a 10% increase in the cover of 'non-bog dependent' species within indirectly affected areas of Alpine bogs;		Ongoing			Y	Y	Y	Y	Y				
Department of the Environment and Energy (DoEE)	Approval conditions	Disturbance areas	2e		no more than a 10% reduction in the average cover of sphagnum moss (Sphagnum spp) within indirectly affected areas of Alpine bogs;		Ongoing			Y	Y	Y	Y	Y				
Department of the Environment and Energy (DoEE)	Approval conditions	Pre-disturbance surveys	3	The approval holder must undertake pre-disturbance surveys in the project area to identify any new or new occurrences/extent of EPBC Act listed threatened species or ecological communities. Pre-disturbance surveys must be supervised by a suitably qualified person and undertaken in accordance with the Department's survey guidelines in effect at the time of the survey or other equivalent survey methodology approved by the Department.			Complete	Y	No longer applicable									
Department of the Environment and Energy (DoEE)	Approval conditions	Pre-disturbance surveys	4	If new or new occurrences/extent of EPBC Act listed threatened species or ecological communities not previously identified are found in the project area during pre-disturbance surveys or during construction, the approval holder must:			Complete	Y	No longer applicable									
Department of the Environment and Energy (DoEE)	Approval conditions	Pre-disturbance surveys	4a		immediately cease work;		Complete	Y	No longer applicable									
Department of the Environment and Energy (DoEE)	Approval conditions	Pre-disturbance surveys	4b		notify the Department in writing within 48 hours of finding the EPBC Act listed threatened species and/or ecological communities;		Complete	Y										
Department of the Environment and Energy (DoEE)	Approval conditions	Pre-disturbance surveys	4c		not re-commence or commence the action without written agreement from the Minister.		Complete	Y										
	Approval conditions	Pre-disturbance surveys	5	If new or new occurrences/extent of EPBC Act listed threatened species or ecological communities not previously identified are found in the project area during pre-disturbance surveys or during construction, the approval holder must outline in writing the number or extent and quality of EPBC Act listed threatened species and ecological communities present, and how potential impacts to these EPBC Act listed threatened species and/or ecological communities will be avoided, mitigated and/or compensated for, for the Minister's approval. Once approved, the approved avoidance, mitigation and/or compensation measures must be implemented.			Complete	Y	No longer applicable									
Department of the Environment and Energy (DoEE)	Approval conditions	HEMAMP	6	The approval holder must implement the Hydrological and Ecological Monitoring and Adaptive Management Program (HEMAMP) for the life of the approval. If monitoring results indicate that the outcomes in condition 2 has not been achieved or is not likely to be achieved, the approval holder must:														
Department of the Environment and Energy (DoEE)	Approval conditions	HEMAMP	6a		investigate why the outcome has not or will not be achieved;		Ongoing	Y	Y	NA	NA	NA	NA					
Department of the Environment and Energy (DoEE)	Approval conditions	HEMAMP	6b		advise the Department within 14 days of receiving the monitoring results (including a summary of the provision of the investigation required under condition 6a);		Ongoing	Y	Y	NA	NA	NA	NA					
Department of the Environment and Energy (DoEE)	Approval conditions	HEMAMP	6c		develop corrective actions, revised monitoring, mitigation, management measures and/or compensation measures to be included in the HEMAMP.		Ongoing	Y	Y	Y	NA	NA	NA					
Department of the Environment and Energy (DoEE)	Approval conditions	HEMAMP	7	Any revised measure(s) to be included in the HEMAMP required under condition 6, must be peer reviewed by a suitably qualified expert. The peer review must be submitted to the Minister together with the revised HEMAMP, and a statement from the suitably qualified expert stating that the peer review adequately evaluated measures proposed.			Ongoing	Y	Y	NA	NA	NA	NA					
Department of the Environment and Energy (DoEE)	Approval conditions	HEMAMP	8	Within three (3) months following the third anniversary of commencement of the action, the approval holder must assess the effectiveness of the monitoring, mitigation, and management measures in the HEMAMP in achieving the outcome in condition 2b. The assessment must be undertaken by a suitably qualified independent expert. The findings of the assessment must immediately be made publicly available on the approval holder's website, and be provided to the Department within five (5) days of publishing.			Ongoing	NYD	NYD	IP	Y	Y	Y	Y				
Department of the Environment and Energy (DoEE)	Approval conditions	HEMAMP	9	If the Minister at any time is not satisfied that the outcomes in condition 2 have been achieved or are likely to be achieved, the Minister may (in writing) require the approval holder to submit a new plan or program for the Minister's approval to reduce, mitigate, remediate or compensate impacts to Alpine bogs, within a designated timeframe. The Minister may request that the plan or program be prepared or reviewed by a person designated or agreed to by the Minister. If the Minister approves the plan or program, then the approved plan or program must be implemented.	*To avoid doubt, any proposed compensation measures must be additional to that required under condition 12.		Ongoing	NYD	NYD	NYD	NYD	NYD	NYD					
Department of the Environment and Energy (DoEE)	Approval conditions	Ecological Rehabilitation Plan	10	Information obtained during pre-disturbance surveys required under condition 3 must be used to inform the implementation of the Ecological Rehabilitation Plan. Any changes to the plan must be submitted to the Department for the Minister's written approval prior to the commencement of the rehabilitation works.			Complete	Y	No longer applicable									
Department of the Environment and Energy (DoEE)	Approval conditions	Ecological Rehabilitation Plan	11	Within one (1) month following completion of construction, or following approval by the Minister as required under condition 9, the approval holder must commence rehabilitation of the project area in accordance with the Ecological Rehabilitation Plan.			Complete	Y	No longer applicable									
Department of the Environment and Energy (DoEE)	Approval conditions	Offset Areas	12	Prior to the commencement of the action, to compensate for the potential reduction in the total combined area of up to 0.090ha of indirectly affected areas of Alpine bogs, the approval holder must legally secure 0.381ha of Alpine bogs at Mt Stirling as identified in the Offset Strategy, or another offset agreed to by the Minister in writing.			Complete	Y	No longer applicable									
Department of the Environment and Energy (DoEE)	Approval conditions	Offset Areas	13	Within three (3) months of legally securing the offset required under condition 12, the approval holder must submit an Offset Management Plan, for the written approval of the Minister. Once approved, the approved Offset Management Plan must be implemented for the life of this approval. The Offset Management Plan must:			Complete	Y										
Department of the Environment and Energy (DoEE)	Approval conditions	Offset Areas	13a		be prepared by a suitably qualified expert;		Complete	Y										
Department of the Environment and Energy (DoEE)	Approval conditions	Offset Areas	13b		provide the Department with a written description and map to clearly define the location and boundaries of the offset area(s). This must be accompanied with the offset attributes and shapefiles;		Complete	Y										
Department of the Environment and Energy (DoEE)	Approval conditions	Offset Areas	13c		include timeframes and key milestones for implementation of offsets;		Complete	Y										
Department of the Environment and Energy (DoEE)	Approval conditions	Offset Areas	13d	Detail management actions and regeneration and revegetation strategies to be undertaken on the offset area(s) to improve and extend the ecological quality of Alpine bogs, including:			Complete	Y	No longer applicable									
Department of the Environment and Energy (DoEE)	Approval conditions	Offset Areas	13d,i		a discussion of how measures outlined take into account relevant conservation advice and are consistent with the measures in relevant recovery plans and threat abatement plans;		Complete	Y										
Department of the Environment and Energy (DoEE)	Approval conditions	Offset Areas	13d,ii		a description and timeframe of measures that will be implemented to improve the condition and extent of Alpine bogs within the offset area(s);		Complete	Y										
Department of the Environment and Energy (DoEE)	Approval conditions	Offset Areas	13d,iii		performance and completion criteria for evaluating the management of the offset area(s), and criteria for triggering remedial action;		Complete	Y										
Department of the Environment and Energy (DoEE)	Approval conditions	Offset Areas	13d,iv		a program to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria;		Complete	Y										
Department of the Environment and Energy (DoEE)	Approval conditions	Offset Areas	13d,v		a description of potential risks to the successful implementation of the plan, a description of the measures that will be implemented to mitigate against these risks and a description of the contingency measures that will be implemented if defined triggers arise;		Complete	Y										
Department of the Environment and Energy (DoEE)	Approval conditions	Offset Areas	13d,vi		details of who is responsible for monitoring, reviewing and implementing the plan.		Complete	Y										
Department of the Environment and Energy (DoEE)	Approval conditions	Administrative	14	Within 20 business days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement of the action.			Complete	Y	No longer applicable									
Department of the Environment and Energy (DoEE)	Approval conditions	Administrative	15	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of 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 published through the general media.			Ongoing	Y	Y	Y	Y	Y	Y	Y				
Department of the Environment and Energy (DoEE)	Approval conditions	Administrative	16	Within one (1) month of every 12 month anniversary of commencement, the approval holder must publish a 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 any monitoring results required. Any monitoring program results of peer-reviews must be publicly available on the approval holder's website and remain on the approval holder's website for the life of the approval. Documentary evidence providing proof of the date of publication and details of non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.			Ongoing	N Compliance Report and other documents posted to website in February 2021	Y	Y	Y	Y	Y	Y				
Department of the Environment and Energy (DoEE)	Approval conditions	Administrative	17	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 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.			Ongoing	NYD	NYD	NYD	NYD	NYD	NYD					
Department of the Environment and Energy (DoEE)	Approval conditions	Administrative	18	If, at any time after five (5) years from the date of this approval, the approval holder has not commenced action, then the approval holder must not commence action without the written agreement of the Minister.			Complete	Y	No longer applicable									
Department of the Environment and Energy (DoEE)	Approval conditions	Administrative	19	Unless otherwise agreed to in writing by the Minister, the approval holder must publish all reports and agreements referred to in conditions 7, 8, 10 and 13 on their website. Each report and agreement must be published on the website within one (1) month of being approved by the Minister.			Ongoing	Y	Y	Y	Y	Y	Y	Y				

* DoEE now Department of Climate Change, Energy, the Environment and Water (DCCEEW)

Key	
	Ongoing measures
	Complete