

BMA



BHP Mitsubishi Alliance

Appendix A

**DCCEEW Information Requirements for the Peak
Downs Mine Powerline Realignment Project**



Further information required for assessment by preliminary documentation

Peak Downs Mine Power Line Realignment Project, Queensland (EPBC 2024/09983)

On 6 November 2024, a delegate of the Minister for the Environment and Water determined the above project is a controlled action due to likely significant impacts on the following matters protected under Part 3 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act):

- Listed threatened species and communities (sections 18 & 18A)

The delegate also determined that the proposed action will be assessed by preliminary documentation. Preliminary documentation for the proposal will include:

- The information contained in the original referral
- The further information you provide on the impacts of the action and the strategies you propose to avoid, mitigate and offset those impacts (as described below)
- Any other relevant information on the matters protected by the EPBC Act.

The preliminary documentation should be sufficient to allow the Minister (or delegate) to make an informed decision on whether to approve, under Part 9 of the EPBC Act, the taking of the action for the purposes of each controlling provision above.

The preliminary documentation must follow the content, style and formatting requirements set out below.

PRELIMINARY DOCUMENTATION CONTENT, STYLE AND FORMATTING REQUIREMENTS

I. Content requirements	
I.1	Be a stand-alone document containing sufficient information to avoid the need to search out appendices, previous submissions, or supplementary reports for key information.
I.2	Enable interested stakeholders and the Minister to easily understand the consequences of the project on matters of national environmental significance (MNES).
I.3	Be written so that any conclusions reached can be independently assessed. Include all key claims, findings, proposals and undertakings in the main document .
I.4	Refer to all relevant standards, policies and other guidance material published by the department. Any instances where published guidance is not followed must be justified. Where no Commonwealth standards exist, state government and industry standards may be useful.
I.5	Include the names, roles and qualifications (where relevant) of all persons involved in preparing the preliminary documentation.
I.6	Include a copy of this request for information and a cross-reference table indicating where the information fulfilling this request is included in the preliminary documentation (e.g. Section 4.2.2 and Appendix A, Chapter 2.1).

I.7	The preliminary documentation must state the following for all information provided: <ul style="list-style-type: none"> the source and date of the information how the reliability of the information was tested the uncertainties (if any) in the information the guidelines, plans, and/or policies considered.
II. Format and style requirements	
II.1	Be in a suitable format to be published in hardcopy (A4 or A3 size, with maps and diagrams in A4 or A3 size and in colour) and published in electronic format (e.g. MSWord or PDF) on the internet. All maps must follow the Guide to providing maps and boundary data for EPBC Act projects - DCCEEW .
II.2	Include detailed technical information, studies or investigations necessary to support the information in the stand-alone document as appendices. The main findings and a summary of the appendices are to be included in the main document.
II.3	Be objective, clear, succinct, avoid technical jargon and, where appropriate, be supported by maps, plans, diagrams, data or other descriptive detail.
II.4	Reference all sources using the Harvard standard of referencing. Ensure that other supporting documents (e.g. academic studies, regulatory standards) are publicly accessible, with electronic links provided where possible.
II.5	Redact the names and contact details of departmental officers.
II.6	Not contain any commercial-in-confidence markings. If the preliminary documentation contains sensitive information, please discuss this with the assessment officer.
II.7	All management plans are produced in line with the requirements of the department's Environmental Management Plan Guidelines .
III. Ecological data provision	
III.1	The preliminary documentation must include an appendix of occurrence records (both sightings and evidence of presence) for all listed threatened and migratory species identified during field surveys for the proposed action. This data may be used by the department to update the relevant species distribution models that underpin the publicly available Protected Matters Search Tool (PMST).
III.2	The species occurrence records must be provided in accordance with the department's Guidelines for biological survey and mapped data (2018) using the department's Species observation data template . Sensitive ecological data must be identified and treated in accordance with the department's Sensitive Ecological Data – Access and Management Policy V1.0 (2016) or subsequent revision.

Following the style requirements above, the preliminary documentation must address the matters set out below.

FURTHER INFORMATION REQUIRED**1. DESCRIPTION OF THE ACTION**

Information required	
1.1	Provide a description of any approval that has been obtained from a State or Commonwealth agency or authority, including any conditions that apply to the action. Include a statement identifying any additional approvals that are required.
1.2	Include updated information if any changes have been made to the project since the referral documentation was submitted.
1.3	Noting the overlap of the project areas, please clarify the interaction of the project with the Peak Downs Mine Continuation Project (EPBC 2022/09350), and if any future mining will be undertaken on the project area.

2. HABITAT ASSESSMENT**Background**

Based on the information provided in your referral, and other available information, the department considers that the listed threatened species identified below may be significantly impacted by the proposed action:

- Koala (*Phascolarctos cinereus* (combined populations of Qld, NSW, and the ACT)) – endangered;
- Greater Glider (southern and central) (*Petauroides volans*) – endangered; and
- Squatter Pigeon (southern) (*Geophaps scripta scripta*) – vulnerable.

Please note, it is the proponent's responsibility to be aware of any changes to the distribution of listed threatened species and communities, and information available in the [Species Profile and Threats \(SPRAT\) Database](#). The proponent must ensure that a recent [Protected Matters Search Tool \(PMST\)](#) report has been generated and considered before finalising the draft preliminary documentation.

The department does not accept the consideration of only Queensland Regional Ecosystem (RE) mapping to determine habitat for listed threatened species. Further, habitat assessments must not only consider remnant vegetation.

Habitat assessments must be informed by desktop and field surveys (in accordance with departmental guidelines or as defined by best practice surveys), and with reference to relevant departmental documents (e.g. approved Conservation Advices, Recovery Plans, draft referral guidelines and Listing Advices, and the SPRAT Database), including published research and other relevant sources. Where habitat assessments depart from departmental information, adequate justification must be provided to substantiate their suitability to the assessment.

For each listed threatened species, provide the habitat assessment (section 2) and impact assessment (section 3) together under a heading of the species' name so potential impacts can be easily understood.

2.1 Species general information

Information required for each listed threatened species or ecological community	
2.1.1	<p>Provide detailed mapping of suitable habitat (within, adjacent to and downstream of the disturbance footprint, where relevant) for all listed threatened species and ecological communities, which:</p> <ul style="list-style-type: none"> • is specific to the habitat assessment undertaken for each listed threatened species and ecological community (i.e. <u>does not only illustrate relevant Queensland Regional Ecosystems</u>) • includes known records of individuals derived from desktop analysis and field surveys • is provided separately as attachments in JPEG format. <p>Please note Figure A-3 in Appendix B of Attachment 1, has a close-up box in the top right that does not contain the records.</p>

2.2 Species specific information

The preliminary documentation must address the following matters in addition to the general information listed above.

Information required	
Koala (<i>Phascolarctos cinereus</i> (combined populations of Qld, NSW, and the ACT)) – endangered	
2.2.1	Noting that you have categorised habitat as preferred, suitable and marginal, please clarify how the habitat use requirements of foraging, dispersal and shelter outlined in statutory documents fit into the provided definitions.
2.2.2	The total area (in hectares) of foraging, dispersal, and shelter habitat types.
Greater glider (southern and central) (<i>Petauroides volans</i>) – endangered	
2.2.3	<p>For denning habitat identified on site (preferred habitat as per the referral documentation), please provide an estimate of tree hollow density including consideration of the following definitions:</p> <ul style="list-style-type: none"> • Likely/current denning habitat: All areas containing appropriate trees with a diameter at breast height greater than the relevant Regional Ecosystem threshold for large trees stated in the Guide to greater glider habitat in Queensland (2022). • Potential/future denning habitat: all areas containing appropriate trees with a diameter at breast height greater than 30 cm as stated in the Conservation Advice for <i>Petauroides volans</i> (greater glider (southern and central)), but less than the relevant Regional Ecosystem threshold for large trees.

3. IMPACT ASSESSMENT

3.1 Listed threatened species and ecological communities

Information required	
3.1.1	Justify, with supporting evidence, how the proposed action will not be inconsistent with: <ul style="list-style-type: none"> • Australia’s obligations under the Biodiversity Convention, the Convention on Conservation of Nature in the South Pacific (Apia Convention), and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) • a recovery plan or threat abatement plan.

4. AVOIDANCE, MITIGATION AND MANAGEMENT MEASURES

Background

Management commitments by the person proposing to take the action must be clearly distinguished from recommendations or statements of best practice made by the document author or other technical expert.

Relevant management plans should be included as appendices to the preliminary documentation if available. If management plans have not yet been prepared then the preliminary documentation must contain sufficient detail to ensure an assessment can be undertaken as to the likely suitability and effectiveness of management measures. Please note that, where the department recommends an approval with conditions, the department may also recommend to the Minister (or delegate) that the conditions of approval require relevant plans to be approved and implemented prior to the commencement of the proposed action.

The department notes the referral includes a detailed description of the proposed avoidance, mitigation and management measures to be implemented by the proponent during the construction, operation and maintenance stages of the proposed action. You may incorporate these measures, and any additional measures, into an environmental management plan.

Information required	
4.1	All proposed measures must also be drafted to meet the ‘S.M.A.R.T’ principle: <ul style="list-style-type: none"> • S – Specific (what and how) • M – Measurable (baseline information, number/value, auditable) • A – Achievable (timeframe, money, personnel) • R – Relevant (conservation advices, recovery plans, threat abatement plans) • T – Time-bound (specific timeframe to complete).
4.2	Provide details of ongoing management and monitoring programs, including timing, to validate the effectiveness of proposed measures and demonstrate that environmental outcomes will be achieved. For example, the referral includes a commitment that fauna spotter-catchers (licensed) will inspect site prior to vegetation clearing. Please provide further detail on the timing,

	location, quantity and quality of the pre-clearance surveys (i.e. will pre-clearance surveys be undertaken across entire site or just in areas of species habitat?).
4.3	Provide details of tangible, on-ground corrective actions that will be implemented, including timing, in the event that monitoring programs indicate that the environmental outcomes have not been, or will not be, achieved.

5. REHABILITATION REQUIREMENTS

Information required	
5.1	The details of any rehabilitation activities proposed to be undertaken and how they meet best practice standards, including for the restoration of habitat for relevant MNES and avoidance of sedimentation/erosion.
5.2	The details of any rehabilitation activities proposed to be undertaken as required by any Commonwealth, state, and/or local government approvals.
5.3	A summary of the vegetation community/habitat that is being rehabilitated and the dominant species that will be included in the rehabilitation site. Note: climate suitable local seed mix should be included in the rehabilitation methodology where appropriate.
5.4	The proposed final landform, including rehabilitation completion criteria, and its relation to the pre-disturbance vegetation community. Include an assessment of the expected or predicted effectiveness of the proposed rehabilitation activities.
5.5	Provide detailed mapping of the disturbance footprint that clearly identifies areas to be rehabilitated.
5.6	Information on the timing, frequency and duration of proposed rehabilitation activities to be implemented, including anticipated time to completion (refer to ‘S.M.A.R.T’ principle above). All commitments must be drafted using committal language (e.g. ‘will’ and ‘must’) when describing the proposed activities.
5.7	Details of ongoing management and monitoring programs, including timing, to validate the effectiveness of proposed rehabilitation activities and demonstrate that completion criteria will be, or have been, achieved.
5.8	Details of tangible, on-ground corrective actions that will be implemented, including timing, in the event that monitoring programs indicate that the completion criteria have not been, or will not be, achieved.

6. OFFSETS

Background

Environmental offsets are measures that compensate for the residual significant impacts of an action on the environment. Offsets provide environmental benefits to counterbalance the impacts that remain

after consideration of avoidance and mitigation measures. Offsets do not reduce the impacts of an action, and are not intended to make proposals with unacceptable impacts acceptable.

It is important to consider environmental offsets early in the assessment process. Correspondence with the department regarding offsetting is highly encouraged. Any proposed offsets must meet the key principles of the *EPBC Act Environmental Offsets Policy (2012)* (Offsets Policy):

<https://www.dcceew.gov.au/environment/epbc/publications/epbc-act-environmental-offsets-policy>.

Where residual significant impacts are identified, include an Offset Management Plan (OMP) as an appendix in the preliminary documentation for assessment and approval.

Information required	
6.1	An assessment of the likelihood of residual significant impacts occurring on relevant MNES, after avoidance, mitigation and management measures have been applied.
6.2	If a residual significant impact is likely, provide a summary of the proposed environmental offset and key commitments to achieve a conservation gain for each MNES in accordance with the Offsets Policy.
6.3	If the nominated offset area/s is not secured prior to the submission of the PD, include a discussion in the PD regarding the risk that the nominated offset area/s may fail to be secured.
6.4	The OMP must meet the information requirements set out in <u>Appendix A</u> , and must be prepared by a suitably qualified ecologist and in accordance with the department's <i>Environmental Management Plan Guidelines (2014)</i> , available at: https://www.dcceew.gov.au/environment/epbc/publications/environmental-management-plan-guidelines .
6.5	<p>The department expects offset proposals to engage specifically with the ecological requirements of the MNES being offset.</p> <p>For greater gliders, management measures such as weeding and fencing will not generally be accepted as suitable compensation for the loss of denning habitat, which is a limiting habitat requirement for the species. Where denning resources are proposed to be impacted, offset proposals should demonstrate an increase in the quality and / or availability of denning resources at an offset site, relative to the quantum of impact. Offsets proposals based on creation of hollows (or artificial denning resources) must realistically address whether they will be used by greater gliders, whether they will attract predator or competitor species and their durability, accompanied by suitable monitoring and performance measures. Deviations from these principles will need to be explained and justified.</p>

7. ECOLOGICALLY SUSTAINABLE DEVELOPMENT (ESD)

Information required	
7.1	A description of how the proposed action meets the principles of ESD, as defined in section 3A of the EPBC Act. The following principles are <i>principles of ecologically sustainable development</i> :

	<ul style="list-style-type: none"> • decision making processes should effectively integrate both long term and short term economic, environmental, social and equitable considerations • if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation • the principle of inter-generational equity—that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations • the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision making • improved valuation, pricing and incentive mechanisms should be promoted.
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8. ECONOMIC AND SOCIAL MATTERS

Information required	
8.1	An analysis of the economic and social impacts of the action, both positive and negative.
8.2	Details of any public consultation activities undertaken and their outcomes.
8.3	<p>Details of any consultation with Indigenous stakeholders.</p> <p>Indigenous engagement</p> <p>Identify existing or potential native title rights and interests, including any areas and objects that are of particular significance to Indigenous peoples and communities, possibly impacted by the proposed action and the potential for managing those impacts.</p> <p>Describe any Indigenous consultation that has been undertaken, or will be undertaken, in relation to the proposed action and their outcomes.</p> <p>The department considers that best practice consultation, in accordance with the <i>Guidance for proponents on best practice Indigenous engagement for environmental assessments under the EPBC Act</i> (2016) includes:</p> <ul style="list-style-type: none"> • identifying and acknowledging all relevant affected Indigenous peoples and communities • committing to early engagement • building trust through early and ongoing communication for the duration of the project, including approvals, implementation and future management • setting appropriate timeframes for consultation • demonstrating cultural awareness. <p>Describe any state requirements for approval or conditions that apply, or that the proponent reasonably believes are likely to apply, to the proposed action with regards to Indigenous peoples and communities.</p>
8.4	Projected economic costs and benefits of the project, including the basis for their estimate through cost/benefit analysis or similar studies.

8.5	Employment opportunities expected to be generated by the project (including construction and operational phases).
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9. ENVIRONMENTAL RECORD OF THE PERSON PROPOSING TO TAKE THE ACTION

Information required	
9.1	<p>Include details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against:</p> <ul style="list-style-type: none"> • the person proposing to take the action • for an action for which a person has applied for a permit, the person making the application • if the person is a body corporate—the history of its executive officers in relation to environmental matters • if the person is a body corporate that is a subsidiary of another body or company (the parent body)—the history in relation to environmental matters of the parent body and its executive officers.

APPENDIX A: Information Requirements for EPBC Act Offset Proposals

Guidance on environmental offsets is available on the department's website at:

<https://www.dcceew.gov.au/environment/epbc/advice-for-complying-with-the-epbc-act/environmental-offsets-under-epbc/environmental-offsets-guidance>.

Minimum Requirements for an Offset Management Plan	
The Offset Management Plan (OMP) outlines what needs to be done to manage an offset site, such as setting milestones, monitoring, and reporting. It should also include a risk assessment and identify triggers for adaptive management. All direct offsets require an OMP.	
A1	Details of the residual impacts to MNES as a result of the proposed action. This must include the area/s of habitat (in hectares) and its quality within the impact site for which the offset/s is to compensate (i.e. the quantum of impact).
A2	A description of the offset area/s, including location, size, condition, environmental values present, and surrounding land uses.
A3	<p>A methodology that is suitable for the species in question must be used to assess habitat quality (i.e. endorsed by the department or supported by literature), noting the same scoring mechanism must be used at both the impact site and the offset site.</p> <p>The department encourages proponents to consult and seek endorsement from the department on a proposed method prior to undertaking any habitat quality assessment at both impact and offset site(s).</p> <p>The department currently prefers the use of the Modified Habitat Quality Assessment (MHQA) method, an adaptation of the Queensland Guide to determining terrestrial habitat quality v1.2 (2017). MHQA was developed to better reflect the requirements of the EPBC Act Environmental Offsets Policy for determining habitat quality.</p> <p>To support the habitat quality assessment, a copy of the MHQA scoring spreadsheet template and guidance material is attached.</p> <p><u>Please note</u>, the 'absence of threats' component of the score must only contain indicators that reflect the current habitat quality of the site (e.g. presence of pest species). Indicators that instead relate to a site's potential future condition must be excluded (e.g. risk of clearing or development). These threats are appropriately dealt with in consideration of future risk of loss in the Offsets Assessment Guide and so should not be included in the score for current habitat condition.</p>
A4	Baseline data and other supporting evidence that documents the presence of the relevant MNES within the offset area/s.
A5	Details, with supporting evidence, of how the environmental offset/s meets the requirements of the Offsets Policy .
A6	<p>Details, with supporting evidence, to demonstrate how the environmental offset/s compensate for residual significant impacts of the proposed action on relevant MNES, and/or their habitat, in accordance with the principles of the Offsets Policy and all requirements of the Offsets Assessment Guide, including:</p> <ul style="list-style-type: none"> • total area of habitat (in hectares) • habitat quality (see A3 above) • time over which loss is averted (max. 20 years) • time until ecological benefit

	<ul style="list-style-type: none"> • risk of loss (%) without offset* • risk of loss (%) with offset* • confidence in result (%). <p>*Please note, risk of loss should not include consideration of stochastic events (e.g. bushfires), activities that contribute to changes in habitat quality scores, or impacts that would otherwise require an offset under any relevant legislation. The department considers that the risk of loss should only include consideration of development pressures that are not otherwise captured under legislation (e.g. if an area would require an EPBC Act referral prior to clearance, the department considers its risk of loss to be 0% as the impacts from that clearance would be subject to assessment).</p>
A7	Maps and shapefiles to clearly define the location and boundaries of the offset area/s, accompanied by the offset attributes (e.g. physical address of the offset area/s, coordinates of the boundary points in decimal degrees, the relevant MNES that the environmental offset/s compensates for, and the size of the environmental offset/s in hectares).
A8	Evidence that the relevant MNES and/or their habitat are, or can reasonably be thought to be, present in the potential offset area/s.
A9	<p>Specific, committal, and measurable environmental outcomes that detail the nature of the conservation gain to be achieved for each MNES, including the creation, restoration, and revegetation of habitat in the proposed offset area/s.</p> <p>Specific measures may include the creation, restoration, and revegetation of habitat in the proposed offset area/s. As noted in point 6.5 above, the department expects offset proposals to engage specifically with the ecological requirements of the species.</p>
A10	Details of how the offset area/s will provide connectivity with other habitats and biodiversity corridors and/or will contribute to a larger strategic offset for the relevant MNES.
A11	Specific offset completion criteria derived from the offset area habitat quality to demonstrate the improvement in the quality of habitat in the offset area/s over a 20-year period.
A12	Details of the management measures, and timeframes for implementation, to be carried out to meet the offset completion criteria. All proposed management measures must be written using committed language (e.g. 'will' and 'must').
A13	<p>Details of the management measures, and timeframes for implementation, to be carried out to meet the offset completion criteria. Management measures must:</p> <ul style="list-style-type: none"> • be targeted towards the needs of the MNES that is offset and must align with the recovery objectives for the species as identified in relevant National Recovery Plans or Conservation Advices • take into account relevant threat abatement plans • be site-specific (e.g. informed by surveys at the offset site) • have timeframes for implementation • be written using committal language (e.g. 'will' and 'must') • be specifically linked to the attribute of the MNES for which the management measure applies

	<ul style="list-style-type: none"> • be derived from recognised principles, practice, or guidelines, and is justified – technically, scientifically and legally (e.g., by recommendation in a national recovery plan) – as an effective and appropriate measure to attain and/or maintain the plan’s completion criteria and/or performance targets.
A14	<p>All management measures be drafted to meet the ‘S.M.A.R.T’ principle:</p> <ul style="list-style-type: none"> • S – Specific (what and how) • M – Measurable (baseline information, number/value, auditable) • A – Achievable (timeframe, money, personnel) • R – Relevant (conservation advices, recovery plans, threat abatement plans) • T – Time-bound (specific timeframe to complete).
A15	Interim milestones that set targets at 5-yearly intervals for progress towards achieving the offset completion criteria.
A16	Details of the nature, timing and frequency of monitoring to inform progress against achieving the 5-yearly interim milestones (the frequency of monitoring must be sufficient to track progress towards each set of milestones, and sufficient to determine whether the offset area/s are likely to achieve those milestones in adequate time to implement all necessary corrective actions).
A17	Proposed timing for the submission of monitoring reports which provide evidence demonstrating whether the interim milestones have been achieved.
A18	<p>Details of the tangible, on-ground corrective actions, and timeframes for implementation, if monitoring activities indicate an interim milestone has not been achieved, including an approach to monitoring the effectiveness of the corrective actions.</p> <p>All proposed corrective actions must be written using committed language (e.g. ‘will’ and ‘must’).</p>
A19	Risk analysis and a risk management and mitigation strategy for all risks to the successful implementation of the OMP and timely achievement, and continued maintenance, of the offset completion criteria, including a rating of all initial and post-mitigation residual risks in accordance with a risk assessment matrix. Where relevant, address the risk of any management measures resulting in a perverse outcome (e.g. control of feral predators results in an increase in feral herbivores).
A20	Details and execution timing of the mechanism to legally secure the proposed offset area/s, such that legal security remains in force for at least the duration of the proposed action, and to provide enduring protection for the offset area/s against development incompatible with conservation.