

Peak Downs Mine Power Line Realignment Project

Application Number: **02572**

Commencement Date:
30/08/2024

Status: **Locked**

1. About the project

1.1 Project details

1.1.1 Project title *

Peak Downs Mine Power Line Realignment Project

1.1.2 Project industry type *

Energy Generation and Supply (non-renewable)

1.1.3 Project industry sub-type

Transmission Line

1.1.4 Estimated start date *

01/12/2025

1.1.4 Estimated end date *

01/12/2026

1.2 Proposed Action details

1.2.1 Provide an overview of the proposed action, including all proposed activities. *

Proposed action

BM Alliance Coal Operations Pty Ltd (BMA, the Proponent) owns and operates the Peak Downs Mine (PDM), an open cut coal mining operation near Moranbah, Queensland. There are currently three existing mine pits at PDM, 7 North, 5 North and 2 North (7N, 5N and 2N, respectively), which are progressing to the east within Mining Lease (ML) 1775 in line with current regulatory authorisations.

The existing 7N/5N/2N power lines (all 66 kilovolt (kV)) are situated within ML 1775, running in a north-south direction adjacent to the shared mining lease boundary of ML 1775 and ML 70411. The pit progression towards the power lines is approaching exclusion limits to blasting for mining activities. As a result, the current 7N/5N/2N power lines require realignment in order to allow for the pit to progress.

The relocation of these power lines is necessary to support continued mining activities at PDM. Without relocation of the power lines, existing mining activities would be severely constrained due to a lack of supporting power requirements.

The **Proposed action** for this referral is the Peak Downs Mine Power Line Realignment Project. The Proposed action involves the realignment of the existing 66kV 7N/5N/2N power lines to the east of the current alignment, and is comprised of the following three components:

- 7N power line realignment – entirely outside of a mining lease
- 5N power line realignment – partly within ML 70411, partly outside a mining lease
- 2N power line realignment – entirely within ML 70411

It is noted that the Proposed action is situated partly within an area that is already subject to assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This is the 'Peak Downs Mine Continuation Project' (EPBC ref 2022/09350), which is not related to the Proposed action presented herein. For clarity the Proposed action, the subject of this referral (Peak Downs Mine Power Line Realignment Project), facilitates authorised mining activities.

Action area and disturbance footprint

The **Action area** (also referred to as the 'Project area' in some sections of the DCCEEW referral template and guidance documents) is the power line realignment corridor, which encompasses 83.39 hectares (ha) in area. The Action area is located adjacent to the northern-eastern side of PDM and is approximately 22 kilometres (km) south-east of the township of Moranbah in central Queensland. It lies within land described as Lot 8 on SP277384, located within the Isaac Region Local Government Area and the Brigalow Belt North Bioregion. The Action area is shown in **Attachment 1 – MNES Significant Impact Assessment Report** (Figure 1, page 2).

For this referral, the Action area is the same as the **Disturbance footprint**. Meaning that the entire Action area contains the proposed Disturbance footprint.

Proposed action activities

The Proposed action includes the following activities:

- Clearing of woody vegetation for a corridor up to 50 metres (m) wide located along the proposed power line's main axis, extending 12.66 km in length in an approximate north-west to south-east direction. Existing ground cover present in the Action area will be retained (i.e. there will be no topsoil disturbance and the root mass will remain intact), with the exception of the access track addressed below. Outside of the access track, grass slashing may occur in the corridor where required for safe access during construction
- Clearing of woody vegetation along a series of eight stub lines with corridors up to 30 m wide, located perpendicular to the southern side of the power line's main axis. The stub lines vary in length from 160 m to 1,500 m, with an overall length of 7.78 km (i.e. the total Action area length is

approximately 20 km). As per the main corridor, ground cover within the stub lines will be retained through slashing only (where necessary), with the exception of the access track addressed below

- Clearing and grubbing of an access track up to 10 m wide along main corridor and stub line corridors to provide access for vehicles, plant and project materials. This will remove the ground cover present potentially including the root mass. On completion of construction this will be allowed to regenerate naturally. A permanent formed access track will not be retained for the operation of the power line infrastructure, with only slashing required to maintain the track and ensure safe access
- Excavating and pouring foundations for the power line towers will be located within the 10 m wide access track area. Power line towers are generally located 165 m apart for the majority of the alignment
- Assembly and erecting the power line steel work including installation of stay anchors
- Stringing electrical cables, conductors and earth wires along the power line towers
- Tensioning of electrical cables to achieve minimum ground clearance
- Connection of conductor bridges and droppers
- Testing, commissioning and connection

The operational phase of the proposed action is anticipated to require little maintenance. Occasional slashing of ground cover within the main corridor and stub line corridors may be carried out when required and the entire area will be subject to continued cattle grazing as occurs currently.

Study area

The Study area described in this referral is the area assessed by supporting ecological studies, which captures the Action area and nearby surrounding land. The Study area is 1,822 ha in size and is detailed in **Attachment 1 – MNES Significant Impact Assessment Report** (Section 1.1 and Figure 1, pages 1-2).

Corresponding area definitions in the attached reports

The key report which consolidates the findings of the supporting ecological studies and provides an assessment of the significance of impacts to Matters of National Environmental Significance (MNES) is the *MNES Significant Impact Assessment Report* (Epic Environmental, 2024), located in **Attachment 1** (all pages). This report uses the term 'Project area' which corresponds with the Action area used in this referral. **Attachment 2 – 7N5N2N Power line alignment MNES Ecological Report** (Ausecology, 2024) provides the detailed methodologies and findings of field surveys that have been undertaken across the Study area (which includes the Action area and surrounds).

1.2.2 Is the project action part of a staged development or related to other actions or proposals in the region?

No

1.2.6 What Commonwealth or state legislation, planning frameworks or policy documents are relevant to the proposed action, and how are they relevant? *

A description of the Commonwealth and State legislation relevant to the proposed action is provided below.

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) (Cwlth)

The EPBC Act is the key piece of Commonwealth legislation governing environmental protection in Australia. It defines and protects nine MNES, which are:

- World heritage properties
- National heritage places
- Wetlands of international importance
- Listed threatened species and ecological communities
- Listed migratory species
- Commonwealth marine areas
- The Great Barrier Reef Marine Park
- Nuclear actions
- A water resource in relation to coal seam gas development and large coal mining development

The Proposed action has the potential to impact on MNES, namely threatened species and threatened ecological communities (TECs). Therefore, the Proposed action has been referred to the Department of Climate Change, Energy, the Environment and Water (DCCEEW) for further assessment, per the EPBC Act requirements. This referral addresses this Act.

Environmental Offsets Policy 2012 (Cwlth)

The *EPBC Act Environmental Offsets Policy October 2012* (EOP) provides guidance on the role of offsets in environmental impact assessments, and how the DCCEEW considers the suitability of a proposed offset.

If the Proposed action is determined by DCCEEW to be a Controlled Action, there may be a requirement for environmental offsets to compensate for the impact.

Native Title Act 1993 (Cth)

The Barada Barna People are the Native Title holders for the Action area.

Aboriginal Cultural Heritage Act 2003 (Qld)

The Barada Barna People are considered the Aboriginal Party for the purposes of the *Aboriginal Cultural Heritage Act 2003*. The Action area is located within the extent of the PDM Indigenous Land Use Agreement (QI2001/047) and cultural heritage management will be conducted via the processes set out within the PDM Cultural Heritage Management Plan (CHMP) (2014). The CHMP will not be made publicly available due to cultural sensitivity reasons.

Planning Act 2016 (Qld)

The *Planning Act 2016* (Planning Act) serves to establish an efficient, effective, transparent, integrated, coordinated, and accountable system of land use planning, development assessment and related matters that facilitates the achievement of ecological sustainability. It mandates the framework and process for development assessment and the requirements for development application. Under the Planning Act, development may be categorised as accepted development, assessable development (code and impact) and prohibited development.

Given part of the Proposed action occurs outside of an ML, State approvals under the Planning Act are required. Development that is assessable development is identified under Schedule 10 of the *Planning Regulation 2017*. The Proposed action meets the assessable development requirements under the following provisions:

- Schedule 10, Part 3, Division 2, Section 5 – Assessable development – clearing native vegetation on prescribed land

Therefore, the Planning Act is relevant to part of the Proposed action.

Environmental Protection Act 1994 (Qld)

The *Environmental Protection Act 1994* (EP Act) and subordinate *Environmental Protection Regulation 2019* (EP Regulation) provide a legislative framework for safeguarding the environment whilst promoting sustainable development within Queensland, by establishing mechanisms for the avoidance or minimisation of environmental harm, as well as the licencing of environmental harm according to conditions of approval. A key aspect of the EP Act is the General Environmental Duty (GED) (EP Act, Section 319), which applies to all individuals and organisations in Queensland, including BMA and its employees and contractors. The GED requires that '*A person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm*'.

Activities which cause, or are likely to cause, environmental harm constitute offences unless authorised through an Environmental Authority (EA). An EA is an approval to undertake an Environmentally Relevant Activity (ERA) in accordance with relevant conditions. The portion of the Proposed action that falls within ML 70411 is located in an area authorised by the existing PDM EA EPML00318213, where the Proposed action will operate in accordance.

Nature Conservation Act 1992 (Qld)

The *Nature Conservation Act 1992* (NC Act) and subordinate Regulations, including the *Nature Conservation (Animals) Regulation 2020* (NC Animals Regulation) and *Nature Conservation (Plants) Regulation 2020* (NC Plants Regulation), are in place to protect Queensland's native flora and fauna from potential environmental impacts of various activities through the nomination of threatened species, and requirements for protected plant clearing permits, species management programs, and other permits. A fauna spotter catcher will be engaged prior to vegetation clearing to assess areas of habitat and manage breeding places should they be present during clearing.

Habitat that supports species listed as conservation significant under the NC Act is present within the Action area. This will be addressed under the approvals process through State Assessment Referral Agency (SARA).

Vegetation Management Act 1999 (Qld)

The *Vegetation Management Act 1999* (VM Act) regulates the clearing of regulated vegetation in Queensland. The VM Act aims to conserve Queensland's biodiversity through vegetation management. The VM Act provides a framework for identification, description, classification and mapping of remnant and high-value regrowth vegetation communities (listed as Regional Ecosystems (REs)), essential habitat (for protected flora and fauna) and wetland areas.

Vegetation that is regulated directly under the VM Act is present within the Action area, within the portion that is outside an ML. This will be addressed under the approvals process through SARA, and the Proponent will obtain all relevant permits and approvals as required.

Environmental Offsets Act 2014 (Qld)

Under the Queensland *Environmental Offsets Act 2014* (Offsets Act) an environmental offset is defined as an activity undertaken to counterbalance a significant residual impact of a prescribed activity on a Prescribed Environmental Matter. Prescribed Environmental Matters include Matters of State Environmental Significance as defined under Schedule 2 of the *Offsets Regulation 2014*.

Where a significant residual impact is assessed as occurring on a Prescribed Environmental Matter as a result of the Proposed action, there may be a requirement for environmental offsets to compensate for the impact. This will be assessed as part of the State approvals process through SARA for the portion of the Action area outside of an ML (noting that the portion within ML 70411 is regulated by the PDM EA EPML00318213).

Mineral Resources Act 1989 (Qld)

BMA has received approval for surface rights over the ML 70411 where part of the Proposed action is located.

Water Act 2000 (Qld)

The *Water Act 2000* (Water Act) provides a framework for the planning, allocation and use of surface water and groundwater in Queensland, including regulating major water impoundments (e.g. dams and weirs) and extraction through pumping for irrigation and other uses.

No new water sources or watercourse diversions are associated with the Proposed action. The Action area crosses two 'unmapped' waterways, one 'drainage feature', and one 'watercourse' mapped under the Water Act. Where works cannot meet an exemption, including the *Riverine Protection Permit Exemption Requirements, Department of Regional Development Manufacturing and Water, Version 2.03 2/06/2023*, the relevant approvals will be acquired.

Local Environmental Plans

The Action Area is located within the Isaac Region LGA of the Bowen Basin, in central Queensland, within the lands covered by the *Isaac Regional Council Planning Scheme 2021*. Where required, Isaac Regional Council will be engaged for the Proposed action.

1.2.7 Describe any public consultation that has been, is being or will be undertaken regarding the project area, including with Indigenous stakeholders. Attach any completed consultation documentations, if relevant. *

BMA maintains ongoing dialogue and consultation with key stakeholders regarding its actions and future plans at its operations in central Queensland. The following stakeholders are frequently consulted at various stages of the Proposed action development and implementation:

- Local landholders
- Community groups
- Infrastructure service providers
- Isaac Regional Council
- Native Title parties (Barada Barna People)
- Queensland Department of Environment, Science and Innovation
- Queensland Department of Resources
- Commonwealth DCCEEW
- Overlapping tenure holders

Indigenous consultation for the Proposed action will be undertaken through regular Relationship Committee meetings between BMA and the Barada Barna people (determined Native Title group) as prescribed under the BMA and BBAC ILUA (2014), and cultural heritage management will be conducted via the processes set out within the Peak Downs CHMP (2014). Cultural heritage surveys of part of the Action area were undertaken in 2022, with the remainder to be completed in due course. Cultural heritage sites are known within the Action area, recorded during surveys conducted intermittently over the last 15 years. These sites, and any new recordings, will be managed in accordance with CHMP processes. The CHMP will not be made publicly available due to cultural sensitivity reasons.

1.3.1 Identity: Referring party

Privacy Notice:

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

By completing and submitting this form, you consent to the collection of all personal information contained in this form. If you are providing the personal information of other individuals in this form, please ensure you have their consent before doing so.

The Department of Climate Change, Energy, the Environment and Water (the department) collects your personal information (as defined by the Privacy Act 1988) through this platform for the purposes of enabling the department to consider your submission and contact you in relation to your submission. If you fail to provide some or all of the personal information requested on this platform (name and email address), the department will be unable to contact you to seek further information (if required) and subsequently may impact the consideration given to your submission.

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Alternatively, email us at privacy@dcceew.gov.au.

Confirm that you have read and understand this Privacy Notice *

1.3.1.1 Is Referring party an organisation or business? *

Yes

Referring party organisation details

ABN/ACN 67096412752
Organisation name BM ALLIANCE COAL OPERATIONS PTY LIMITED
Organisation address 4000 QLD

Referring party details

Name Hannah Silcox
Job title Environment Approvals Specialist
Phone 0447337870
Email hannah.silcox@bhp.com
Address Level 14, 480 Queen Street, Brisbane

1.3.2 Identity: Person proposing to take the action

1.3.2.1 Are the Person proposing to take the action details the same as the Referring party details? *

No

1.3.2.2 Is Person proposing to take the action an organisation or business? *

Yes

Person proposing to take the action organisation details

ABN/ACN 67096412752
Organisation name BM ALLIANCE COAL OPERATIONS PTY LIMITED
Organisation address 4000 QLD

Person proposing to take the action details

Name Katie Smith
Job title Superintendent Environmental Approvals
Phone 0427164830
Email katie.smith@bhp.com
Address Level 14, 480 Queen Street, Brisbane Qld 4000

1.3.2.14 Are you proposing the action as part of a Joint Venture? *

No

1.3.2.15 Are you proposing the action as part of a Trust? *

No

1.3.2.17 Describe the Person proposing the action's history of responsible environmental management including details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against the Person proposing to take the action. *

The Proponent of the Proposed action is BMA and is owned 50:50 by BHP Group Limited (BHP) and Mitsubishi Development Pty Ltd (operated by BHP) and is Australia's largest supplier of seaborne metallurgical coal. BMA operates six Bowen Basin mines: Broadmeadow, Goonyella Riverside, Peak Downs, SRM, Saraji South Mine and Caval Ridge as well as owning and operating the Hay Point Coal Terminal near Mackay.

BMA has an excellent record of responsible environmental management and a strong commitment to the communities and the environments in which it operates. BMA has no convictions for breaches of environmental management requirements and regularly reviews environmental performance and publicly reports on progress.

BMA has not been subject to any environmental related proceedings in any superior State or Federal Court.

BMA has been the subject of environmental related proceedings in the Queensland Magistrates Court, for matters related to State legislation. A fine was imposed and paid by BMA. No conviction was recorded.

The proposed action will be undertaken in accordance with the BMA's environmental policy and framework.

BMA has been responsible for multiple actions approved and under assessment, under the EPBC Act, including (but not limited to):

- 2023/09757 – BM Alliance Coal Operations Pty Ltd, Saraji Mine Grevillea Pit Continuation Project (assessment commenced)
- 2023/09723 – BM Alliance Coal Operations Pty Ltd, Blackwater Mine – North Extension Project (assessment approach determined)
- 2022/9350 – BM Alliance Coal Operations Pty Ltd, Peak Downs Mine Continuation Project (assessment approach determined)
- 2022/09279 – BM Alliance Coal Operations Pty Ltd, Blackwater Mine South Coking Coal Project (under assessment)
- 2021/9031 – BM Alliance Coal Operations Pty Ltd, Caval Ridge Mine Horse Pit Extension (under assessment)
- 2019/8576 – BM Alliance Coal Operations Pty Ltd, Saraji Mine Spring Creek to Phillips Creek Diversion (approval decision made)
- 2016/7791 – BM Alliance Coal Operations Pty Ltd, Saraji East Mining Lease proposed action (approved)
- 2013/6868 – BM Alliance Coal Operations Pty Ltd, Dysart Road Relocation (approved)
- 2013/6865 – BM Alliance Coal Operations Pty Ltd, Red Hill Mining Proposed action (approved)
- 2012/6268 – BM Alliance Coal Operations Pty Ltd, M Block 3D Seismic Survey Program (approved)
- 2009/4759 – BM Alliance Coal Operations Pty Ltd on behalf CQCA Joint Venture, Hay Point Coal Terminal Expansion (approved)
- 2008/4659 – BM Alliance Coal Operations Pty Ltd, Vessel-based Seismic and Hydrographic Sonar Survey (approved)
- 2008/4418 – BM Alliance Coal Operations Pty Ltd, Develop an Open Cut Coal Mine at Daunia (approved)
- 2008/4417 – BM Alliance Coal Operations Pty Ltd, Caval Ridge Open Cut Coal Mine Proposed action (approved)
- 2005/2248 – BM Alliance Coal Operations Pty Ltd, Goonyella Riverside Coal Mine Expansion (approved)
- 2005/2211 – BM Alliance Coal Operations Pty Ltd, Hay Point Services Coal Terminal Offshore Expansion (approved)
- 2004/1447 – BM Alliance Coal Operations Pty Ltd, Norwich Park Coal Mine - Development of East Pit (approved).

1.3.2.18 If the person proposing to take the action is a corporation, provide details of the corporation's environmental policy and planning framework

BMA operates under BHP Group Limited (BHP) and/or Mitsubishi Development Pty Ltd environmental policy and planning framework. BHP and Mitsubishi Development policies and frameworks are described below.

In line with *Our Charter* value of Sustainability, BHP seeks to avoid or minimise adverse environmental impacts through every stage of its operational activities and acknowledges its role in contributing more broadly to the resilience of the natural environment.

BHP's approach to environmental management is based on and influenced by:

- the identification, assessment and management of risks (both threats and opportunities) across all phases of our operational life cycle, including exploration, development, operation, closure and post closure. BHP applies a Group-wide Risk Framework to identify and manage risks, including environmental risks;
- engagement with internal and external stakeholders to ensure we take their perspectives and knowledge into account in our decision-making;
- the realms of nature (land, oceans, freshwater and atmosphere) that we may impact or depend on;
- the extent and nature of our planned activities and optimising our activities to seek to minimise or prevent adverse impact and maximise contribution to social value; and
- societal risks such as habitat loss and pollution.

BHP's group-wide approach to environmental management is set out in the *Our Requirements for Environment and Climate Change* standard and BHP's mandatory minimum performance requirements for risk management. BHP takes an integrated, risk-based approach to managing any actual or reasonably foreseeable operational impacts (direct, indirect and cumulative) on biodiversity, land, water and air.

BHP's primary approach to preventing or minimising potential adverse environmental impacts is to apply the mitigation hierarchy. Steps one and two of the mitigation hierarchy – avoid and minimise – seek to prevent adverse impacts as far as possible. Steps three and four – rehabilitate and compensate – seek to address those impacts that cannot be avoided.

BHP's Climate Transition Action Plan 2021, Water Stewardship Position Statement and Group-level biodiversity strategy outline BHP's vision, strategies and focus areas to support action on the global challenges of climate change and biodiversity loss.

BHP's environmental policy is further described on BHP's website (BHP, 2024):
<https://www.bhp.com/sustainability/environment/>.

Mitsubishi Development (a wholly owned subsidiary of Mitsubishi Corporation) operates under three corporate principles: corporate responsibility to society; integrity and fairness; and global understanding through business.

These principles are the heart of Mitsubishi Development's sustainability approach, which strives to address the following key sustainability issues:

- transitioning to a low-carbon society;
- procuring, operating and supplying in a sustainable manner;
- tackling evolving regional issues in Australia;
- addressing the needs of society through business innovation and new technology;
- conserving the natural environment;
- growing together with local communities; and
- fostering our employees' maximum potential including health and safety.

Mitsubishi Development is committed to reducing greenhouse gases by implementing new operational efficiencies and sustainable technologies, as well as actively pursuing business partnerships that facilitate the transition to a low-carbon society.

Mitsubishi Corporation, Mitsubishi Development's parent company, aims to reduce greenhouse gas emissions by 50 per cent by 2030 per total assets, compared to FY2020 levels and Net Zero by 2050.

Further information on Mitsubishi Development's sustainability approach is available at (Mitsubishi Development Pty Ltd, 2021): <https://www.mdp.com.au/sustainability>.

1.3.3 Identity: Proposed designated proponent

1.3.3.1 Are the Proposed designated proponent details the same as the Person proposing to take the action? *

Yes

Proposed designated proponent organisation details

ABN/ACN	67096412752
Organisation name	BM ALLIANCE COAL OPERATIONS PTY LIMITED
Organisation address	4000 QLD

Proposed designated proponent details

Name	Katie Smith
Job title	Superintendent Environmental Approvals
Phone	0427164830
Email	katie.smith@bhp.com
Address	Level 14, 480 Queen Street, Brisbane Qld 4000

1.3.4 Identity: Summary of allocation

✔ Confirmed Referring party's identity

The Referring party is the person preparing the information in this referral.

ABN/ACN	67096412752
Organisation name	BM ALLIANCE COAL OPERATIONS PTY LIMITED
Organisation address	4000 QLD
Representative's name	Hannah Silcox
Representative's job title	Environment Approvals Specialist
Phone	0447337870
Email	hannah.silcox@bhp.com
Address	Level 14, 480 Queen Street, Brisbane

✔ Confirmed Person proposing to take the action's identity

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

ABN/ACN	67096412752
Organisation name	BM ALLIANCE COAL OPERATIONS PTY LIMITED
Organisation address	4000 QLD
Representative's name	Katie Smith
Representative's job title	Superintendent Environmental Approvals
Phone	0427164830
Email	katie.smith@bhp.com
Address	Level 14, 480 Queen Street, Brisbane Qld 4000

✔ Confirmed Proposed designated proponent's identity

The Person proposing to take the action is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

1.4 Payment details: Payment exemption and fee waiver

1.4.1 Do you qualify for an exemption from fees under EPBC Regulation 5.23 (1) (a)? *

No

1.4.3 Have you applied for or been granted a waiver for full or partial fees under Regulation 5.21A? *

No

1.4.5 Are you going to apply for a waiver of full or partial fees under EPBC Regulation 5.21A?

No

1.4.7 Has the department issued you with a credit note? *

No

1.4.9 Would you like to add a purchase order number to your invoice? *

No

1.4 Payment details: Payment allocation

1.4.11 Who would you like to allocate as the entity responsible for payment? *

Referring party

2. Location

2.1 Project footprint



Project Area: 83.81 Ha Disturbance Footprint: 83.81 Ha

2.2 Footprint details

2.2.1 What is the address of the proposed action? *

831 Peak Downs Mine Road, Winchester QLD 4721

2.2.2 Where is the primary jurisdiction of the proposed action? *

Queensland

2.2.3 Is there a secondary jurisdiction for this proposed action? *

No

2.2.5 What is the tenure of the action area relevant to the project area? *

The Action area is located within Lot 8 on SP 277384, which is Freehold land. Part of the Action area occurs within the BMA-held resource tenement ML 70411, the remainder is outside of an ML.

An easement was previously established for the Proposed action, Lot N on SP316951, based on a previous superseded version of the power line realignment. This easement is being modified to suit the final alignment (the Action area) presented as subject of this referral. A separate easement, Lot M on SP312986, intersects the Action area however is unrelated to the Proposed action.

Refer **Attachment 1** – *MNES Significant Impact Assessment Report*, Figure 1, page 2 for the location of the Action area with respect to tenure.

3. Existing environment

3.1 Physical description

3.1.1 Describe the current condition of the project area's environment.

The Proposed action is situated within the Brigalow Belt North Bioregion, specifically within the Northern Bowen Basin subregion. The Proposed action occurs in a predominantly disturbed landscape impacted by cattle grazing and existing mining-related activities. Vegetation communities within the Action area include remnant vegetation, woody regrowth, and non-remnant/cleared lands. To the south and south-west, the landscape is dominated by extensive mining operations associated with the PDM and more broadly existing BMA mining operations. The land to the north and east is primarily utilised for cattle grazing. Much of the landscape associated with the Action area has been heavily impacted by tree clearing for cattle grazing purposes.

The Action area intersects four minor drainage lines, including one stream order 2 and three stream order 1 drainage lines. All of the drainage lines within the Action area are considered highly ephemeral in nature, draining north from the PDM. As a result, there is very little catchment draining through the Action area and any flows would be minor in extent and short-lived. The nearest major watercourses are Harrow Creek, located to the west outside of the Action area, Cherwell Creek, approximately 3 km to the north-west, and the Isaac River, approximately 11 km to the north.

Access to the Proposed action will be provided via the PDM and existing local roads, including the Peak Downs Mine Road. A new 10 m wide access track will be established within the Action area, along the main corridor and stub line corridors, facilitating the transportation of materials and vehicles during the development, operational, and completion stages.

Further details of the condition of the Action area and wider Study area are provided in **Attachment 2 – 7N5N2N Power line alignment MNES Ecological Report** (Sections 3.1-3.5, pages 23-36).

3.1.2 Describe any existing or proposed uses for the project area.

The proposed use of the Action area associated with the Proposed action is energy transmission using 66 kV power lines to support the existing mining activities at the PDM. The existing use within the Action area is cattle grazing, which will continue during implementation of the Proposed action.

The surrounding land is predominantly used for cattle grazing and mining-related activities, including the existing PDM.

Further details of the existing and ongoing uses for the Action area are detailed in **Attachment 1 – MNES Significant Impact Assessment Report** (Section 4, pages 11-18).

3.1.3 Describe any outstanding natural features and/or any other important or unique values that applies to the project area.

There are no outstanding natural features or unique values within the Action area.

3.1.4 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area.

The elevation within the Action area ranges from approximately 200 to 245 m Australian Height Datum (AHD). The topography is characterised by undulating plains with slight variations in elevation.

3.2 Flora and fauna

3.2.1 Describe the flora and fauna within the affected area and attach any investigations of surveys if applicable.

The Study area (which includes the Action area and surrounds) has been the subject of numerous ecological studies in recent years providing extensive coverage over the Action area. This includes ecology surveys specifically for the Proposed action carried out by AUSECOLOGY in 2019, 2022 and 2023, as well as surveys carried out in the local region for other projects by Eco Logical (2016 and 2020), AECOM (2020) and E2M (2021). A detailed description of the methodologies and findings of these studies is provided in **Attachment 2 – 7N5N2N Power line alignment MNES Ecological Report** (Section 2 and Section 3, pages 9-36).

A summary of the key findings of the surveys are provided in **Attachment 1 – MNES Significant Impact Assessment Report** (Section 3.2, pages 5-10).

Attachment 1 – MNES Significant Impact Assessment Report (all pages) provides greater detail on the project context, key ecology survey findings, and impact assessment outcomes for the Proposed action. The impact assessment sections of **Attachment 2 – 7N5N2N Power line alignment MNES Ecological Report** (Section 4 and Section 5, pages 40-44) have been superseded due to subsequent minimisation of impact areas, which is captured in Attachment 1. Specific sections and pages of these reports are referenced in this referral where necessary.

Conservation significant species and ecological communities

A review of the following up to date publicly available information sources was undertaken to support preparation of **Attachment 1 – MNES Significant Impact Assessment Report**:

- DCCEEW Protected Matters Search Tool (PMST) and resulting Protected Matters Report (PMR) - search area of a 10 km buffer placed around the Study area
- Species Profile and Threats (SPRAT) Database administered by DCCEEW
- Queensland Government Wildlife Online database search, using a 25 km buffer placed around the central coordinates: -22.1912 Latitude, 148.1874 Longitude
- The Atlas of Living Australia (ALA) species database, a web-based search tool that is a partnership between CSIRO, Australian museums, herbaria and other biological collections, and the Australian Government

Copies of the search results are provided in **Attachment 1 – MNES Significant Impact Assessment Report** (Appendix A, page 48).

Based on desktop and field survey observations, MNES that potentially, likely or are known to occur within a 10 km radius of the Study area include two TECs, eight species listed as threatened, and three species listed as migratory under the EPBC Act. These MNES are listed below, with further information provided in **Attachment 1 – MNES Significant Impact Assessment Report** (Section 3.2, pages 5-10).

TECs:

- Known to occur:
 - Brigalow (*Acacia harpophylla* dominant and codominant) (Brigalow TEC) - Endangered
 - Natural Grasslands of the Queensland Central Highlands and northern Fitzroy Basin (Natural Grasslands TEC) - Endangered

Threatened species:

- Known to occur:
 - Squatter Pigeon (southern) (*Geophaps scripta scripta*) - Vulnerable
 - Koala (*Phascolarctos cinereus*) - Endangered
 - Greater Glider (*Petauroides volans*) - Endangered
- Likely occurs:
 - Ornamental Snake (*Denisonia maculata*) - Vulnerable
 - Australian Painted Snipe (*Rostratula australis*) - Endangered
 - White-throated Needletail (*Hirundapus caudacutus*) - Vulnerable, Migratory

- Potentially occurs:
 - Sharp-tailed Sandpiper (*Calidris acuminata*) - Vulnerable, Migratory
 - King Blue-grass (*Dichanthium queenslandicum*) - Endangered

Migratory species:

- Known to occur:
 - Fork-tailed Swift (*Apus pacificus*)
 - Rufous Fantail (*Rhipidura rufifrons*)
- Likely occurs:
 - Caspian Tern (*Sterna caspia*)

Flora

Historically, the regional area has been subject to range of land management practices including clearing, woody vegetation poisoning, fire, and grazing. These practices have resulted in large areas of regrowth and non-remnant vegetation.

Survey efforts confirmed a total of 9 regional ecosystems (RE) occurring within the proposed action area. In total, the proposed action area was found to contain approximately 1.67 ha of infrastructure and roads, and approximately ~81.78 ha of vegetation including remnant, regrowth and cleared vegetated areas.

Cattle grazing was common throughout most of the proposed action area. Areas where cattle activity was particularly concentrated (e.g. watering holes, creek crossings and general cattle tracks) often were subject to a significant increase in bare ground cover when compared to the surrounding vegetation.

Pest flora was common throughout the proposed action area. Buffel Grass (*Cenchrus ciliaris*) was the most prolific non-native grass species, often dominating the ground layer throughout extensive areas of the proposed action area.

Fauna

Fauna surveys conducted included fauna trapping (pitfalls, funnels, Elliott traps, cages, harp trapping), avifauna surveys, diurnal active searches, nocturnal active searches, call playback, modified SAT assessments, spotlighting, baited camera trapping and Anabat passive call detection recording.

Pest fauna was common throughout the proposed action area, this included Wild dog, Feral cat, European rabbit and Feral pigs.

Refer to **Attachment 2 – 7N5N2N Power line alignment MNES Ecological Report** (Sections 3.1-3.5, pages 23-36, and Appendix G, page 79-86) for full flora and fauna descriptions and species' list.

3.2.2 Describe the vegetation (including the status of native vegetation and soil) within the project area.

The Action area encompasses a total of 83.39 ha, of which 52.91 ha is identified as modified non-remnant / previously cleared lands with little value to potentially occurring MNES. The Proposed action will impact 8.67 ha of woody vegetation in remnant REs and a further 21.81 ha of immature and low-growing woody regrowth (refer to **Attachment 1 – MNES Significant Impact Assessment Report**, Table 4, page 13 for the detailed breakdown).

Much of the Action area has been impacted by historic disturbance and land management practices. Flora surveys identified nine remnant and regrowth REs within the Action area. A list of ground-truthed REs and their status within the Action area is summarised below, with their detailed descriptions and extents relevant to the Action area provided in **Attachment 1 – MNES Significant Impact Assessment Report** (Section 4.1.1, pages 11-14).

Remnant REs:

- 11.3.4 - *Eucalyptus tereticornis* woodland to open forest on Cainozoic alluvial plains and terraces
- 11.3.25 - *Eucalyptus tereticornis* woodland to open forest on fringing levees and banks of major rivers and drainage lines
- 11.4.4 - *Dichanthium* spp. +/- *Astrebla* spp. tussock grassland on flat to gently undulating clay plains
- 11.5.3 - *Eucalyptus populnea* woodland +/- other eucalypts on flat to gently undulating plains formed from Cainozoic sediments
- 11.8.5 - *Eucalyptus orgadophila* open woodland on undulating plains, rises, low hills or sometimes flat tablelands
- 11.8.11 - Grassland dominated by *Dichanthium sericeum*, *Aristida* spp., *Astrebla* spp. and *Panicum decompositum* on moderately shallow to deep cracking clay soils

Regrowth and non-remnant REs:

- 11.4.8 - *Eucalyptus cambageana* and *Acacia harpophylla* woodland to open forest on level to gently undulating Cainozoic plains
- 11.4.9 - *Acacia harpophylla* woodland to open forest on level to gently undulating Cainozoic plains
- 11.8.5 - *Eucalyptus orgadophila* open woodland on undulating plains, rises, low hills or sometimes flat tablelands
- 11.9.2 - *Eucalyptus melanophloia* and/or *E. orgadophila* woodland to open woodland on undulating plains with cracking clay or texture contrast soils

3.3 Heritage

3.3.1 Describe any Commonwealth Heritage Places Overseas or other places recognised as having heritage values that apply to the project area.

The PMR did not identify any Commonwealth Heritage Places Overseas within the Action area or within 10 km of the Study area. The Proposed action is located 132 km from the coastline and well within Australia. Direct or indirect impacts on Commonwealth Heritage Places Overseas are not applicable to the Proposed Action.

Refer to **Attachment 1** – *MNES Significant Impact Assessment Report* (Appendix A, page 48).

3.3.2 Describe any Indigenous heritage values that apply to the project area.

For the on-lease sections of the Action area there is no native title approval required. Native title has been extinguished in the Action Area. The Action area is covered by a current PDM Cultural Heritage Management Plan/Agreement (CHMP/CHMA). All on-lease disturbance areas provided are within areas that have been granted Unrestricted Clearance. The CHMP will not be made publicly available due to cultural sensitivity reasons.

For off-lease sections of the Action area, this area falls on the traditional lands of the Barada Barna Traditional Owners. Monitoring surveys will be required for the relevant areas here, where further consultation and monitoring requirements will be discussed with the traditional owners as necessary. Where the Action area crosses through un-surveyed lands which fall outside of the CHMP, a pedestrian survey along with other measures will be required. Engagement will occur with the Barada Barna People throughout this process.

3.4 Hydrology

3.4.1 Describe the hydrology characteristics that apply to the project area and attach any hydrological investigations or surveys if applicable. *

The Proposed action is situated within the Isaac River sub-basin, part of the larger Fitzroy Basin. The Action area intersects four minor drainage lines including one stream order 2 and three stream order 1 drainage lines. All of the drainage lines within the Action area are considered highly ephemeral in nature, draining north from the PDM. As a result, there is very little catchment draining through the Action area and any flows would be minor in extent and short-lived.

The nearest major watercourses are Harrow Creek, located to the west outside of the Action area, Cherwell Creek, approximately 3 km to the north-west, and the Isaac River, approximately 11 km to the north.

Refer to **Attachment 2** - *7N5N2N Power line alignment MNES Ecological Report* (Section 4.3, page 40) for additional detail on the hydrological information.

4. Impacts and mitigation

4.1 Impact details

Potential Matters of National Environmental Significance (MNES) relevant to your proposed action area.

EPBC Act section	Controlling provision	Impacted	Reviewed
S12	World Heritage	No	Yes
S15B	National Heritage	No	Yes
S16	Ramsar Wetland	No	Yes
S18	Threatened Species and Ecological Communities	Yes	Yes
S20	Migratory Species	Yes	Yes
S21	Nuclear	No	Yes
S23	Commonwealth Marine Area	No	Yes
S24B	Great Barrier Reef	No	Yes
S24D	Water resource in relation to large coal mining development or coal seam gas	No	Yes
S26	Commonwealth Land	No	Yes
S27B	Commonwealth Heritage Places Overseas	No	Yes
S28	Commonwealth or Commonwealth Agency	No	Yes

4.1.1 World Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.1.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.1.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The PMR did not identify any World Heritage Properties within the Action area, or within 10 km of the Study area. The nearest World Heritage Property is the Great Barrier Reef World Heritage Property. This is approximately 132 km east of the Action area.

Direct or indirect impacts on World Heritage Properties (including the Great Barrier Reef World Heritage Property) are not applicable based on the type and scale of the Proposed action (being a power line realignment, with no diversions to waterways or releases to waterways proposed).

Refer to **Attachment 1 – MNES Significant Impact Assessment Report** (Appendix A, page 48).

4.1.2 National Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.2.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.2.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The PMR did not identify any National Heritage Properties within the Action area, or within 10km of the Study area. The nearest National Heritage Property is the Great Barrier Reef National Heritage Property. This is approximately 132 km east of the Action area.

Direct or indirect impacts on National Heritage Properties (including the Great Barrier Reef National Heritage Property) are not applicable based on the type and scale of the Proposed action (being a power line realignment, with no diversions to waterways or releases to waterways proposed).

Refer to **Attachment 1 – MNES Significant Impact Assessment Report** (Appendix A, page 48).

4.1.3 Ramsar Wetland

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.3.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.3.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The PMR did not identify any RAMSAR wetlands within the Action area, or within 10km of the Study area. The nearest RAMSAR wetland is the Shoalwater and Corio Bays Area. This wetland is located approximately 180 km east of the Action area.

Direct or indirect impacts on Ramsar wetlands are not applicable based on the type and scale of the Proposed action (being a power line realignment, with no diversions to waterways or releases to waterways proposed).

Refer to **Attachment 1 – MNES Significant Impact Assessment Report** (Appendix A, page 48).

4.1.4 Threatened Species and Ecological Communities

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Threatened species

Direct impact	Indirect impact	Species	Common name
No	No	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper
No	No	<i>Calidris ferruginea</i>	Curlew Sandpiper
No	No	<i>Dasyurus hallucatus</i>	Northern Quoll, Digul [Gogo-Yimidir], Wijingadda [Dambimangari], Wiminji [Martu]
Yes	No	<i>Denisonia maculata</i>	Ornamental Snake
Yes	No	<i>Dichanthium queenslandicum</i>	King Blue-grass
No	No	<i>Egernia rugosa</i>	Yakka Skink
No	No	<i>Eelseya albagula</i>	Southern Snapping Turtle, White-throated Snapping Turtle
No	No	<i>Erythroriorchis radiatus</i>	Red Goshawk
No	No	<i>Eucalyptus raveretiana</i>	Black Ironbox
No	No	<i>Falco hypoleucos</i>	Grey Falcon
No	No	<i>Furina dunmalli</i>	Dunmall's Snake
No	No	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe
Yes	No	<i>Geophaps scripta scripta</i>	Squatter Pigeon (southern)
No	No	<i>Grantiella picta</i>	Painted Honeyeater
No	No	<i>Hemiaspis damelii</i>	Grey Snake
No	No	<i>Lerista allanae</i>	Allan's Lerista, Retro Slider
No	No	<i>Macroderma gigas</i>	Ghost Bat
No	No	<i>Neochmia ruficauda ruficauda</i>	Star Finch (eastern), Star Finch (southern)
No	No	<i>Nyctophilus corbeni</i>	Corben's Long-eared Bat, South-eastern Long-eared Bat
Yes	No	<i>Petauroides volans</i>	Greater Glider (southern and central)

Direct impact	Indirect impact	Species	Common name
Yes	No	Phascolarctos cinereus (combined populations of Qld, NSW and the ACT)	Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)
No	No	Poephila cincta cincta	Southern Black-throated Finch
No	No	Polianthion minutiflorum	
No	No	Rheodytes leukops	Fitzroy River Turtle, Fitzroy Tortoise, Fitzroy Turtle, White-eyed River Diver
No	No	Rostratula australis	Australian Painted Snipe
No	No	Samadera bidwillii	Quassia
No	No	Stagonopleura guttata	Diamond Firetail

Ecological communities

Direct impact	Indirect impact	Ecological community
Yes	No	Brigalow (Acacia harpophylla dominant and co-dominant)
Yes	No	Natural Grasslands of the Queensland Central Highlands and northern Fitzroy Basin
No	No	Poplar Box Grassy Woodland on Alluvial Plains

4.1.4.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.4.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

An MNES Report has been prepared to support referral of the Proposed action under the EPBC Act (**Attachment 1 – MNES Significant Impact Assessment Report**, all pages).

The Proposed action will involve disturbance within an area of 83.39 ha. There is approximately 8.67 ha of remnant vegetation and 21.81 ha of immature and low-growing woody regrowth being disturbed. It is noted that the regrowth vegetation within the Action area provides limited value for MNES. The Proposed action has been designed (pre-mitigation measures) to minimise direct impacts to MNES as follows:

- Grubbing and topsoil removal will be restricted to the construction access track situated within the power line corridor, which will be up to 10 m wide (the width of which may be reduced during construction where practicable to further avoid MNES).
- Topsoil and grassland will be retained within the remaining width of the Action area, with only trees and shrubs required to be removed to reduce the fire hazard and maintain safe operational clearance for the power lines.

Further detail on the Proposed action design and impacts are provided in **Attachment 1 – MNES Significant Impact Assessment Report** (Section 4, pages 11-21).

Direct impacts associated with the Proposed action are related to vegetation clearing and associated impacts to TECs or habitat for threatened species. The Proposed action will involve direct impacts to the following MNES that are known or likely to occur in the Action area.

A summary of the associated impact areas are provided below. Further details of the nature and extent of direct and indirect impacts to MNES are described in **Attachment 1 – MNES Significant Impact Assessment Report** (Section 4 and Section 5, pages 11-41).

Direct impacts to TECs:

- Natural Grassland TEC (0.57 ha)
- Brigalow TEC (0.04 ha)

Direct impacts to threatened species habitat:

- King Bluegrass (*Dichanthium queenslandicum*) (0.57 ha)
- Squatter Pigeon (*Geophaps scripta scripta*) (22.77 ha)
- Koala (*Phascolarctos cinereus*) (17.57 ha)
- Greater Glider (*Petauroides volans*) (6.42 ha)
- Ornamental Snake (*Denisonia maculata*) (0.19 ha)

Other threatened species that may occur in the Action area (including the White-throated Needletail, Australian Painted Snipe and Sharp-tailed Sandpiper) are not expected to be impacted beyond negligible levels. A detailed justification for this assessment outcome is provided in **Attachment 1 – MNES Significant Impact Assessment Report** (Section 5.2, pages 23-24).

The Proposed action also has the potential to result in indirect impacts to MNES if construction activities and operation of the power line are not managed appropriately. Potential indirect impacts could include the proliferation or introduction of weeds and pests, increased risk of fire, and impacts to local water quality.

4.1.4.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact?

*

No

4.1.4.6 Describe why you do not consider this to be a Significant Impact. *

An assessment of the potential for significant impacts resulting from the Proposed action was carried out (refer to **Attachment 1 – MNES Significant Impact Assessment Report**, Section 5, pages 22-41).

The relevant sections and pages for the outcomes of the significant impact assessment for TECs and threatened species are listed below:

- TECs (refer **Attachment 1**, Section 5.2.1, page 23 and Section 5.3.1, pages 24-26).
- Threatened flora (refer **Attachment 1**, Section 5.4.1, pages 26-29)
- Threatened fauna (refer **Attachment 1**, Section 5.2.2-5.2.4, pages 23-24, and Sections 5.4.2-5.4.4, pages 29-40).

In general, impacts resulting from the Proposed action will be minor and likely only restricted to the construction phase. Impacts from the operational phase are likely to be benign and restricted to occasional slashing of grasses within the corridors and maintenance activities. Project infrastructure has been located away from MNES values as much as is feasible, and the extent of remnant vegetation cleared as a result of the Proposed action (8.67 ha of remnant vegetation) is a very minor area given the extent remaining in the Action area and surrounding region (refer **Attachment 1 – MNES Significant Impact Assessment Report**, Section 4.1.1, page 14).

It is noted that the significant impact assessment for the Proposed action determined that there is a potential for a significant impact to occur on the Koala and Greater Glider as a result of native vegetation clearing and associated impacts to suitable habitat. However, the Proposed action was not identified to have a likely significant impact. The detailed reasoning for this assessment is provided in **Attachment 1 – MNES Significant Impact Assessment Report** (Section 5.4.2 and 5.4.3, pages 29-36).

The Proposed action has **not been found to have a likely** significant impact. While it is not likely significant impacts will occur, due to the regulatory sensitivities of these species, the Proponent has taken a conservative approach and elected to refer the Proposed action under the EPBC Act to provide DCCEEW the opportunity to assess the action.

4.1.4.7 Do you think your proposed action is a controlled action? *

No

4.1.4.9 Please elaborate why you do not think your proposed action is a controlled action.

*

The Proposed action is not considered to be a controlled action due to the significant impact assessment, completed in accordance with the Commonwealth Significant Impact Guidelines 1.1, indicating that no MNES are considered likely to be significantly impacted. It is noted that Koala and Greater glider have the potential to be significantly impacted.

An assessment of the potential for significant impacts resulting from the Proposed action was carried out and detailed explanation is provided (refer to **Attachment 1 – MNES Significant Impact Assessment Report**, Section 5, pages 22-41).

Should DCCEEW determine the Proposed action is a controlled action, the proponent expects that it would be assessed based on the referral documentation given the comprehensive information provided within, including a robust significant impact assessment (**Attachment 1 – MNES Significant Impact Assessment Report**, all pages) supported by the detailed methodologies and findings of extensive field-based ecological studies (**Attachment 2 – 7N5N2N Power line alignment MNES Ecological Report**, all pages).

4.1.4.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

The Proposed action has been located away from sensitive ecological values as much as is feasible. The design layout has been subject to several revisions in order to further avoid identified higher value habitats. A detailed description of this design refinement process is provided below and **Attachment 1 – MNES Significant Impact Assessment Report** (Section 4.3, page 20-21).

Design avoidance and refinement process

The original Action area included a corridor up to 60 m wide for both the main lines and the stub lines. The width of the main line has been reduced by 10 m (now 50 m wide) while the width of the stub lines has been reduced by 30 m (now 30 m wide). The main line width is required to remain at 50 m and could not be reduced any further due to safety and design requirements which are managed under BMA's internal procedure policies for a 66 kV power line.

Significant design changes have occurred to avoid fragmenting patches of potential habitat through shifting the alignment to the edges of these patches where possible. This includes shifting the alignment to almost completely avoid impacting on the Natural Grassland TEC. The proposed alignment avoids the clearing of mature trees as much as practical to minimise potential impact to Greater Glider and Koala, should the species occur. Further, where necessary clearing could not avoid ground-truthed MNES potential habitat, proposed disturbance has been limited to marginal habitat as much as practicable.

To minimise the proposed clearing impacts, activities involving grubbing and topsoil removal will be restricted to the construction access track situated within the power line corridor (i.e. located within the above-nominated widths for main lines and stub lines), which will be up to 10 m wide. Topsoil and grassland will be retained within the remaining width of the corridor, with only trees and shrubs required to be removed to reduce the fire hazard and maintain safe operational clearance for the power lines.

Regarding the Natural Grassland TEC, this results in a substantial reduction to the total area being permanently impacted, where the original extent to be impacted was 2.55 ha, which through the avoidance and mitigation process has been reduced to 0.57 ha.

Importantly, the 10 m wide construction access track will not be formalised as a gravel access track which would typically result in preventing the vegetation regrowth. Instead, it will be allowed to regenerate naturally following completion of construction of the power lines, and will be subject to weed management to support the regeneration of the natural grassland. During the operational life of the power line, the entire area will be managed through slashing and grazing to keep fuel loads controlled in the corridor and to allow continued maintenance access.

Overall, the refinement of the alignment has minimised the direct impact to vegetation communities that have been ground-truthed as potential habitat for MNES.

Construction and operational mitigation measures

Proposed mitigation measures to be implemented during the pre-construction, construction, operation and completion phases are detailed in **Attachment 1 – MNES Significant Impact Assessment Report** (Section 4.2, pages 18-20, and Section 5.3 to 5.5, pages 24-41). Key measures include minimising disturbance extents (micro-siting of infrastructure), the use of a qualified fauna spotter catcher(s) during clearing works, and implementing robust weed, pest and pathogen controls.

4.1.4.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

If the proposed action is deemed a controlled action by DCCEE, as necessary, the Proponent will provide appropriate offsets based on the assessed level of direct impacts to MNES.

4.1.5 Migratory Species

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Direct impact	Indirect impact	Species	Common name
No	No	<i>Actitis hypoleucos</i>	Common Sandpiper
No	Yes	<i>Apus pacificus</i>	Fork-tailed Swift
No	No	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper
No	No	<i>Calidris ferruginea</i>	Curlew Sandpiper
No	No	<i>Calidris melanotos</i>	Pectoral Sandpiper
No	No	<i>Cuculus optatus</i>	Oriental Cuckoo, Horsfield's Cuckoo
No	No	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe
No	Yes	<i>Hydroprogne caspia</i>	Caspian Tern
No	No	<i>Motacilla flava</i>	Yellow Wagtail
No	Yes	<i>Rhipidura rufifrons</i>	Rufous Fantail

4.1.5.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.5.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

The following species listed as migratory under the EPBC Act are considered as known or likely to occur within the Action area (refer **Attachment 1 – MNES Significant Impact Assessment Report**, Section 3.2.3, page 9):

- Known to occur:
 - Fork-tailed Swift (*Apus pacificus*)
 - Rufous Fantail (*Rhipidura rufifrons*)
- Likely occurs:
 - Caspian Tern (*Sterna caspia*)

It is noted that the following indirect impacts on the above-listed migratory species while they may occur, are considered unlikely as a result of the proposed action:

- Potential spread or exacerbation of weed species.
- Potential for spread of invasive fauna species.
- Potential disturbance to individuals (if present) from dust, noise and light during construction.

These species are not expected to be impacted beyond negligible levels.

A detailed justification for this assessment outcome is provided in **Attachment 1 – MNES Significant Impact Assessment Report** (Section 5.2, pages 23-24, and Section 5.5, pages 40-41).

4.1.5.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact?

*

No

4.1.5.6 Describe why you do not consider this to be a Significant Impact. *

The assessment of significant impacts resulting from the Proposed action on migratory species concluded that the Proposed action is unlikely to result in significant impacts to these species. Potential indirect impacts as a result of the proposed action are considered negligible given that important habitat, specifically breeding habitat, for these migratory species is not present in the proposed action area, and a reduction of migratory species' foraging and dispersal habitat will not significantly impact the persistence of these species.

The detailed justification for this assessment outcome is provided in **Attachment 1 – MNES Significant Impact Assessment Report** (Sections 5.2.3 to 5.2.4, page 24, and Section 5.5, pages 40-41). The detailed survey methodology and relevant legislation it is in accordance with for migratory species is provided in **Attachment 2 - 7N5N2N Power line alignment MNES Ecological Report** (Section 2.6, pages 14-17).

4.1.5.7 Do you think your proposed action is a controlled action? *

No

4.1.5.9 Please elaborate why you do not think your proposed action is a controlled action.

*

There will be no significant direct or indirect impact to migratory species from the Proposed action, as per the assessment outcomes provided in **Attachment 1 – MNES Significant Impact Assessment Report** (Sections 5.2.3 to 5.2.4, page 23, and Section 5.5, pages 40-41). Therefore, the Proposed action is not considered to be a controlled action with respect to migratory species.

4.1.5.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

The Proposed action has been located away from sensitive ecological values as much as is feasible. The design layout has been subject to several revisions in order to further avoid identified higher value habitats. Further, no significant impacts to migratory species or their habitats are considered likely to occur as a result of the Proposed action. A detailed description of this design refinement process is provided below and **Attachment 1 – MNES Significant Impact Assessment Report** (Section 4.3, page 20-21).

4.1.5.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

No proposed offsets are necessary for migratory species as the proposed action is not considered likely to have a significant impact on any migratory species. If the assessment process by DCCEE identifies that offsets are required, BMA will ensure offsets are provided in accordance with Commonwealth and State legislation where required.

4.1.6 Nuclear

4.1.6.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.6.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

Not applicable. The Proposed action does not involve any nuclear activities or material.

4.1.7 Commonwealth Marine Area

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

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4.1.7.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.7.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The Action area is located over 250 km west of the boundary of the Commonwealth Marine Area.

Direct or indirect impacts to a Commonwealth Mine Area are not applicable based on the type and scale of the Proposed action (being a power line realignment, with no diversions to waterways or releases to waterways proposed).

4.1.8 Great Barrier Reef

4.1.8.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.8.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The Great Barrier Reef Marine Park is located approximately 132 km east of the Action area.

Direct or indirect impacts to the Great Barrier Reef Marine Park are not applicable based on the type and scale of the Proposed action (power line realignment, with no diversions to waterways or releases to waterways proposed).

4.1.9 Water resource in relation to large coal mining development or coal seam gas

4.1.9.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.9.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The Proposed action involves realignment of a 66 kV power line and is not a coal mining development or coal seam gas project. Furthermore, there is no water extraction, major excavations, contamination, or alteration of watercourses or aquifers proposed for the Proposed action. Therefore, the Proposed action will not have any direct or indirect impacts on water resources in relation to large coal mining development or coal seam gas.

4.1.10 Commonwealth Land

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.10.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.10.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The Significant Impact Guidelines 1.1 (DE 2013) define Commonwealth land as the islands within the Marine Park. The Proposed action is unlikely to have a direct or an indirect impact on any Commonwealth Land as the nearest Marine Park is the Great Barrier Reef Marine Park, which is approximately 132 km to the east of the Action area.

Direct or indirect impacts on Commonwealth Land (including the Great Barrier Reef Marine Park) are not applicable based on the type and scale of the Proposed action (power line realignment, with no diversions to waterways or releases to waterways proposed).

4.1.11 Commonwealth Heritage Places Overseas

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.11.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.11.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The PMR did not identify any Commonwealth Heritage Places Overseas within the Action area or within 10km of the Study area. The Proposed action is located 132 km from the coastline and well within Australia. Direct or indirect impacts on Commonwealth Heritage Places Overseas are not applicable to the Proposed Action.

Refer to **Attachment 1 – MNES Significant Impact Assessment Report** (Appendix A, page 48).

4.1.12 Commonwealth or Commonwealth Agency

4.1.12.1 Is the proposed action to be taken by the Commonwealth or a Commonwealth Agency? *

No

4.2 Impact summary

Conclusion on the likelihood of significant impacts

You have indicated that the proposed action will likely have a significant impact on the following Matters of National Environmental Significance:

None

Conclusion on the likelihood of unlikely significant impacts

You have indicated that the proposed action will unlikely have a significant impact on the following Matters of National Environmental Significance:

- World Heritage (S12)
- National Heritage (S15B)
- Ramsar Wetland (S16)
- Threatened Species and Ecological Communities (S18)
- Migratory Species (S20)
- Nuclear (S21)
- Commonwealth Marine Area (S23)
- Great Barrier Reef (S24B)
- Water resource in relation to large coal mining development or coal seam gas (S24D)
- Commonwealth Land (S26)
- Commonwealth Heritage Places Overseas (S27B)
- Commonwealth or Commonwealth Agency (S28)

4.3 Alternatives

4.3.1 Do you have any possible alternatives for your proposed action to be considered as part of your referral? *

No

4.3.8 Describe why alternatives for your proposed action were not possible. *

There is no alternative to the Proposed action. The relocation of the power lines is necessary to support existing mining activities at PDM. Without relocation of the power lines, existing mining activities would be severely constrained due to a lack of supporting power requirements.

The Proposed action has been through a substantial design refinement process, including the relocation and refinement of the Action area to avoid or minimise impacts to ground-truthed MNES wherever possible. A description of the refinement process has been provided in **Section 4.1.4.10** of this referral. No further design refinement or action alternatives are now possible, as these would only result in either increased impacts to MNES or making the project unfeasible.

5. Lodgement

5.1 Attachments

1.2.1 Overview of the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	29/08/2024	No	High
#2.	Document	Attachment 2 - 7N5N2N Power line alignment MNES Ecological Report.pdf Ecological survey methodologies and findings relevant to the Proposed Action.	10/06/2024	No	High

1.3.2.18 (Person proposing to take the action) If the person proposing to take the action is a corporation, provide details of the corporation's environmental policy and planning framework

	Type	Name	Date	Sensitivity	Confidence
#1.	Link	(BHP, 2024) Environment and nature https://www.bhp.com/sustainability/environment/ .			High
#2.	Link	(Mitsubishi Development Pty Ltd, 2021) Sustainability https://www.mdp.com.au/sustainability .			High

2.2.5 Tenure of the action area relevant to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High

3.1.1 Current condition of the project area's environment

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 2 - 7N5N2N Power line alignment MNES Ecological Report.pdf Ecological survey methodologies and findings relevant to the Proposed Action.	09/06/2024	No	High

3.1.2 Existing or proposed uses for the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf	28/08/2024	No	High

MNES Significant Impact Assessment
for the Proposed Action.

3.2.1 Flora and fauna within the affected area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High
#2.	Document	Attachment 2 - 7N5N2N Power line alignment MNES Ecological Report.pdf Ecological survey methodologies and findings relevant to the Proposed Action.	09/06/2024	No	High

3.2.2 Vegetation within the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High
#2.	Link	Methodology for survey and mapping of regional ecosystems and vegetation communities in Queensland https://www.qld.gov.au/environment/plants-animal..			High

3.3.1 Commonwealth heritage places overseas or other places that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High

3.4.1 Hydrology characteristics that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 2 - 7N5N2N Power line alignment MNES Ecological Report.pdf Ecological survey methodologies and	09/06/2024	No	High

findings relevant to the Proposed Action.

4.1.1.3 (World Heritage) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High

4.1.2.3 (National Heritage) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High

4.1.3.3 (Ramsar Wetland) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High

4.1.4.2 (Threatened Species and Ecological Communities) Why your action has a direct and/or indirect impact on the identified protected matters

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High

4.1.4.6 (Threatened Species and Ecological Communities) Why you do not consider the direct and/or indirect impact to be a Significant Impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High

4.1.4.9 (Threatened Species and Ecological Communities) Why you do not think your proposed action is a controlled action

	Type	Name	Date	Sensitivity	Confidence
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#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High
#2.	Document	Attachment 2 - 7N5N2N Power line alignment MNES Ecological Report.pdf Ecological survey methodologies and findings relevant to the Proposed Action.	09/06/2024	No	High

4.1.4.10 (Threatened Species and Ecological Communities) Avoidance or mitigation measures proposed for this action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High

4.1.5.2 (Migratory Species) Why your action has a direct and/or indirect impact on the identified protected matters

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High

4.1.5.6 (Migratory Species) Why you do not consider the direct and/or indirect impact to be a Significant Impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High
#2.	Document	Attachment 2 - 7N5N2N Power line alignment MNES Ecological Report.pdf Ecological survey methodologies and findings relevant to the Proposed Action.	09/06/2024	No	High

4.1.5.9 (Migratory Species) Why you do not think your proposed action is a controlled action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High

4.1.5.10 (Migratory Species) Avoidance or mitigation measures proposed for this action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High

4.1.10.3 (Commonwealth Land) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Link	Matters of National Environmental Significance: Significant Impact Guidelines 1.1 https://www.dcceew.gov.au/environment/epbc/publi..			High

4.1.11.3 (Commonwealth heritage places overseas) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment 1 - MNES Significant Impact Assessment.pdf MNES Significant Impact Assessment for the Proposed Action.	28/08/2024	No	High

5.2 Declarations

✔ Completed Referring party's declaration

The Referring party is the person preparing the information in this referral.

ABN/ACN	67096412752
Organisation name	BM ALLIANCE COAL OPERATIONS PTY LIMITED
Organisation address	4000 QLD
Representative's name	Hannah Silcox
Representative's job title	Environment Approvals Specialist
Phone	0447337870
Email	hannah.silcox@bhp.com
Address	Level 14, 480 Queen Street, Brisbane

Check this box to indicate you have read the referral form. *

Check this box to confirm these are the correct identification details. *

By checking this box, I, **Hannah Silcox of BM ALLIANCE COAL OPERATIONS PTY LIMITED**, declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. *

You may receive automated notifications that aim to assist you in tracking the progress of your project. You can opt out of these notifications by updating your communication preferences on your profile.

✔ Completed Person proposing to take the action's declaration

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

ABN/ACN	67096412752
Organisation name	BM ALLIANCE COAL OPERATIONS PTY LIMITED
Organisation address	4000 QLD
Representative's name	Katie Smith

Representative's job title	Superintendent Environmental Approvals
Phone	0427164830
Email	katie.smith@bhp.com
Address	Level 14, 480 Queen Street, Brisbane Qld 4000

Check this box to indicate you have read the referral form. *

Check this box to confirm these are the correct identification details. *

I, **Katie Smith of BM ALLIANCE COAL OPERATIONS PTY LIMITED**, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf or for the benefit of any other person or entity. *

You may receive automated notifications that aim to assist you in tracking the progress of your project. You can opt out of these notifications by updating your communication preferences on your profile.

Completed Proposed designated proponent's declaration

The Proposed designated proponent is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

Check this box to indicate you have read the referral form. *

Check this box to confirm these are the correct identification details. *

I, **Katie Smith of BM ALLIANCE COAL OPERATIONS PTY LIMITED**, the Proposed designated proponent, consent to the designation of myself as the Proposed designated proponent for the purposes of the action described in this EPBC Act Referral. *

You may receive automated notifications that aim to assist you in tracking the progress of your project. You can opt out of these notifications by updating your communication preferences on your profile.

