Donald Mineral Sands Project
EPBC Approval 2005/2372

Annual Compliance Report for the period 30 July 2025 to 30 July 2026

Document control

Document details			
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Approvals

	Name	Title	Signed	Date
Prepared By	Ben Littlejohn	Senior Environment & Approvals Lead	[redacted]	27/8/2026
Reviewed By	David Fleming	Senior Communication and Media Lead	[redacted]	27/8/2026
Approved By	Jessica Reid	General Manager - Sustainability	[redacted]	27/8/2026

Document version history

Action	Name	Position	Date	Version
Approved	Ben Littlejohn	Senior Environment & Approvals Lead	27-Aug-26	V01

Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed: ______[redacted]________________________________

Full name: Jessica Reid

Position: General Manager - Sustainability

Organisation: Donald Project Pty Ltd (ABN 85 674 664 629)

Date: _27 August 2026

Contents

1. Introduction

1.1. Donald Project

The Donald Mineral Sands Project[1] (the Donald Project; the project) is a mining project located near Minyip in western Victoria, Australia, 50 km from the regional centre of Horsham, approximately 300 km northwest of Melbourne. It is being developed by Donald Project Pty Ltd, trading as Donald Mineral Sands (DMS).

The Donald Project will mine fine-grained sand sediments at depths of 10–24 metres. These mineral sands contain titanium, zirconium, and rare earth minerals (monazite and xenotime). The work plan area (Figure 1) will comprise the extraction area, processing facilities, and required infrastructure for the mine. The work plan area supports mining for over 19 years, at a mining rate of 7.5 million tonnes per annum (Mtpa). Mining will be followed by progressive rehabilitation. The remaining portion of the Project Area (MIN5532) is for future expansion and represents the 42 year mine life.

Operations will involve a truck and shovel open pit mine, from which ore will be sent to a mining unit plant (MUP), wet concentrator plant (WCP), and concentrate upgrade plant (CUP), which are designed to produce two products; a heavy mineral concentrate (HMC) and a rare earth element concentrate (REEC). The products will be loaded into specialised (half-height) shipping containers, sealed and transported offsite to a port by road and rail.

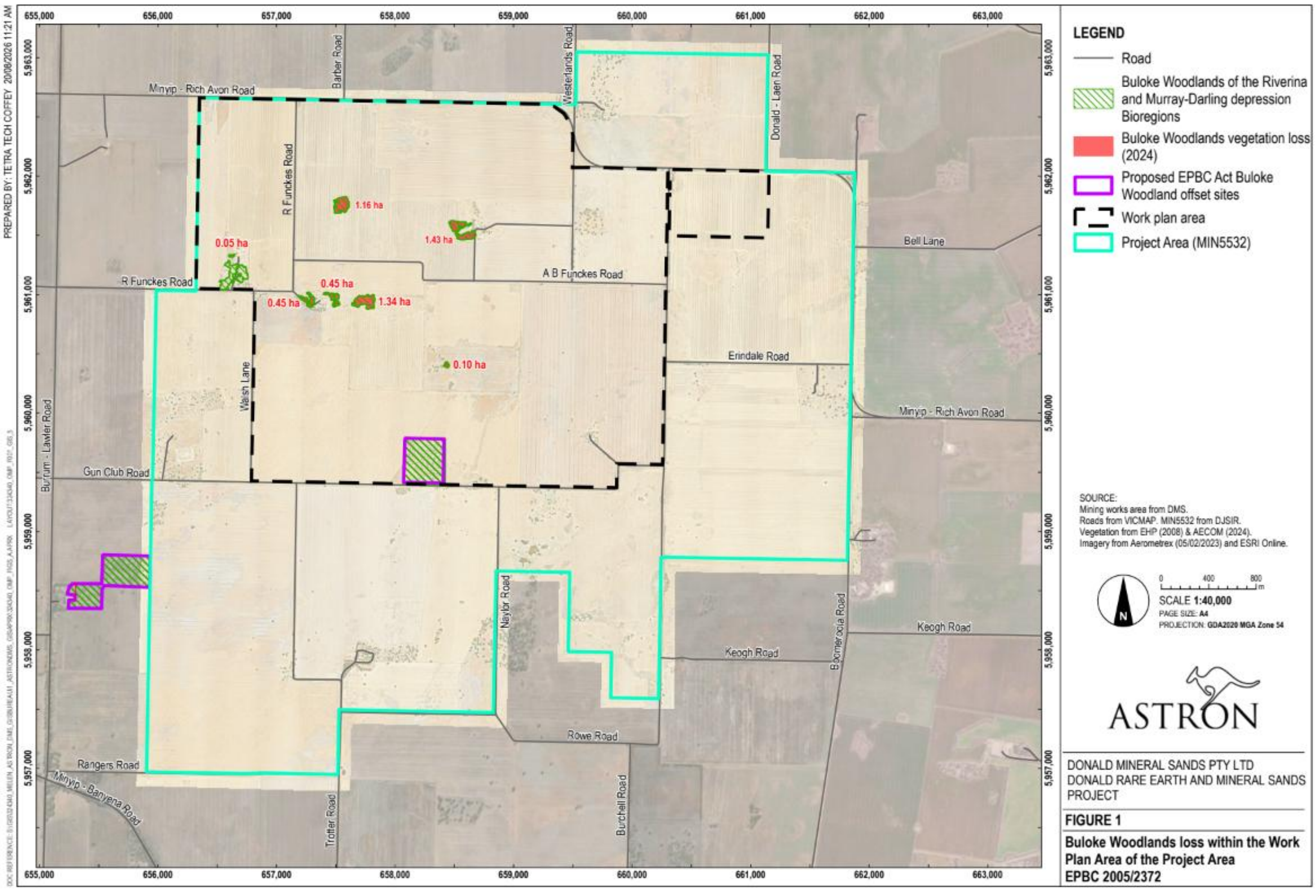

Figure 1: EPBC 2005-2372 Project Area

[1] For consistency with EPBC Approval 2005/2372, this report refers to the Donald Mineral Sands Project, rather than the Donald Rare Earth and Mineral Sands Project.

1.2. EPBC approval 2005/2372

The Donald Project was referred under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and approved in 2009 (EPBC Act Approval 2005/2372 (EPBC Approval)). The Approval acknowledges direct impacts to the Endangered Threatened Ecological Community (TEC): *Buloke Woodlands of the Riverina and Murray-Darling Depression Bioregions* (Buloke Woodlands) and sets conditions to be met during the activity period.

As part of meeting its conditions in the EPBC Approval, DMS identified two suitable first party offset sites, known as Barry's Block and Habitat Zone 21 (see Figure 2 and Figure 3, respectively).

The offset sites, combined with active management, were deemed suitable to compensate for the Donald Project's impacts to Buloke Woodlands provided a *Biodiversity Offset Management Plan* (BOMP) was completed in accordance with the Department's Environmental Management Plan Guidelines and approved by the Minister's delegate. The BOMP was approved by the Minister on 30 July 2025. The project activity details are summarised in Table 1.

Table 1: EPBC Approval Details

Item	Description
EPBC Number	2005/2372
Project name	Donald Mineral Sands Project
Approval holder & ACN	Donald Project Pty Ltd (674 664 629)
Approved action	To mine and process fine-grained mineral sands to produce heavy mineral concentrate for export, from the Donald mineral sand deposit located 50km east northeast of Horsham, Victoria (as depicted in figure ES2 of the Environmental Effects Statement on the project).
Location	Refer to Figure 1 showing the project area
Person responsible	Jessica Reid, General Manager -Sustainability

PROJECT ID	60634428
CREATED BY	StuttA
LAST MODIFIED	StuttA 20 NOV 2024

AECOM
www.aecom.com

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DATUM GDA 1994, PROJECTION MGA ZONE 55

0 50 100
Meters

1:2,500 (when printed at A3)

LEGEND

Offset Boundary - Barry's Block

Buloke Woodlands of the Riverina and Murray-darling depression bioregions

Pest Fauna

European Rabbit (Oryctolagus cuniculus) diggings

Noxious Weeds

African Boxthorn (Lycium ferocissimum)

Bathurst burr (Xanthium spinosum)

Weed Infestation Areas

White horehound (Marrubium vulgare)

Common Oat (Avena fatua) and Squirreltail fescue (Vulpia bromoides)

Data sources:
Base Data: (c) 2012 StreetPro
Vicmap, Esri, TomTom, Garmin, FAO, NOAA, USGS, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Esri, USGS

Study Area - Barry's Block

EPBC 2005/2372
Donald Mineral Sands Project
Offset Management Plan
Donald Mineral Sands, Minyip, Victoria

Figure F2

Map Document: (\\na.aecomnet.com\LFS\APAC\Melbourne-AUMEL1\Legacy\Projects\606X\60634428\900_CAD_GIS\920_GIS\02_maps\2024\60634428_Donald_MS_Ecol_2024 - AS.aprx)

A3 size

PROJECT ID 60634428
CREATED BY StuttA
LAST MODIFIED StuttA 20 NOV 2024

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LEGEND

- Mine Licence Area MIN5532
- Offset Boundary - Habitat Zone 21
- No Go Zone
- Buloke Woodlands of the Riverina and Murray-darling depression bioregions

Pest Fauna

- European Rabbit (Oryctolagus cuniculus) diggings

Noxious Weeds

- African Boxthorn (Lycium ferocissimum)
- Bathurst burr (Xanthium spinosum)

Weed Infestation Areas

- White horehound (Marrubium vulgare) and Hairy panic (Panicum effusum)
- Barley grass (Hordeum sp.) and Hairy panic (Panicum effusum)

Data sources:
Base Data: (c) 2012 StreetPro
Vicmap, Esri, TomTom, Garmin, FAO, NOAA, USGS, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, Esri, USGS

Study Area - Habitat Zone 21

EPBC 2005/2372 Donald Mineral Sands Project

Offset Management Plan

Donald Mineral Sands, Minyip, Victoria

Figure F3

A3 size

Map Document: (\\na.aecomnet.com\LFS\APAC\Melbourne-AUMEL1\Legacy\Projects\606X\60634428\900_CAD_GIS\920_GIS\02_maps\2024\60634428_Donald_MS_Ecol_2024 - AS.aprx)

1.3. Document purpose

Condition 5 of EPBC 2005/2372 requires that an Annual Compliance Report (ACR) detailing the previous 12-month period (referred to as the ACR period) is prepared and submitted to the Department of Climate Change, Energy, the Environment and Water (DCCEEW). This report relates to the ACR period between 30 July 2025 and 30 July 2026, which is the first ACR period following variation to EPBC Approval on 30 July 2025.

The purpose of this report is to document compliance for the reporting period with conditions under EPBC Act Approval 2005/2372.

1.3.1. Annual compliance reporting

- 5 The approval holder must prepare a compliance report for each ACR period.
- 5A The approval holder must ensure each compliance report includes:
  - a) accurate and complete details of compliance and any non-compliance with:
    - i. each condition attached to this approval decision, and
    - ii. all commitments made in each plan,
  - b) a schedule of all plans in effect in relation to these conditions during the ACR period,
  - c) accurate and complete details of how each plan was implemented during the ACR period, and
  - d) if any incident occurred, accurate and complete details of each incident.
- 5B The approval holder must ensure each compliance report is completed to the satisfaction of the Minister and is consistent with the Annual Compliance Report Guidelines, Commonwealth of Australia 2023.
- 6. The approval holder must, within 20 business days following the end of each ACR period, in a format that is easily accessible and downloadable, publish on the website:
  - a) each compliance report, and
  - b) a shapefile showing all clearing of protected matters, and their habitat, undertaken within the ACR period.
- 6A The approval holder must:
  - a) exclude or redact sensitive biodiversity data from each compliance report and shapefile published on the website or otherwise provided to a member of the public.
  - b) if sensitive biodiversity data is excluded or redacted from a version of a compliance report published or otherwise provided to a member of the public, submit the full compliance report to the department within 5 business days of its publication on the website and notify the department in writing what exclusions and redactions have been made in the version published on the website or otherwise provided to a member of the public.
  - c) if sensitive biodiversity data is excluded or redacted from a version of a shapefile published or otherwise provided to a member of the public, submit the full shapefile to the department within 5 business days of its publication on the website and notify the department in writing what exclusions or redactions have been made in the version published on the website or otherwise provided to a member of the public.
  - 6B The approval holder must notify the department electronically, within 5 business days of each date of publication that the compliance report has been published on the website. In this notification, the approval holder must provide the department with the web address for where the compliance report and related shapefile are published on the website.
  - 6C The approval holder must keep each compliance report and related shapefile published on the website from the first date which that compliance report must be published and until the expiry date of this approval.

The compliance status and updates are provided in the Condition Compliance Table (Table 2).

1.4. Description of activities in the reporting period

DMS is awaiting a Final Investment Decision (FID) to commence major site works relating to the construction and operation of the Donald Project. In the meantime, it has begun pre-construction activities. Key activities related to the action completed onsite during the ACR period are detailed below.

1.4.1. High habitat value material preservation

DMS commenced native vegetation removal on 13 April 2026, including of select areas of Buloke woodlands, which is considered to represent the commencement of the action as it is defined in the EPBC Approval. These works were to retain hollow logs, hollow trunks, hollow branches, tree trunks, and tree branches within areas to be cleared to achieve offset site improvement. A total of 63 trees, comprising 31 Grey Box (Eucalyptus macrocarpa) and 32 Buloke (Allocasuarina luehmannii), were felled. This work occurred prior to native vegetation removal activities that commenced in August 2026.

The high habitat value material was sourced from Buloke woodlands deemed to be lost during construction and are shown in Figure 4. Before felling of material, individual trees were visually assessed for the presence of native flora, nests, and hollows, and where possible, deep cracks in tree bark were investigated for the presence of micro bats.

Remaining hollows were created by broken branches or presented as bare trunk sections with gaps created by brown rot within the main body of the tree trunks. These were not developed fully as hollows however by dropping the trees to ground and cutting trunks into manageable sections, trunk sections were made useable for habitat. Some sections were fully hollow, with others having a core of brown rot that will dissipate over time to create a full hollow.

Trees removed as part of the high habitat value preservation work are shown in Figure 4. Examples of high habitat value material to be relocated is shown in Figures 5-8.

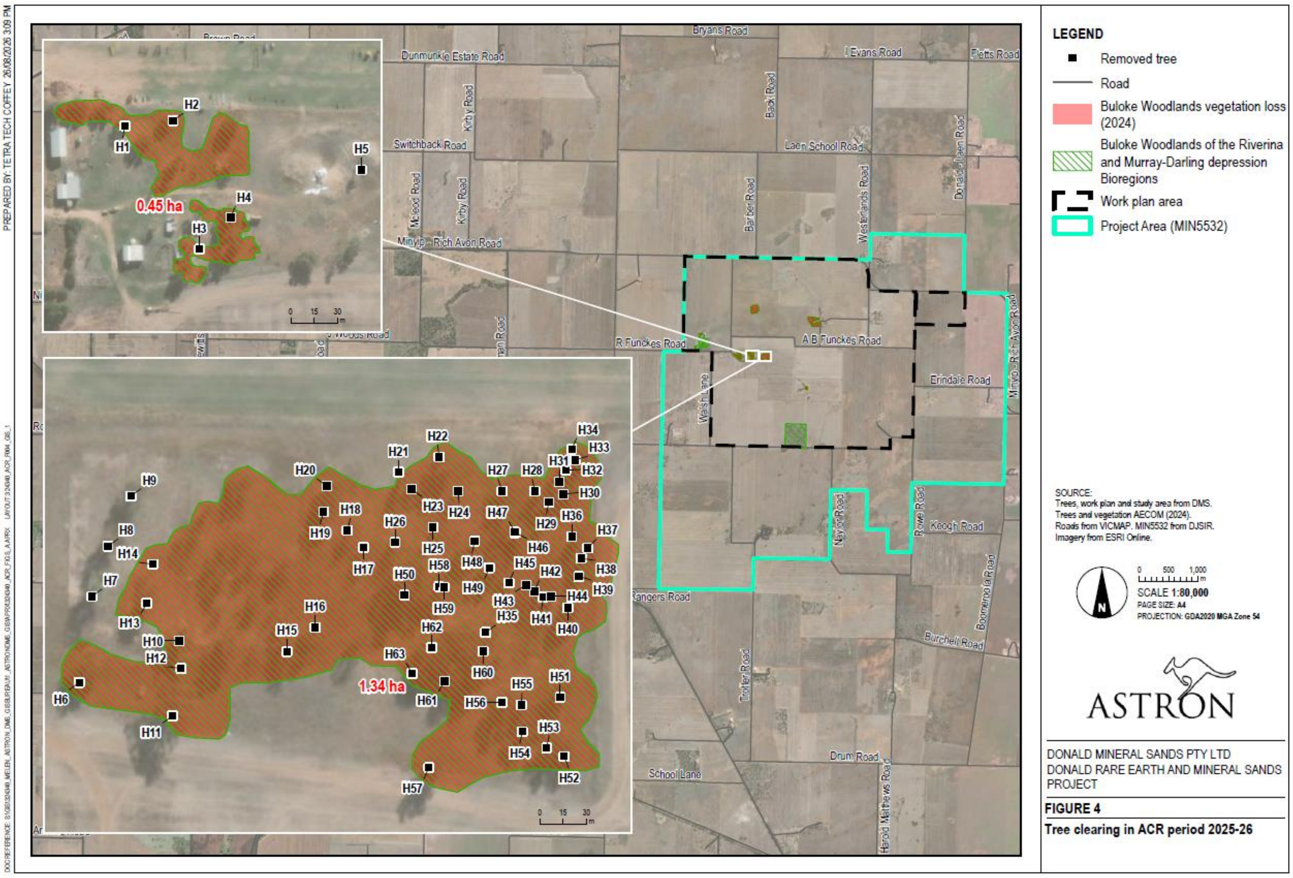

Figure 4: Native vegetation removal during ACR period

Figure 5: high habitat value material to be relocated, example 1

Figure 6: high habitat value material to be relocated, example 2

Figure 7: high habitat value material to be relocated, example 3

Figure 8: high habitat value material to be relocated, example 4

1.4.2. Fencing

DMS also commenced installation of site fencing and no-go zone fencing. Site fencing was established for site security purposes and to separate the construction area to the remainder of the site where agricultural activities will continue. Offset sites fencing around Barry's Block and Habitat Zone 21 was also completed as described in Section 3.

2. EPBC 2005/2372 compliance

Overall, it is considered Donald Project was compliant with the EPBC approval, with a minor exception detailed in Section 2.2. The site operational and administrative preparedness completed during the current ACR period positions DMS to continue to achieve compliance as the Donald Project transitions from pre-construction to construction ramp up.

2.1. Condition compliance table

Table 2: Conditions compliance table for the Donald Mineral Sands Project

Condition reference number	**Conditions attached to approval**	**Is the project compliant with this condition** *Compliant or non-compliant or not applicable*	**Evidence/comment** *Evidence to support claims regarding compliance or non-compliance*
1	The approval extends only to the project area.	Compliant	Activities related to the approved action have only been completed within the project area.
2	The approval holder must submit a Biodiversity Offset Management Plan (BOMP) to the department for the Minister's approval to compensate for the residual significant impacts of the Action on the Buloke Woodlands. All commitments, including environmental outcomes, management measures, corrective measures, trigger values, and performance indicators in the BOMP must be SMART. The BOMP must be consistent with the Environmental Management Plan Guidelines and Environmental Offsets Policy, and must include: a) a description of the offset sites, including the baseline habitat quality prior to management, b) management actions, including timing and frequency, to protect and enhance the habitat quality,	Compliant	Approval of the BOMP by DCCEEW's delegate was provided on 30 July 2025 for the Donald Mineral Sands Project.

	c) a monitoring program, including timing and frequency of monitoring, to determine impacts and effectiveness of management actions, d) clear and concise performance indicators specifying outcomes to be achieved and corrective actions if performance indicators are not being achieved, and e) persons responsible for implementing and reviewing the plan.		
3	The approval holder must not undertake any clearing of Buloke Woodlands inside of the work plan area unless the Minister has approved the BOMP in writing. The approval holder must implement the BOMP approved by the Minister in writing until the expiry date of this approval.	Compliant	Approval of the BOMP by DCCEEW's delegate was provided on 30 July 2025 for the Donald Mineral Sands Project. Clearing of Buloke Woodlands inside the work plan area occurred after BOMP approval, in April 2026.
3A	Within 5 business days of commencing implementation of the approved BOMP, the approval holder must notify the department of the date on which implementation of the BOMP commenced.	Compliant	DMS commenced implementation of the initial period on 28 May 2026. DMS notified DCCEEW of implementation, via email, on 29 May 2026 when the offset sites were secured as per condition 4A.
3B	Prior to undertaking any clearing of Buloke Woodlands within the southeast area, the approval holder must complete surveys to determine the full extent of Buloke Woodlands within the southeast area. This survey must: a) be undertaken by a suitably qualified ecologist, and b) measure the habitat quality of all identified Buloke Woodland.	Not applicable	Clearing of Buloke woodlands was not completed within the southeast area during the ACR Period. Buloke woodland clearing has only occurred within the area relating to the approved BOMP.
3C	The approval holder must submit an Additional Biodiversity Offset Management Plan (ABOMP) to the department for the Minister's approval to compensate for the residual significant impacts of the Action on the Buloke Woodlands within the southeast area. The ABOMP must be prepared by a suitably qualified ecologist. All commitments, including environmental outcomes, management measures, corrective measures, trigger values, and performance indicators in the ABOMP must be SMART and based on referenced or included evidence of effectiveness. The ABOMP must be consistent with the Environmental Management Plan Guidelines and Environmental Offsets Policy, and must include: a) a proposed offset site, b) a description of the offset site, including the baseline habitat quality prior to management, c) management actions, including timing and frequency, to protect and enhance the habitat quality,	Not applicable	Clearing of Buloke woodlands was not completed within the southeast area during the ACR Period. Buloke woodland clearing has only occurred within the area relating to the approved BOMP.

	d) a monitoring program, including timing and frequency of monitoring, to determine impacts and effectiveness of management actions, e) clear and concise performance indicators specifying outcomes to be achieved and corrective actions if performance indicators are not being achieved, and f) persons responsible for implementing and reviewing the plan.		
3D	The approval holder must not undertake any clearing of Buloke Woodlands within the southeast area unless the Minister has approved the ABOMP in writing. The approval holder must implement the ABOMP approved by the Minister in writing until the expiry date of this approval.	Not applicable	Clearing of Buloke woodlands was not completed within the southeast area during the ACR Period. Buloke woodland clearing has only occurred within the area relating to the approved BOMP.
4	To compensate for the residual impacts of the Action on Buloke Woodlands, the approval holder must secure the offset sites by 1 June 2026. The approval holder must ensure that the offset sites remain secured at least until the expiry date of this approval.	Compliant	DMS secured offset sites on 28 May 2026 through execution of landowner agreements under section 69 of the Conservation, Forests and Lands Act 1987 (Vic).
4A	The approval holder must notify and provide evidence to the department in writing within 5 business days of the offset sites being secured.	Compliant	DMS notified DCCEEW on 29 May 2026 of securing offset sites via email.
5	**Annual compliance reporting** The approval holder must prepare a compliance report for each Annual Compliance Report period (ACR period).	Compliant	Refer to this Annual Compliance Report for the period between 30 July 2025 and 30 July 2026.
5A	The approval holder must ensure each compliance report includes: a) accurate and complete details of compliance and any non-compliance with: I. each condition attached to this approval decision, and II. all commitments made in each plan, b) a schedule of all plans in effect in relation to these conditions during the ACR period, c) accurate and complete details of how each plan was implemented during the ACR period, and d) if any incident occurred, accurate and complete details of each incident.	Compliant	Refer to the following sections of this Annual Compliance Report for compliance with this condition. • Condition 5A: a.i) Table 1 in Section 2 a.i) Section 3 b) Section 1.2 describes the BOMP in effect during the ACR period. c) Section 3 d) Section 2.2
5B	The approval holder must ensure each compliance report is completed to the satisfaction of the Minister and is consistent with the *Annual Compliance Report Guidelines*, Commonwealth of Australia 2023.	Compliant	This Annual Compliance Report has been prepared in accordance with EPBC approval 2005/2372 and the Annual Compliance Report Guidelines.

-6	The approval holder must, within 20 business days following the end of each ACR period, in a format that is easily accessible and downloadable, publish on the website: a) each compliance report, and b) a shapefile showing all clearing of protected matters, and their habitat, undertaken within the ACR period.	Not applicable	EPBC Approval was varied on 30 July 2025. The ACR period means each 12-month period following the date of the approval decision until the expiry date of this approval. This Annual Compliance Report is the first since the approval decision on 30 July 2025. Refer to DMS's website for a downloadable version of the Annual Compliance Report for 2025-2026 and a shapefile of clearing of protected matters within the ACR period.
6A	The approval holder must: a) exclude or redact sensitive biodiversity data from each compliance report and shapefile published on the website or otherwise provided to a member of the public. b) if sensitive biodiversity data is excluded or redacted from a version of a compliance report published or otherwise provided to a member of the public, submit the full compliance report to the department within 5 business days of its publication on the website and notify the department in writing what exclusions and redactions have been made in the version published on the website or otherwise provided to a member of the public. c) If sensitive biodiversity data is excluded or redacted from a version of a shapefile published or otherwise provided to a member of the public, submit the full shapefile to the department within 5 business days of its publication on the website and notify the department in writing what exclusions or redactions have been made in the version published on the website or otherwise provided to a member of the public.	Compliant	Sensitive biodiversity data is not contained within the Annual Compliance Report or the shapefile of cleared protected matters in 2025-26.
6B	The approval holder must notify the department electronically, within 5 business days of each date of publication that the compliance report has been published on the website. In this notification, the approval holder must provide the department with the web address for where the compliance report and related shapefile are published on the website.	Not applicable	EPBC Approval was varied on 30 July 2025. The ACR period means each 12-month period following the date of the approval decision until the expiry date of this approval. This Annual Compliance Report is the first since the approval decision on 30 July 2025. For this Compliance Report, DCCEEW will be notified no later than 3 September 2026, which falls into next year's ACR period when compliance will be reported.

6C	The approval holder must keep each compliance report and related shapefile published on the website from the first date which that compliance report must be published and until the expiry date of this approval.	Not applicable	This Annual Compliance Report is the first since the approval decision on 30 July 2025. Therefore, the requirement to notify DCCEEW of publishing the Annual Compliance Report was not applicable for the ACR period.
7	REVOKED	Not applicable	-
8	**Revision of plans** The approval holder may, at any time, apply to the Minister for a variation to a plan approved by the Minister by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised plan, then, from the date specified, the approval holder must implement the revised plan in place of any previous version of the plan.	Not applicable	DMS did not apply for variation to EPBC approval 2005/2372 within the 2025-26 ACR period.
8A	REVOKED	Not applicable	-
8B	REVOKED	Not applicable	-
8C	REVOKED	Not applicable	-
8D	REVOKED	Not applicable	-
9	**Commencement of the action** The approval holder must not commence the Action later than 31 December 2026.	Compliant	The action commenced on 13 April 2026.
10	The approval holder must notify the department electronically of the date of commencement of the Action, within seven business days following commencement of the Action.	Compliant	DMS notified DCCEEW via email on 16 April 2026.
11	**Compliance records** The approval holder must maintain accurate and complete compliance records and document the procedure for recording and storing compliance records.	Compliant	Compliance records and documents are kept in DMS's Environment Management System (EMS) located on an online SharePoint system.
11A	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.	Not applicable	No requests were made for compliance records by DCCEEW within the ACR period.
12	**Submission and publication of plans**	Not applicable	DMS has not submitted plans within the ACR period. In the case of DMS EPBC Approval, a plan refers to the BOMP

	Wherever these conditions require the approval holder to submit any plan to the department, all such plans must be submitted to the department electronically.		and ABOMP, neither of which were submitted in the ACR period.
13	Unless otherwise agreed to in writing by the Minister, the approval holder must publish each plan on the website within 15 business days of the date the plan is approved by the Minister in writing.	Non-compliant	Refer to Section 2.2 for details of the non-compliance.
14	The approval holder must keep all plans published on the website, in a format that is easily accessible and downloadable, from the first date which that plan must be published and until the expiry date of this approval. This requirement applies to all current and superseded versions of plans.	Compliant	The BOMP has been published as a PDF which is a format easily accessible and downloadable.
15	The approval holder is required to exclude or redact sensitive biodiversity data from any version of a plan before that plan is published on the website or otherwise provided to a member of the public. If sensitive biodiversity data is excluded or redacted from a plan, the approval holder must notify the department in writing what exclusions and redactions have been made in the version published on the website.	Compliant	Sensitive biodiversity information was not redacted from the BOMP. The only redactions related to personal names for authors of the document.
16	**Reporting non-compliance** The approval holder must notify the department electronically, within 2 business days of becoming aware of any incident. The approval holder must specify in each notification: a) any condition or commitment made in a plan which has not been, or may have not been, complied with, b) a short description of the incident, and c) the location (if applicable, including co-ordinates), date and time of the incident.	Compliant	DMS identified one non-compliance during the ACR period, as detailed in Section 2.2. This was reported to DCCEEW within the required 2 business days of becoming aware of the non-compliance.
17	The approval holder must provide to the department in writing, within 12 business days of becoming aware of an incident, the details of that incident. The approval holder must specify: a) all corrective measures and investigations which the approval holder has already taken in respect of the incident, b) the potential impacts of the incident, c) the method and timing of any corrective measures that the approval holder proposes to undertake to address the incident, and d) any variation of these conditions or revision of a plan that will be required to prevent recurrence of the incident and/or to address its consequences.	Compliant	DMS did not become aware of any incidents during the ACR period.

18	**Independent audit** The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every audit period.	Not applicable	The commencement of the action date was 13 April 2026 meaning the first audit period will end 13 April 2031.
19	The approval holder must submit details of the proposed independent auditor and their qualifications to the department within 10 business days following the end of each audit period.	Not applicable	-
20	The approval holder must ensure the scope of each independent audit is sufficient to determine the compliance status for each condition of approval, and each commitment made in each plan.	Not applicable	-
21	The approval holder must ensure the criteria for each independent audit and the undertaking of each independent audit are consistent with the Independent Audit and Audit Report Guidelines	Not applicable	-
22	The approval holder must submit an audit report to the department for written agreement from the department within 3 months following the end of each audit period, or as otherwise directed by the Minister in writing.	Not applicable	-
23	The approval holder must publish each audit report on the website, in a format that is easily accessible and downloadable, within 10 business days of the date the department agrees to that audit report in writing.	Not applicable	-
24	The approval holder must notify the department within 5 business days of the date the audit report is published on the website. In this notification, the approval holder must provide the department with the web address for where the audit report is published on the website.	Not applicable.	-
25	The approval holder must keep each audit report published on the website from the first date which that audit report must be published and until the expiry date of this approval.	Not applicable.	-
26	**Completion of the action** Within 20 business days after the completion of the Action, and, in any event, at least 20 business days before this approval expires, the approval holder must notify the department electronically of the date of completion of the Action and provide completion data. The approval holder must submit any spatial data that comprises completion data as a shapefile.	Not applicable.	-

27	The approval holder must notify the department electronically 60 business days prior to the expiry date of this approval, that the approval is due to expire.	Not applicable	-

2.2. Non-compliances and corrective actions

Ben Littlejohn, DMS Senior Environment and Approvals Lead, identified a non-compliance on 24 July 2026, relating to Condition 13, whereby the BOMP was to be published on the DMS website within 15 business days of the date of approval.

Upon learning of the administrative oversight of not having published the document, DMS sought to advise DCEEW the next business day (27 July 2026) via email (epbcmonitoring@dcceew.gov.au). DMS, under the direction of Jessica Reid General Manager Sustainability, then reviewed the BOMP to identify any sensitive biodiversity data requiring redaction before publication. The redacted BOMP was published on 7 August 2026.

DMS attributed the oversight to having focused primarily on the need to secure the two associated offset sites through execution of landowner agreements prior to 30 June 2026, regarding meeting its EPBC Approval conditions for executing the approved BOMP.

DMS is investing in a cloud-based environmental management platform that will provide a centralised register of licence, permit and approval conditions, including associated commitments, monitoring requirements and reporting deadlines. The platform will assign responsibility for each obligation, generate automated alerts before key due dates, and provide visibility of upcoming and overdue actions to relevant staff and contractors. This will reduce reliance on manual tracking, improve accountability and provide earlier escalation of pending requirements, thereby minimising the risk of administrative oversights such as missed reporting or publication deadlines recurring in future.

3. Status of the project Biodiversity Offset Management Plan

The BOMP for the Donald Project is the only plan in effect during this ACR period.

Commitments within the BOMP relate to the initial period, spanning the first 10 years of implementation, as well as controls to be implemented in perpetuity. The initial period begins when the offset sites are registered on title which was achieved for offset sites on 28 May 2026 through the execution of landowner agreements under Section 69 of the *Conservation, Forests and Lands Act 1987* (Vic). Therefore, there were only approximately two months of BOMP implementation within the ACR period. Nonetheless, offset site establishment activities have commenced including:

- Preventing uncontrolled stock access through establishing no-go fencing.
- Removal of farm infrastructure and waste.
- Controlling woody and herbaceous weeds.
- Retaining all standing indigenous trees (dead or alive).
- Retention of logs, fallen timber, and leaf litter.

A more comprehensive update on BOMP implementation will be provided in the proceeding ACR period when a full year of management activities have been completed rather than two months. One adjustment from management commitments in BOMP that will be reported in the proceeding ACR period relates to the log piles of cut Buloke lengths in Habitat Zone 21. Much of the stockpiled material is of low value and retention may impact pest animal control by creating warren/den structures, impede weed control by virtue of hampering vehicle mounted equipment and impede supplementary planting. Instead, high habitat value material, described Section 1.4.1, will be relocated to improve habitat value with substandard material removed from Habitat Zone 21. Under the BOMP, cut Buloke lengths are to be retained unless retention prevents other performance targets from being achieved. Therefore, the adjustment to the management action is still in line with the BOMP.

An action described in the landowner agreements for offsets site requires removal of farm infrastructure, utilities, or rubbish from the offset sites within 3 months of signing the Agreement (deadline 28 August 2026). DMS has commenced this activity however, due to significant rainfall during the winter months, it has not been possible to remove larger infrastructure without damaging offset sites ground cover or understorey. For this reason, it has been decided to delay removal of infrastructure until ground conditions allow for removal without damage in Spring or Summer 2026. While there is no management action related to clean up of infrastructure and waste in the BOMP, DMS noted here for completeness.

4. References

- AECOM, 2025. *Biodiversity Offset Management Plan Donald Mineral Sands Project (EPBC 2005/2372)*. Prepared for Donald Project Pty Ltd.
- Department of Climate Change, Energy, Environment and Water (DCCEEW), 2023. *Annual Compliance Report Guidelines*.