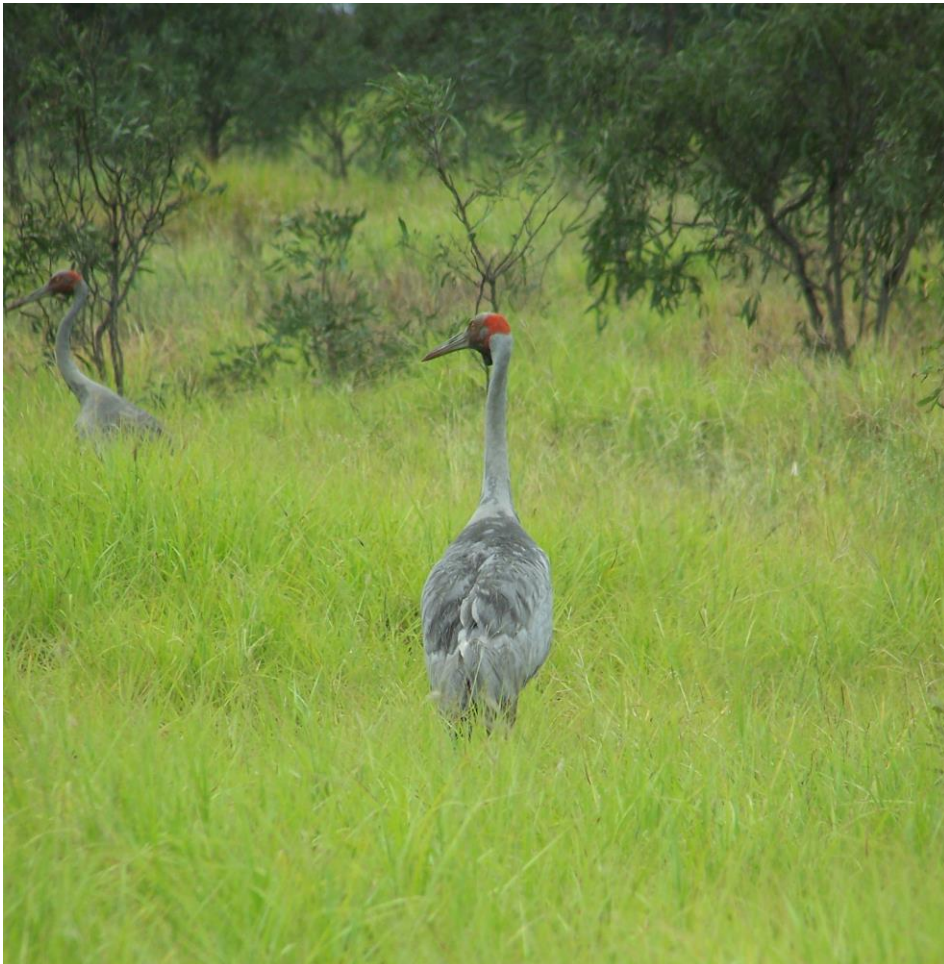


BHP

Goonyella Riverside to South Walker Creek Mine Dragline Move – EPBC 2016/7788 Compliance Report 20 June 2017 – 19 June 2018

16 October 2018



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Introduction

The Project involves the relocation of a dragline, along a 77km route, from Goonyella Riverside Mine to South Walker Creek Mine, Queensland. The Project dragline move route is located near Moranbah, Nebo and Coppabella within the Isaac Regional Council Local Government Area of Queensland.

BMC sought a federal approval under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) for potential impact on Matters of National Environmental Significance (MNES) due to 'the dragline relocation'. This approval was granted on 2 May 2017. Construction in the approval area commenced on 20 June 2017.

The following report addresses compliance with all conditions in accordance with condition 14 of the EPBC Act approval (Approval Reference EPBC2016-7788):

“Within three months of every 12 month anniversary following commencement of the action, the approval holder must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of the Offset Management Plan and Rehabilitation Management Plan as specified in the conditions. The approval holder must provide the Department with evidence of publication on the same day the report is published. Reports must remain published for the life of the approval. The approval holder must continue to meet the requirements of this condition until such time as agreed to in writing by the Minister.”

Description of activities

EPBC Number	2016/7788
Project Name	Goonyella Riverside Mine to South Walker Creek Mine Dragline Move, QLD
Approval Holder and ABN	BHP Billiton Mitsui Coal Limited ABN: 34 009 713 875
Approved Action	Relocate a dragline, along a 77km route, from Goonyella Riverside Mine to South Walker Creek Mine, Queensland [See EPBC Act referral 2016/7788].
Location of the Project	Near Moranbah, Nebo and Coppabella within the Isaac Regional Council Local Government Area of Queensland, between the Goonyella Riverside Mine and the South Walker Creek Mine.
Person accepting responsibility for the report	Edward Nock
Date of Preparation	16 October 2018

Compliance Table

In accordance with condition 14 of the *EPBC Act* approval (Approval Reference EPBC2016-7788), this report provides an update of SWC’s compliance against the relevant approval conditions (Table 1).

Table 1 Goonyella Riverside Mine to South Walker Creek Mine Dragline Move – Compliance Report

Condition Number	Condition	Compliant/ Non Compliant/ Not Applicable	Evidence/Comments													
1	<p>1. Prior to any clearing a suitably qualified fauna spotter/catcher must undertake a pre- clearance fauna survey to identify listed threatened species that may inhabit the area: The survey must:</p> <ul style="list-style-type: none"> i. identify and flag all hollow bearing trees and potential breeding sites within the clearing area and where possible search hollows for resident fauna; ii. involve a search of likely ground habitats that includes rocky areas, fallen logs, burrows and woody debris, gullies and banks; and iii. if fauna is present and can be relocated the fauna spotter/catcher must relocate the fauna to a near-by habitat that is not subject to vegetation clearing. 	Compliant	<p>Prior to clearing, surveys to determine the potential occurrence of Endangered, Vulnerable and Near Threatened fauna species were undertaken by from BAAM Ecological Consultants during 18-22 August 2016 and 29 August – 2 September 2016.</p> <p>Targeted surveys of animal breeding and sheltering places for Matters of National Environmental Significance (MNES) were undertaken by an Ecologist and Fauna Spotter-Catcher from BAAM Ecological Consultants from 21 – 26 February 2017. Locations of potential animal breeding and sheltering place features were recorded and flagged.</p> <p>The locations of any observations of conservation significant species were recorded via hand-held GPS.</p> <p>The surveys also involved searches of ground habitats.</p> <p>Fauna Spotter-Catchers from the Queensland Fauna Consultancy Pty Ltd (QFC) were present during clearing activities where animal breeding places and other habitat features were flagged during the surveys. Relocations were carried out by QFC.</p>													
2	<p>The approval holder must not exceed the disturbance limits detailed in Table 1 within the project area.</p> <p>Table 1</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Protected Matter</td> <td style="width: 50%;">Disturbance Limits (hectares)</td> </tr> </table>	Protected Matter	Disturbance Limits (hectares)	Compliant	<table border="1" style="width: 100%;"> <thead> <tr> <th>Protected Matter</th> <th>Disturbance Limits (hectares)</th> <th>Actual Cleared (includes Core, Essential, General)</th> <th>Variance</th> </tr> </thead> <tbody> <tr> <td>Ornamental snake</td> <td>52.44</td> <td>35.84</td> <td>-5.96</td> </tr> </tbody> </table>				Protected Matter	Disturbance Limits (hectares)	Actual Cleared (includes Core, Essential, General)	Variance	Ornamental snake	52.44	35.84	-5.96
Protected Matter	Disturbance Limits (hectares)															
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Table 1 Goonyella Riverside Mine to South Walker Creek Mine Dragline Move – Compliance Report

Condition Number	Condition	Compliant/ Non Compliant/ Not Applicable	Evidence/Comments
	Ornamental snake	52.44	
	Yakka snake	105.63	
	Brigalow	9.73	
	Yakka snake	105.63	Yakka snake
	Brigalow	9.73	Brigalow
3	The approval holder must legally secure the offset area(s) no later than 2 years after the commencement of the action. The offset area(s) must contain the minimum habitat areas detailed in Table 2.	Compliant	A Voluntary Declaration Notice on 4 KL210 – Isaac Regional Council was certified by the Delegated officer for the Department of Natural Resources and Mines on 24 July 2017.
4	Within 6 months of the commencement of the action the approval holder must provide written evidence to the Department demonstrating the actions that have been and will be taken to legally secure the offset area(s).	Compliant	An email dated 4 August 2017 was submitted from BHP to the Department of the Environment and Energy at 3:11pm. The email provided confirmation that the offset area has now been legally secured as required by the approval and included a copy of the Voluntary Declaration Notice (VDN) under subsection 19E – 19L of the Vegetation Management Act 1999. The VDN was signed by the Acting Senior National Resource Management Officer of the Central Region, Queensland Department of Natural Resources and Mines on 24 July 2017. The email also included the GIS shapefile for the Croydon Station Offset Area.
	Protected Matter	Habitat area (hectares)	
	Ornamental snake	254.6	
	Yakka snake	245.8	
	Brigalow	113.7	
5	Within 3 months of legally securing the offset area(s) the approval holder must advise the Department in writing of the actual date the offset area(s) were legally secured and provide the Department with the offset attributes.	Compliant	Refer to evidence from Condition 4.

Table 1 Goonyella Riverside Mine to South Walker Creek Mine Dragline Move – Compliance Report

Condition Number	Condition	Compliant/ Non Compliant/ Not Applicable	Evidence/Comments																								
6	<p>The approval holder must achieve the following outcomes for the offset area(s):</p> <p>i. from the date the offset area(s) are legally secured and then on for the life of the approval, the approval holder must ensure there is no reduction in habitat quality of the offset area(s) as compared to the habitat quality detailed in Table 3</p> <table border="1" data-bbox="277 683 855 959"> <thead> <tr> <th>Protected Matter</th> <th>Habitat quality for remnant vegetation</th> <th>Habitat quality for regrowth vegetation</th> </tr> </thead> <tbody> <tr> <td>Ornamental snake</td> <td>7</td> <td>6</td> </tr> <tr> <td>Yakka skink</td> <td>7</td> <td>5</td> </tr> <tr> <td>Brigalow</td> <td>7</td> <td>6</td> </tr> </tbody> </table> <p>ii. within 5 years of legally securing the offset area(s) the approval holder must ensure that the offset area(s) meet the habitat quality detailed in Table 4</p> <table border="1" data-bbox="277 1118 855 1394"> <thead> <tr> <th>Protected matter</th> <th>Habitat quality for remnant vegetation</th> <th>Habitat quality for regrowth vegetation</th> </tr> </thead> <tbody> <tr> <td>Ornamental snake</td> <td>7</td> <td>6</td> </tr> <tr> <td>Yakka skink</td> <td>7</td> <td>5</td> </tr> <tr> <td>Brigalow</td> <td>7</td> <td>6</td> </tr> </tbody> </table>	Protected Matter	Habitat quality for remnant vegetation	Habitat quality for regrowth vegetation	Ornamental snake	7	6	Yakka skink	7	5	Brigalow	7	6	Protected matter	Habitat quality for remnant vegetation	Habitat quality for regrowth vegetation	Ornamental snake	7	6	Yakka skink	7	5	Brigalow	7	6	Compliant	Inspection undertaken in April 2018 indicated no reduction in habitat quality of the offset area as compared to Table 3.
Protected Matter	Habitat quality for remnant vegetation	Habitat quality for regrowth vegetation																									
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Condition Number	Condition	Compliant/ Non Compliant/ Not Applicable	Evidence/Comments																								
	<p>iii. within 10 years of legally securing the offset area(s) the approval holder must ensure that the offset area(s) meet the habitat quality detailed in Table 5</p> <table border="1" data-bbox="277 520 855 794"> <thead> <tr> <th data-bbox="277 520 472 651">Protected matter</th> <th data-bbox="472 520 667 651">Habitat quality for remnant vegetation</th> <th data-bbox="667 520 855 651">Habitat quality for regrowth vegetation</th> </tr> </thead> <tbody> <tr> <td data-bbox="277 651 472 719">Ornamental snake</td> <td data-bbox="472 651 667 719">8</td> <td data-bbox="667 651 855 719">6</td> </tr> <tr> <td data-bbox="277 719 472 756">Yakka skink</td> <td data-bbox="472 719 667 756">7</td> <td data-bbox="667 719 855 756">6</td> </tr> <tr> <td data-bbox="277 756 472 794">Brigalow</td> <td data-bbox="472 756 667 794">7</td> <td data-bbox="667 756 855 794">6</td> </tr> </tbody> </table> <p>iv. within 15 years of legally securing the offset area(s) the approval holder must ensure that the offset area(s) meet the habitat quality detailed in Table 6</p> <table border="1" data-bbox="277 959 855 1228"> <thead> <tr> <th data-bbox="277 959 472 1090">Protected matter</th> <th data-bbox="472 959 667 1090">Habitat quality for remnant vegetation</th> <th data-bbox="667 959 855 1090">Habitat quality for regrowth vegetation</th> </tr> </thead> <tbody> <tr> <td data-bbox="277 1090 472 1158">Ornamental snake</td> <td data-bbox="472 1090 667 1158">8</td> <td data-bbox="667 1090 855 1158">7</td> </tr> <tr> <td data-bbox="277 1158 472 1195">Yakka skink</td> <td data-bbox="472 1158 667 1195">8</td> <td data-bbox="667 1158 855 1195">7</td> </tr> <tr> <td data-bbox="277 1195 472 1228">Brigalow</td> <td data-bbox="472 1195 667 1228">8</td> <td data-bbox="667 1195 855 1228">7</td> </tr> </tbody> </table>	Protected matter	Habitat quality for remnant vegetation	Habitat quality for regrowth vegetation	Ornamental snake	8	6	Yakka skink	7	6	Brigalow	7	6	Protected matter	Habitat quality for remnant vegetation	Habitat quality for regrowth vegetation	Ornamental snake	8	7	Yakka skink	8	7	Brigalow	8	7		
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Table 1 Goonyella Riverside Mine to South Walker Creek Mine Dragline Move – Compliance Report

Condition Number	Condition	Compliant/ Non Compliant/ Not Applicable	Evidence/Comments
7	<p>The approval holder must implement the Rehabilitation Management Plan within 12 months of the commencement of the action.</p> <p>i. the approval holder may choose to revise and improve elements of the Rehabilitation Management Plan if the revised elements of the Rehabilitation Management Plan are unlikely to cause a new or increased impact.</p> <p>ii. prior to the implementation of the Rehabilitation Management Plan the approval holder must publish the Rehabilitation Management Plan on their website. The Rehabilitation Management Plan must remain on the website for the life of the approval.</p> <p>iii. within 14 calendar days of any revised Rehabilitation Management Plan by the approval holder, the approval holder must advise the Department in writing of the actual date the Rehabilitation Management Plan was revised.</p>	Compliant	<p>Rehabilitation work was completed prior to the 2017/2018 wet season.</p> <p>(i) No revisions of the Rehabilitation Management Plan have been made.</p> <p>(ii) The July 2017 BMC Dragline Move Rehabilitation Management Plan is on BHP's Regulatory Website (https://www.bhp.com/environment/regulatory-information). It was uploaded on 21 July 2017.</p> <p>(iii) No revisions of the Rehabilitation Management Plan have been made.</p>
8	<p>Prior to legally securing the offset area(s), the approval holder must have an offset management plan for the offset area(s) in place. The offset management plan must:</p> <p>i. be designed so that the results are adequate to inform adaptive management and demonstrate that the outcomes under condition 6 of this approval are on-track to be achieved (before they are due) and have been achieved (at the time they are due)</p>	Compliant	<p>An Offset Area Management Plan Croydon Station was prepared in January 2017. The Offset Area Management Plan was reviewed by the DOEE. The Croydon Station offset area was secured in July 2017.</p>

Table 1 Goonyella Riverside Mine to South Walker Creek Mine Dragline Move – Compliance Report

Condition Number	Condition	Compliant/ Non Compliant/ Not Applicable	Evidence/Comments
	<p>ii. include contingency measures to mitigate the risks of not achieving the outcomes under condition 6 of this approval</p> <p>iii. include written evidence and review from an ecologist</p> <p>iv. take account of the Ornamental Snake conservation advice, the Yakka Skink conservation advice, and the Brigalow conservation advice.</p>		
9	<p>The approval holder must publish the Offset Management Plan prior to legally securing the offset area(s) and the Offset Management Plan (and any subsequent revised versions) must remain on the website for the life of the approval. The results of the Offset Management Plan must be included in the annual compliance report required under condition 14 of this approval.</p>	Compliant	<p>An Offset Area Management Plan Croydon Station was prepared in January 2017. The Croydon Station offset area was secured in July 2017. The Offset Area Management Plan was uploaded onto the BHP Regulatory website on 26 July 2017 and will remain on the website for the life of the approval.</p> <p>An inspection was undertaken on 24 April 2018 by Earthtrade. The offset was found to be compliant with the Offset Area Management Plan.</p> <p>At the time of the inspection, there was a high level of ground cover (circa 89%) across the offset site. There was some differentiation in the groundcover composition with areas under brigalow regrowth where the groundcover consisted predominantly of brigalow leaf litter and small amounts of native grasses. More open areas and areas under eucalypt regrowth had higher levels of grass cover and less leaf litter.</p> <p>Activities undertaken included the movement of 500 head of cattle off the offset in October and the grading of firebreaks during October 2017 and May 2018. No damage was recorded.</p>

Table 1 Goonyella Riverside Mine to South Walker Creek Mine Dragline Move – Compliance Report

Condition Number	Condition	Compliant/ Non Compliant/ Not Applicable	Evidence/Comments
			Earthtrade concluded that there are no issues with non-compliance with the management plan. There are no emerging risks or threats that are over and above those identified in the management plan, and have actions detailed against them for mitigation purposes.
10	If, at any time during the life of the approval, monitoring indicates that the outcomes under condition 6 of this approval are not on track to be achieved, the approval holder must report to the Department in writing within 1 month of the monitoring. The report must state the cause, the response measures (including timeframes for reporting the success of those measures to the Department) and the actions to prevent further occurrences.	Not applicable	Monitoring undertaken does not indicate that the outcomes under condition 6 of this approval are not on track to be achieved.
11	<p>If the Minister is not satisfied that the outcomes under condition 6 of this approval are likely to be achieved, or is not satisfied there is sufficient evidence that the outcomes under condition 6 of this approval are likely to be achieved (on the basis of information provided in annual compliance reports and or audits under these conditions of approval), the Minister may (in writing) request the approval holder to submit a plan for the Minister's approval, to monitor, manage, avoid, mitigate, offset, record or report on, impacts to the Ornamental Snake and or the Yakka Skink and or Brigalow.</p> <p>i. The Minister may set a timeframe in which the plan must be submitted, and may designate that the plan must be prepared or reviewed by an ecologist (or another specified person).</p>	Not applicable	The Minister has not informed the Company that it is not satisfied that the outcomes under condition 6 of this approval are likely to be achieved.

Table 1 Goonyella Riverside Mine to South Walker Creek Mine Dragline Move – Compliance Report

Condition Number	Condition	Compliant/ Non Compliant/ Not Applicable	Evidence/Comments
	ii. If the Minister approves the plan in writing then the approval holder must implement that plan (or a revised version if approved in writing by the Minister).		
12	Within 14 calendar days following commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement of the action.	Compliant	Construction commenced on 14 June 2017. A letter was sent to the Department of the Environment and Energy on 20 June 2017.
13	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the Offset Management Plan and Rehabilitation Management Plan, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The result of audits may also be publicised through the general media.	Compliant	Documents are held within BHP's document management system.

Table 1 Goonyella Riverside Mine to South Walker Creek Mine Dragline Move – Compliance Report

Condition Number	Condition	Compliant/ Non Compliant/ Not Applicable	Evidence/Comments
14	Within three months of every 12 month anniversary following commencement of the action, the approval holder must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of the Offset Management Plan and Rehabilitation Management Plan as specified in the conditions. The approval holder must provide the Department with evidence of publication on the same day the report is published. Reports must remain published for the life of the approval. The approval holder must continue to meet the requirements of this condition until such time as agreed to in writing by the Minister.	Non compliant	The report was not published onto the website within 3 months of the 12 month anniversary following commencement of the action. The report will be onto the website before 19 October 2018.
15	The approval holder must report any potential or actual contravention of the conditions of this approval to the Department in writing within seven calendar days of the approval holder becoming aware of a contravention.	Compliant	The Department was informed of the non compliance with Condition 14 on 15 October 2018 at 2:38pm. A letter detailing the non compliance was sent on 16 October 2018. The non compliance was identified on 13 October 2018.
16	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	Not applicable	No request has been received from the Minister.

Table 1 Goonyella Riverside Mine to South Walker Creek Mine Dragline Move – Compliance Report

Condition Number	Condition	Compliant/ Non Compliant/ Not Applicable	Evidence/Comments
17	If, at any time after five years from the date of this approval, the approval holder has not substantially commenced the action, then the approval holder must not substantially commence the action without the written agreement of the Minister.	Compliant	The action commenced on 14 June 2017.

New environmental risks

No new environmental risks from the Project were identified during the reporting period.

Declaration of accuracy

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

Signed: 

Full name (please print): Edward Nock

Position (please print): HSE Superintendent

Organisation (please print including ABN/ACN if applicable): BHP Billiton Mitsui Coal Limited, ABN: 34 009 713 875

Date: 16 October 2018
