

**Goonyella Riverside to
South Walker Creek
Mine Dragline Move –
EPBC 2016/7788
Compliance Report
1 July 2020 –
30 June 2021**

20 July 2021



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Introduction

The Project involved 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. The relocation work, including rehabilitation, was completed in late 2017.

BHP Mitsui Coal (BMC) sought a federal approval under the *Environment 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 14 June 2017.

The following report addresses compliance with all conditions in accordance with condition 14 of the *EPBC Act* initial approval (Approval Reference EPBC2016/7788) and the "Variations to Conditions to Align Annual Reporting Dates for EPBC2013/7025, EPBC 2014/7272 and EPBC 2016/7788 (reporting variation)" dated 7th September 2020.

The annual reporting variation requires a compliance report to be prepared for the approval for the period 1 July 2020 to 30 June 2021 and published on the BHP website within 60 business days of 30 June. The following report address compliance with all conditions in accordance with Condition 14 of the EPBC Act approval and the reporting variation.

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 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	Michael Gale
Date of Preparation	20 July 2021

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:</p> <p>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 Suitably Qualified Ecologists 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 a Suitably Qualified Ecologist and Fauna Spotter-Catcher from BAAM Ecological Consultants from 21 to 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> <p>All clearance work was completed in late 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																								
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"> <thead> <tr> <th>Protected Matter</th> <th>Disturbance Limits (hectares)</th> </tr> </thead> <tbody> <tr> <td>Ornamental snake</td> <td>52.44</td> </tr> <tr> <td>Yakka skink</td> <td>105.63</td> </tr> <tr> <td>Brigalow</td> <td>9.73</td> </tr> </tbody> </table>	Protected Matter	Disturbance Limits (hectares)	Ornamental snake	52.44	Yakka skink	105.63	Brigalow	9.73	Compliant	<p>The disturbance limits were not exceeded. All disturbance has now been completed.</p> <table border="1"> <thead> <tr> <th>Protected Matter</th> <th>Disturbance Limits (hectares)</th> <th>Actual Cleared (includes Core, Essential, General)</th> <th>Variance as a % of the allowed Disturbance Limits</th> </tr> </thead> <tbody> <tr> <td>Ornamental snake</td> <td>52.44</td> <td>35.84</td> <td>-31.65%</td> </tr> <tr> <td>Yakka skink</td> <td>105.63</td> <td>48.52</td> <td>-54.06%</td> </tr> <tr> <td>Brigalow</td> <td>9.73</td> <td>3.74</td> <td>-61.56%</td> </tr> </tbody> </table>	Protected Matter	Disturbance Limits (hectares)	Actual Cleared (includes Core, Essential, General)	Variance as a % of the allowed Disturbance Limits	Ornamental snake	52.44	35.84	-31.65%	Yakka skink	105.63	48.52	-54.06%	Brigalow	9.73	3.74	-61.56%
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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 Lot 4 KL210 – Isaac Regional Council was certified by the Delegated officer for the Department of Natural Resources and Mines on 24 July 2017.																								
4	<p>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).</p> <table border="1"> <thead> <tr> <th>Protected Matter</th> <th>Habitat area (hectares)</th> </tr> </thead> <tbody> <tr> <td>Ornamental snake</td> <td>254.6</td> </tr> <tr> <td>Yakka skink</td> <td>245.8</td> </tr> <tr> <td>Brigalow</td> <td>113.7</td> </tr> </tbody> </table>	Protected Matter	Habitat area (hectares)	Ornamental snake	254.6	Yakka skink	245.8	Brigalow	113.7	Compliant	<p>An email dated 4 August 2017 was submitted from BHP to the Department of Agriculture, Water and the Environment (DAWE) at 3:11pm. The email provided confirmation that the offset area had been legally secured as required by the approval and included a copy of the Voluntary Declaration Notice (VDN) under subsection 19E – 19L of the <i>Vegetation Management Act 1999</i>.</p> <p>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.</p> <p>The Croydon Station Offset Area was legally secured on 24 July 2017.</p>																
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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.																								

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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="275 719 853 943"> <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="275 1062 853 1286"> <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>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>	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	Partially Compliant	<p>The 2021 ecological condition monitoring was undertaken in March 2021, in accordance with the OAMP. The results of the monitoring indicated that the remnant habitat for ornamental snake is meeting the 5 year targeted habitat scoring requirements of the OAMP whilst the other areas are not yet meeting the habitat scores as per Table 4. The BioCondition results from 2021 were compared with the relevant regional ecosystem benchmarks, which found the overall condition to be of fair and poor condition. The impact of 4 years of drought are obvious on site as is the damage from Cyclone Debbie. Impacts from both these natural events will be resolved with time and with the management of non-native species across the site.</p>
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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</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>																								

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Condition Number	Condition	Compliant/ Non Compliant/ Not Applicable	Evidence/Comments
	<p>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>		<p>The BMC Dragline 27 Alignment Rehabilitation Inspection Final Report prepared by RNA Environmental Services (May 2019) was based on a final inspection of the rehabilitated Dragline 27 walk road between the 14th and 15th of May 2019. The final report concluded <i>“overall, the rehabilitation is considered to have performed excellently. The large majority of the alignment is performing very well and the condition of the alignment is very similar to the adjacent paddocks. None of the creek crossings observed during the inspection had showed a need for repair works.”</i> The report also concluded <i>“an additional inspection of the rehabilitation progress along the dragline alignment would only be recommended if there was a significant rainfall event within the next 12-24 months.”</i></p> <p>No further monitoring of the rehabilitation along the dragline walk road has been undertaken since 2019.</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 DAWE.</p> <p>The Croydon Station offset area was secured on 24 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	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.	Compliant	<p>An Offset Area Management Plan Croydon Station was prepared in January 2017. The Croydon Station offset area was secured on 24 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 26 May 2021 by Earthtrade. The offset was found to be compliant with the Offset Area Management Plan.</p> <p>The inspection revealed the property is experiencing ongoing drought.</p> <p>At the time of the inspection, the brigalow regrowth areas had a groundcover level of approximately 60% which was predominantly grazed buffel (<i>Cenchrus ciliaris</i>) grass. The dry matter yield was estimated to be a maximum of 1,250kg/ha. These areas require management measures to deal with the harrisia cactus (<i>Harrisia martinii</i>). Actions to address harrisia cactus (<i>Harrisia martinii</i>) will be followed up and details provided in the next reporting period.</p> <p>The areas within the anabranches of the Connors River had native grass cover that was 1.0 to 1.5m in height and an estimated dry matter yield of over 2,500kg/ha. These areas require further grazing over the winter dry season to reduce fuel load prior to summer months. An additional 1,225 head of cattle were introduced on 15 March 2020 and removed in August 2020 consistent with the OAMP.</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
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.	Partially Compliant	The 2021 ecological condition monitoring undertaken in March 2021, in accordance with the OAMP, indicated that the remnant habitat for ornamental snake is meeting the targeted habitat scoring requirements of the OAMP whilst the other areas are not yet meeting the habitat scores as per Table 4 (refer Condition 6). The BioCondition results from 2021 were compared with the relevant regional ecosystem benchmarks, which found the overall condition to be of fair and poor condition. The impact of 4 years of drought are obvious on site as is the damage from Cyclone Debbie. It is expected that impacts from both these natural events will be resolved with time and with the management of non-native species across the site and therefore the outcomes under Condition 6 area still able to be achieved.
11	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. 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).	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.

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	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 DAWE 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.	Compliant	<p>On the 7th September 2020 the Department agreed to a 'Variation' to Condition 9 to align the annual compliance reporting and publication dates of BMC offsets approvals 2013/7025, 2014/7272 and 2016/7788 whereby each annual report must cover the full year ending on 30 June. The variation further required BMC to publish each annual compliance report on their website within 60 business days of 30 June covered by that report.</p> <p>This annual compliance report is for the period 1 July 2020 to 30 June 2021 for EPBC Act approval 2016/7788 and will be published on the BHP website (https://www.bhp.com/environment/regulatory-information) and evidence will be submitted to the Department.</p>
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	No non compliances reported during this reporting period.
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.

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): Jacqueline Lakoumentas

Position (please print): Superintendent Environment - BMC

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

Date: 17 February 2022
