



VARIATION OF CONDITIONS ATTACHED TO APPROVAL Kaban Green Power Hub, Kaban, Queensland (EPBC 2018/8289)

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

Person to whom the approval is granted

Kaban Wind Farm Pty Ltd
as trustee for the Kaban Wind Farm Trust

ACN: 637 687 622

Approved action

To construct and operate a wind farm with up to 29 turbines and associated infrastructure 80 km south-west of Cairns, in Kaban, far north Queensland; as described in the referral received by the Department on 17 October 2018 [See EPBC Act referral 2018/8289].

Variation

Variation of conditions attached to approval

The variation is:

Delete conditions 5, 8, 9, 12, 13 and 15 and substitute with the conditions specified in the table below.

Add condition 5A specified in the table below.

Delete definitions of Commissioning/Commissioned, Fauna Management Plan, Incident, Impact trigger, Offset Area Management Plan, Project area and Vegetation Management Plan attached to the approval and substitute with the definitions specified in the table below.

Add the definition of Commissioned specified in the table below.

Delete Appendix A, Appendix B, Appendix C, Appendix D, Appendix E and Appendix F attached to the approval and substitute with the appendices specified in the table below.

Date of effect

This variation has effect on the date the instrument is signed

Person authorised to make decision

Name and position

Kim Farrant
Assistant Secretary
Environment Assessments (Vic, Tas) and Post Approvals Branch

Signature

Date of decision

28 May 2021

Date of decision	Conditions attached to approval
Original dated 21/04/2020	<p>Maximum clearing limits</p> <p>1. To minimise impacts on EPBC Act listed threatened species and communities, the approval holder must not clear more than 129 hectares (ha) of habitat for EPBC Act listed threatened species and communities within the project area, including no more than:</p> <p>(a) 95.2 ha of Prostanthera habitat.</p> <p>(b) 3 ha of Magnificent Brood Frog habitat.</p> <p>(c) 61.2 ha of Greater Glider habitat.</p> <p>(d) 100 ha of Northern Quoll habitat, including no more than 5.6 ha of Northern Quoll denning habitat.</p>
Original dated 21/04/2020	<p>EPBC Act listed threatened and migratory species management</p> <p>2. The approval holder must implement the Vegetation Management Plan and Fauna Management Plan for the duration of this approval.</p>
Original dated 21/04/2020	<p>3. The approval holder must report against each performance criterion specified in the Vegetation Management Plan and Fauna Management Plan and provide an evaluation of the effectiveness of the measures implemented to avoid and mitigate impacts of the action on EPBC Act listed threatened species and communities and EPBC Act listed migratory species in each annual compliance report required under condition 35.</p>
Original dated 21/04/2020	<p>4. To minimise impacts on <i>Prostanthera clotteniana</i>, the approval holder must undertake pre-clearance surveys of all potential Prostanthera habitat. The approval holder must prevent any direct or indirect impacts to any <i>Prostanthera clotteniana</i> individual.</p>
As varied on the date this instrument was signed	<p><i>Turbine strike monitoring and management</i></p> <p>5. The approval holder must submit a Bird and Bat Adaptive Management Plan (BBAMP) for the Minister's approval prior to commissioning. The approval holder must not commence operation of the wind farm unless the Minister has approved the BBAMP in writing. The approval holder must implement the approved BBAMP throughout operation.</p>
As varied on the date this instrument was signed	<p>5A. The BBAMP must build on the Bird and Bat Management Plan to propose and justify methods and procedures which ensure that the action does not cause significant mortality by turbine strike on any EPBC Act listed bird or bat species within the life of the action by ensuring that the effects of wind turbines are managed, monitored and limited such that impacts to EPBC Act listed bird and bat species are reliably detected, quantified, reported and responded to.</p>
Original dated 21/04/2020	<p>6. To inform the risk profile of each turbine, the approval holder must undertake bird and bat utilisation surveys, including:</p> <p>(a) Prior to commissioning, the approval holder must undertake pre-commissioning bird and bat utilisation surveys over a period of at least</p>

Date of decision	Conditions attached to approval
	<p>24 months, including at least one survey undertaken at or adjacent to each proposed wind turbine location in each of at least one wet season and one dry season in succession.</p> <p>(b) Commencing within 3 months after commissioning, the approval holder must undertake post-commissioning bird and bat utilisation surveys over a period of at least 24 months, including at least one survey at or adjacent to each wind turbine in each of at least two wet seasons and two dry seasons in succession.</p>
Original dated 21/04/2020	7. At least one survey in each 12 month period of bird and bat utilisation surveys required under condition 6 must be conducted within the migratory period of each EPBC Act listed migratory species .
As varied on the date this instrument was signed	8. The approval holder must report in each compliance report (required under condition 35) on the results of all bird and bat utilisation surveys required under condition 6 undertaken in the period that is the subject of that compliance report .
As varied on the date this instrument was signed	9. All bird and bat utilisation surveys must be undertaken by a suitably qualified ecologist .
Original dated 21/04/2020	10. Prior to commissioning , the approval holder must assign a risk profile to each turbine within the project area using the results of the pre-commissioning bird and bat utilisation surveys required under condition 6(a).
Original dated 21/04/2020	11. If, during bird and bat utilisation surveys required under condition 6 or during any other monitoring or incidental observation during operation , one or more individual of an EPBC Act listed bird or bat species is detected within the vicinity of a low-risk turbine , the approval holder must assign that turbine to be a high-risk turbine within five business days of the detection.
As varied on the date this instrument was signed	12. During operation , the approval holder must include a list of the current risk profile of each turbine within the project area in each compliance report .
As varied on the date this instrument was signed	13. During operation , the approval holder must undertake turbine strike monitoring in accordance with the Bird and Bat Adaptive Management Plan at monitoring sites identified in the Bird and Bat Adaptive Management Plan and at all high-risk turbines identified as required under conditions 10 and 11.
Original dated 21/04/2020	14. The approval holder must annually evaluate the effectiveness of the measures implemented to avoid and mitigate impacts of turbine collision on EPBC Act listed bird and bat species and report on that evaluation, and performance against the impact triggers , in each annual compliance report required under condition 35.
As varied on the date this instrument was signed	15. If an impact trigger is reached or exceeded, the approval holder must implement the relevant adaptive management procedure specified in the

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	<p>Bird and Bat Adaptive Management Plan. The approval holder must, on each occasion that an impact trigger is reached or exceeded, report on the steps taken and outcomes of implementing the adaptive management procedure, including details of the mitigation measures that have been or will be implemented and an assessment of their likely effectiveness in the first annual compliance report required under condition 35 following an impact trigger being reached or exceeded.</p>
<p>Original dated 21/04/2020</p>	<p>16. Within 20 business days of an impact trigger being reached or exceeded, if application of the adaptive management procedure required under condition 15 identifies, in respect of any wind turbine or number of wind turbines, that additional mitigation measures are required but no alternative mitigation measures can or will be implemented; and</p> <p>(a) If the additional mitigation measures are required in respect of the Ghost Bat or Spectacled Flying-fox, the approval holder must cease to operate any wind turbine that contributed to reaching or exceeding an impact trigger between sunset and sunrise each day; and/or</p> <p>(b) If the additional mitigation measures are required in respect of any nocturnal EPBC Act listed migratory species, the approval holder must cease to operate any wind turbine that contributed to reaching or exceeding an impact trigger between sunset and sunrise each day during the migratory period of any EPBC Act listed migratory species for which an impact trigger has been reached or exceeded; and/or</p> <p>(c) If the additional mitigation measures are required in respect of any diurnal EPBC Act listed migratory species, the approval holder must cease to operate any wind turbine that contributed to reaching or exceeding an impact trigger between sunrise and sunset each day during the migratory period of any EPBC Act listed migratory species for which an impact trigger has been reached or exceeded; and/or</p> <p>(d) If the additional mitigation measures are required in respect of any cathemeral EPBC Act listed migratory species or any EPBC Act listed migratory species for which diel activity is unknown, the approval holder must cease to operate any wind turbine that contributed to reaching or exceeding an impact trigger the migratory period of any EPBC Act listed migratory species for which an impact trigger has been reached or exceeded.</p>
<p>Original dated 21/04/2020</p>	<p>17. Any request by the approval holder to cease or reduce the curtailment required under condition 16 must demonstrate how the ceasing or reducing of the curtailment will not result in any additional impact on EPBC Act listed bird and bat species.</p>
<p>Original dated 21/04/2020</p>	<p>Environmental offsets</p> <p>18. To compensate for the clearance of Magnificent Brood Frog habitat and Greater Glider habitat as specified in condition 1(b)-(c), the approval</p>

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	holder must legally secure all environmental offsets proposed in the Offset Area Management Plan within 12 months of the commencement of the action . The Offset Area Management Plan must be attached to the legal mechanism used to legally secure the offset areas.
Original dated 21/04/2020	19. The approval holder must notify the Department within five business days of the legal security mechanism for each offset area being executed.
Original dated 21/04/2020	20. The legal mechanism used to legally secure the offset areas must remain in force for at least the duration of this approval.
Original dated 21/04/2020	21. To ensure that the offsets required under condition 18 provide a conservation gain in accordance with the EPBC Act Environmental Offsets Policy , the completion criteria must be achieved within 20 years of the commencement of the action and then be maintained or improved for the duration of the approval.
Original dated 21/04/2020	22. To ensure that the offsets required under condition 18 provide ongoing habitat for the Magnificent Brood Frog and Greater Glider, the key habitat features identified in the Offset Area Management Plan must be maintained or improved for the duration of the approval.
Original dated 21/04/2020	23. To ensure that the completion criteria will be achieved, performance against performance targets must be reported in each annual compliance report required under condition 35.
Original dated 21/04/2020	24. If a performance target is not met at the completion of each five year period, the approval holder must, on each occasion that a performance target is not met, report on the corrective action/s that will be implemented and an assessment of their likely effectiveness in the first annual compliance report required under condition 35 following a performance target not being met and all subsequent compliance reports required under condition 35 for the life of the approval.
Original dated 21/04/2020	25. If any of the completion criteria are not met within 20 years of the commencement of the action , the approval holder must, within 10 business days of the 20 th anniversary of the commencement of the action , notify the Department of the completion criteria that have not been met. Within 6 months of the 20 th anniversary of the commencement of the action , if the approval holder has not met all of the completion criteria , the approval holder must submit a supplementary Offset Area Management Plan that details the additional and/or revised management measures that will be implemented and/or alternative offset or offsets that will be provided to compensate for the failed offset and submit it to the Department to be approved in writing by the Minister . If approved in writing by the Minister , the approval holder must implement the approved supplementary Offset Area Management Plan.
Original dated 21/04/2020	26. At least 12 months and no more than 24 months following commissioning , the approval holder must submit a Residual Impacts Report which details

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	<p>the actual residual impact of the action on Magnificent Brood Frog habitat and Greater Glider habitat to the Department. The Residual Impacts Report must be informed by a scientifically robust program of monitoring that has been endorsed by an independent suitably qualified amphibian expert and conducted by a suitably qualified ecologist. The Residual Impacts Report must be prepared by an independent suitably qualified ecologist.</p>
<p>Original dated 21/04/2020</p>	<p>27. If the actual residual impact of the action on Magnificent Brood Frog habitat or Greater Glider habitat is greater than the impact of the action on Magnificent Brood Frog habitat or Greater Glider habitat already offset, the approval holder must provide an environmental offset to compensate for the additional residual impact consistent with the EPBC Act Environmental Offsets Policy. The approval holder must, within 60 business days of submitting the Residual Impacts Report required under condition 26, submit a supplementary Offset Area Management Plan to the Department to be approved in writing by the Minister. If approved in writing by the Minister, the approval holder must implement the approved supplementary Offset Area Management Plan.</p>
<p>Original dated 21/04/2020</p>	<p>28. The supplementary Offset Area Management Plan, whether submitted under the requirements of condition 23 or condition 25, must include:</p> <ul style="list-style-type: none"> (a) Details to demonstrate how the offset compensates for the residual impact on Magnificent Brood Frog habitat and Greater Glider habitat in accordance with the principles of the EPBC Act Environmental Offsets Policy; (b) A description of the offset, including location, size, condition, environmental values present and surrounding land uses; (c) Baseline data and other supporting evidence that documents the presence of each listed threatened species and the quality of each listed threatened species habitat within the offset area; (d) An assessment of site habitat quality using a method agreed to in writing by the Department; (e) Details of how the offset area will provide connectivity with other habitats and biodiversity corridors and/or will contribute to a larger strategic offset for each listed threatened species; (f) Maps and shapefiles to clearly define the location and boundaries of the offset area, accompanied by offset attributes; (g) Specific offset completion criteria derived from the site habitat quality to demonstrate the improvement in the quality of each listed threatened species habitat in the offset area over the duration of this approval; (h) Details of the management actions, and timeframes for implementation, to be carried out to meet the offset completion

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	<p>criteria;</p> <ul style="list-style-type: none"> (i) Interim performance targets that set targets at appropriate intervals for progress towards achieving the offset completion criteria; (j) Details of the nature, timing and frequency of monitoring to inform progress against achieving the interim performance targets (the frequency of monitoring must be sufficient to track progress towards each set of interim performance targets, and sufficient to determine whether the offset area is likely to achieve those interim performance targets in adequate time to implement all necessary corrective actions); (k) Proposed timing for the submission of monitoring reports which provide evidence demonstrating whether the interim performance targets have been achieved; (l) Timing for the implementation of corrective actions if monitoring activities indicate the interim performance targets will not or have not been achieved; (m) Evidence of how the management actions and corrective actions take into account relevant approved conservation advices and are consistent with relevant recovery plans and threat abatement plans; and (n) Details of the legal mechanism for legally securing the offset area, such that legal security remains in force over the offset area for at least the duration of this approval.
Original dated 21/04/2020	<p>Notification of date of commencement of the action</p> <p>29. The approval holder must notify the Department in writing of the date of commencement of the action and the date of commissioning within 10 business days after the date of commencement of the action. The approval holder must notify the Department in writing of the date of commissioning within 10 business days after the date of commissioning.</p>
Original dated 21/04/2020	<p>30. If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.</p>
Original dated 21/04/2020	<p>Compliance records</p> <p>31. The approval holder must maintain accurate and complete compliance records.</p>
Original dated 21/04/2020	<p>32. If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.</p> <p>Note: Compliance records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the</p>

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	conditions. Summaries of the result of an audit may be published on the Department's website or through the general media.
Original dated 21/04/2020	<p>Preparation and publication of plans</p> <p>33. The approval holder must:</p> <ul style="list-style-type: none"> (a) submit plans electronically to the Department; (b) publish each plan on the website within 20 business days of the date of this approval, unless otherwise agreed to in writing by the Minister or, if a plan requires the approval of the Minister, within 20 business days of the date of the Minister approving the plan; (c) exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and (d) keep plans published on the website until the end date of this approval.
Original dated 21/04/2020	<p>34. The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under a plan and conditions of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department in accordance with the requirements of the plan and conditions.</p>
Original dated 21/04/2020	<p>Annual compliance reporting</p> <p>35. The approval holder must prepare a compliance report for each 12-month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> (a) publish each compliance report on the website within 60 business days following the relevant 12-month period; (b) notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication; (c) keep all compliance reports publicly available on the website until this approval expires; (d) exclude or redact sensitive ecological data from compliance reports published on the website; and (e) where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within five business days of publication. <p>Note: Compliance reports may be published on the Department's website.</p>

Date of decision	Conditions attached to approval
Original dated 21/04/2020	<p>Reporting non-compliance</p> <p>36. The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> (a) any condition which is or may be in breach; (b) a short description of the incident and/or non-compliance; and (c) the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.
Original dated 21/04/2020	<p>37. The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p> <ul style="list-style-type: none"> (a) any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; (b) the potential impacts of the incident or non-compliance; and (c) the method and timing of any remedial action that will be undertaken by the approval holder.
Original dated 21/04/2020	<p>Independent audit</p> <p>38. The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.</p>
Original dated 21/04/2020	<p>39. For each independent audit, the approval holder must:</p> <ul style="list-style-type: none"> (a) provide the name and qualifications of the independent auditor and the draft audit criteria to the Department; (b) only commence the independent audit once the audit criteria have been approved in writing by the Department; and (c) submit an audit report to the Department within the timeframe specified in the approved audit criteria.
Original dated 21/04/2020	<p>40. The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.</p>
Original dated 21/04/2020	<p>Completion of the action</p> <p>41. Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.</p>

Date of decision	Definitions attached to approval
Original dated 21/04/2020	Approved conservation advices means a conservation advice approved by the Minister under section 266B(2) of the EPBC Act .
Original dated 21/04/2020	Bird and Bat Management Plan means the <i>Kaban Green Power Hub – Bird and Bat Management Plan</i> dated 10 February 2020, or a subsequent version currently approved by the Minister in writing.
Original dated 21/04/2020	Business day means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.
Original dated 21/04/2020	Clear/cleared/clearing means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation (but not including weeds – see the Australian weeds strategy 2017 to 2027 for further guidance).
Variation dated 25/08/2020	<p>Commencement of the action/commence the action means the first instance of any specified activity associated with the action including clearing and construction. Commencement of the action/commence the action does not include minor physical disturbance necessary to:</p> <ul style="list-style-type: none"> (a) undertake pre-clearance surveys or monitoring programs; (b) install signage and/or temporary fencing to prevent unapproved use of the project site (as defined in the preliminary documentation); and (c) protect environmental and property assets from fire, weeds and pests, including maintenance or use of existing surface access tracks; and (d) undertake Unexploded Ordinance (UXO) remediation works, Geotechnical Investigations, and Topographical surveys so long as these are undertaken in accordance with the limitations specified in Appendix F.
As varied on the date this instrument was signed	Commission/ing means the first date on which a complete wind turbine is installed.
As varied on the date this instrument was signed	Commissioned means all activities, including turning of turbines, after the components of the first complete wind turbine are installed.
Original dated 21/04/2020	Completion criteria means the performance criteria as stated in the Offset Area Management Plan .
Original dated 21/04/2020	Completion of the action means the time at which all approved conditions have been fully met.
Original dated 21/04/2020	<p>Completion data means an environmental report and spatial data information clearly detailing how the conditions of this approval have been met. The Department’s preferred spatial data format is shapefile. This includes, but is not limited to the:</p> <ul style="list-style-type: none"> (a) area of each listed threatened species and community habitat cleared; and (b) quality of each listed threatened species and community habitat in the offset area at the end date of this approval.
Original dated 21/04/2020	Compliance records means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in

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	the approval holder's possession or that are within the approval holder's power to obtain lawfully.
Original dated 21/04/2020	<p>Compliance reports means written reports:</p> <ul style="list-style-type: none"> (a) providing accurate and complete details of compliance, incidents, and non-compliance with the conditions and plans; (b) consistent with the Department's Annual Compliance Report Guidelines (2014) (or subsequent revision); (c) include a shapefile of any impact on any habitat for listed threatened species undertaken within the relevant 12-month period; and (d) identifying the version/s of the plans prepared and in existence in relation to the conditions of this approval during the relevant 12-month period.
Original dated 21/04/2020	<p>Construction means the erection of a building or structure that is or is to be fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; preliminary site preparation work which involves breaking of the ground; the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of temporary fences and signage.</p>
Original dated 21/04/2020	<p>Department means the Australian Government agency responsible for administering the EPBC Act.</p>
Original dated 21/04/2020	<p>EPBC Act means the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).</p>
Original dated 21/04/2020	<p>EPBC Act Environmental Offsets Policy means the EPBC Act Environmental Offsets Policy (2012), or subsequent revision, including the Offset Assessment Guide.</p>
Original dated 21/04/2020	<p>EPBC Act listed migratory species means the migratory fauna species listed under the EPBC Act for which this approval has effect, including:</p> <ul style="list-style-type: none"> (a) White-throated Needletail (<i>Hirundapus caudacutus</i>); (b) Fork-tailed Swift (<i>Apus pacificus</i>); (c) Oriental Cuckoo (<i>Cuculus optatus</i>); (d) Latham's Snipe (<i>Gallinago hardwickii</i>); (e) Black-faced Monarch (<i>Monarcha melanopsis</i>); (f) Satin Flycatcher (<i>Myiagra cyanoleuca</i>); (g) Rufous Fantail (<i>Rhipidura rufifrons</i>).
Original dated 21/04/2020	<p>EPBC Act listed bird or bat species means the EPBC Act listed threatened species and EPBC Act listed migratory species for which this approval has effect that are bird or bat species.</p>

Date of decision	Definitions attached to approval
Original dated 21/04/2020	<p>EPBC Act listed threatened species means the threatened flora and fauna species listed under the EPBC Act for which this approval has effect, including:</p> <ul style="list-style-type: none"> (a) <i>Prostanthera clotteniana</i> (<i>Prostanthera</i>); (b) Magnificent Brood Frog (<i>Pseudophryne covacevichae</i>); (c) Greater Glider (<i>Petauroides volans</i>); (d) Northern Quoll (<i>Dasyurus hallucatus</i>); (e) Spectacled Flying-fox (<i>Pteropus conspicillatus</i>); (f) Ghost bat (<i>Macroderma gigas</i>).
As varied on the date this instrument was signed	<p>Fauna Management Plan means the <i>Kaban Green Power Hub – Fauna Management Plan Rev 8</i> dated 10 May 2021, or a subsequent version currently approved by the Minister in writing.</p>
Original dated 21/04/2020	<p>Greater Glider habitat means all areas of eucalypt forests or woodlands that contain hollow-bearing trees, designated ‘Great glider, red goshawk and black footed tree-rat’ in <u>Appendix D</u>.</p>
Original dated 21/04/2020	<p>High-risk turbine means any turbine that any EPBC listed threatened species or EPBC listed migratory species that are bird or bat species have been detected within 350 metres radius of the turbine.</p>
Original dated 21/04/2020	<p>Impact/s/ed (verb) means to cause any measurable direct or indirect disturbance or harmful change as a result of any activity associated with the action. Impact (noun) means any measurable direct or indirect disturbance or harmful change as a result of any activity associated with the action.</p>
As varied on the date this instrument was signed	<p>Impact trigger means the identification, within 180 m of any wind turbine of:</p> <ul style="list-style-type: none"> (a) any EPBC Act listed threatened bat species (or recognisable part thereof); or (b) accounting for scavenger rate and searcher efficiency, half of the nationally significant proportion of a population of any EPBC Act listed migratory species, as listed in the Department’s Draft Referral guideline for 14 birds listed as migratory species under the EPBC Act September 2015, or a subsequently revised population estimate currently recognised by the Department.
As varied on the date this instrument was signed	<p>Incident means any event which has the potential to, or does, impact on any protected matter except as authorised by this approval.</p>
Original dated 21/04/2020	<p>Independent means a person(s) that does not have an individual or by employment or family affiliation, any conflicting or competing interests with the approval holder; the approval holder’s staff, representatives or associated persons; or the project, including any personal, financial, business or employment relationship, other than receiving payment for undertaking the role for which the condition requires an independent person.</p>
Original dated 21/04/2020	<p>Independent audit/s means an audit conducted by an independent and suitably qualified person as detailed in the <i>EPBC Act Independent Audit and Audit Report Guidelines</i> (2015), or subsequent revision.</p>
Original dated 21/04/2020	<p>Legally secure/ing means to secure a legal agreement under relevant Queensland legislation, in relation to a site, to provide enduring protection for the site against development incompatible with conservation.</p>

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Original dated 21/04/2020	Low-risk turbine A turbine is considered to be a low-risk turbine if EPBC listed bird or bat species are not detected within 350 metres radius of the turbine for a minimum of two years.
Original dated 21/04/2020	Magnificent Brood Frog habitat means all areas of seeps and drainage channels in eucalypt forests or woodlands with an understorey containing <i>Themeda triandra</i> , designated ‘Magnificent Brood Frog low suitable habitat’ and ‘Magnificent Brood Frog high suitable habitat’ in Appendix C .
Original dated 21/04/2020	Migratory period means the period of time during which each EPBC Act listed migratory species is likely to be found in north-eastern Australia, in accordance with the movement patterns for each EPBC Act listed migratory species as described in the Department’s Species Profile and Threats database or another source endorsed by the Department .
Original dated 21/04/2020	Minister means the Australian Government Minister administering the EPBC Act including any delegate thereof.
Original dated 21/04/2020	Monitoring data means the data required to be recorded under the conditions of this approval.
Original dated 21/04/2020	Northern Quoll denning habitat means all areas of rocky outcrops and escarpments, designated ‘Northern quoll habitat – Den’ in Appendix E .
Original dated 21/04/2020	Northern Quoll habitat means all areas of eucalypt forests or woodlands, designated ‘Northern quoll habitat – Den’ and ‘Northern quoll habitat – Foraging’ in Appendix E .
As varied on the date this instrument was signed	Offset Area Management Plan means the <i>Kaban Green Power Hub – Offset Area Management Plan Rev 5</i> dated 10 May 2021, or a subsequent version currently approved by the Minister in writing.
Original dated 21/04/2020	Offset Assessment Guide means the guidance document titled <i>How to use the Offsets assessment guide</i> , which includes the requirements for habitat quality scores , provided by the Department to assist users of the EPBC Act Environmental Offsets Policy .
Original dated 21/04/2020	Operation means all activities from the date of commissioning .
Original dated 21/04/2020	Performance targets means the five-yearly habitat quality completion criteria as stated in the Offset Area Management Plan .
Original dated 21/04/2020	Plan/s means any of the documents required to be submitted to the Department , implemented by the approval holder and/or published on its website in accordance with these conditions.
Original dated 21/04/2020	Preliminary documentation means the <i>Kaban Green Power Hub EPBC 2018/8289 - Preliminary Documentation</i> , dated 10 December 2019, provided to the Department on 11 December 2019.
As varied on the date this instrument was signed	Project area means the area where the construction and operation of the action will be undertaken, shown marked within the red outline and labelled as ‘Site’ in Appendix A .
Original dated 21/04/2020	Prostanthera habitat means all areas of eucalypt forests or woodlands on granite or shallow clay rhyolite-derived soils, designated ‘ <i>Prostanthera clotteniana</i> habitat’ in Appendix B .
Original dated 21/04/2020	Protected matter/s means a matter protected under a controlling provision in Part 3 of the EPBC Act for which this approval has effect.
Original dated 21/04/2020	Recovery plan means a recovery plan made or adopted by the Minister under the EPBC Act .
Original dated 21/04/2020	Sensitive ecological data means data as defined in the Australian Government Department of the Environment <i>Sensitive Ecological Data – Access and Management Policy V1.0</i> (2016), or subsequent revision.

Date of decision	Definitions attached to approval
Original dated 21/04/2020	Shapefile means location and attribute information of the action provided in an Esri shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.
Original dated 21/04/2020	Suitably qualified amphibian expert means a person with at least a postgraduate degree (or equivalent) in a suitable area (such as herpetology) and a minimum of 10 years relevant experience in amphibian monitoring, including at least one year of experience in Australia.
Original dated 21/04/2020	Suitably qualified ecologist means a person who has professional qualifications and at least three years of work experience designing and implementing surveys for the listed threatened species and their habitat, and can give an authoritative assessment and advice on the presence and habitat requirements of the listed threatened species using relevant protocols, standards, methods and/or literature.
Original dated 21/04/2020	Suitably qualified person means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.
Original dated 21/04/2020	Threat abatement plans means a threat abatement plan made or adopted by the Minister under the EPBC Act .
Original dated 21/04/2020	Risk profile means the risk of an individual wind turbine having an impact on an EPBC listed bird and bat species . A turbine is considered to be a high-risk turbine if EPBC listed threatened species or EPBC listed migratory species that are bird or bat species are detected within 350 metres radius of the turbine. A turbine is considered to be a low-risk turbine if EPBC listed bird or bat species are not detected within 350 metres radius of the turbine for a minimum of two years. A high-risk turbine may be downgraded to a low-risk turbine if no EPBC listed threatened species or EPBC listed migratory species that are bird or bat species are detected within the vicinity of the turbine for a minimum of two years.
As varied on the date this instrument was signed	Vegetation Management Plan means the <i>Kaban Green Power Hub – Vegetation Management Plan Rev 8</i> dated 10 May 2021, or the subsequent approved version.
Original dated 21/04/2020	Vicinity means within 350 metres radius of the turbine.
Original dated 21/04/2020	Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Sensitive Annexes Redacted, as required under condition 33 above