



# Annual Compliance Report

Byerwen Coal Mine  
EPBC 2010/5778  
9 December 2023 to 8 December 2024



28 February 2025

<b>Project Name</b>	Byerwen Coal Mine
<b>Approval Holder</b>	Byerwen Coal Pty Ltd
<b>EPBC Reference</b>	2010/5778
<b>Approved Actions</b>	To develop and operate an open-cut coal mine and associated infrastructure, located approximately 20 km west of Glenden in Queensland.
<b>Reporting Period</b>	9 December 2023 to 8 December 2024
<b>Version</b>	V1
<b>Declaration of Accuracy</b>	
<p>In making this declaration, I am aware that sections 490 and 491 of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (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.</p>	
<b>Signature of authorised reporting officer</b>	
<b>Name of Authorised reporting officer</b>	Trent Cini
<b>Title of authorised reporting officer</b>	General Manager – Environment QCoal Group
<b>Date</b>	28 February 2025
<b>Organisation Name</b>	Byerwen Coal Pty Ltd
<b>Organisation ABN</b>	64 133 357 632

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# 1 Introduction

The Byerwen Coal Mine (BCM) is an open cut coal mine located in the northern Bowen Basin approximately 20 km west of the town of Glenden. The BCM spans five adjoining mining leases (MLs) 70434, 73435, 70436, 700066 and 700058 and as well as four mining lease applications (MLAs) 10374, 10355, 10356 and 10357. Construction commenced on 8 December 2015 and is operated by Byerwen Coal Pty Ltd (Byerwen Coal), a joint venture between QCoal Pty Ltd (QCoal) and JFE Steel.

## Approval Background

Approval under section 130(1) and 133 of the *Environment Protection & Biodiversity Conservation Act 1999* was granted on 2 October 2014 to Byerwen Coal. A variation to the approval was granted on 2 April 2020 to update Conditions 1 and 3, changing the definition of Project Area, and updating Attachments A1 and A2 (see **Appendix B**).

The approval is subject to 22 conditions and remains in effect until 1 October 2044. This compliance report is required by Condition 16 of the approval and has been prepared for the Commonwealth Department of Climate Change, Energy the Environment and Water (DCCEEW).

## 2 Description of activities

The BCM is an open-cut mining operation located in the northern Bowen Basin, approximately 20 km west of the township of Glenden. Access to the BCM is via the State-controlled Collinsville-Elphinstone Road, and the Newlands rail system, which connects to the Port of Abbot Point (see **Figure 1**).

The BCM is permitted to extract up to 15 million tonnes per annum (Mtpa) of run-of-mine (ROM) coal to produce approximately 10 Mtpa of combined coking and thermal coal products for the export market. The BCM operates 24 hours a day, 7 days a week.

The main stratigraphic unit of interest is the Moranbah Coal Measures, which are part of the Blackwater Group. The Moranbah Coal Measures are characterised by seven persistent coal seams. All coal seams are potentially economic..



Figure 1 2010/5778 Attachment A1



### 3 EPBC 2010/5778 Compliance Table

Condition number	Condition	Compliance	Evidence/comments
1	The project area is the area designated at Attachments A1 and A2 comprising the following seven mining lease applications (MLA) 10355, 10356, 10357, 70434, 70435, 70436, 700058.	Compliant	Noted.
2	For the purposes of the action, approval holder must not clear outside the project area.	Compliant	Noted. No clearing has been undertaken outside of the project area designated in <b>Attachment A2</b> of the EPBC Approval.
3	The approval holder must not clear more than: a) 704 hectares of primary habitat for the Squatter Pigeon (southern) b) 908 hectares of primary habitat for the Ornamental Snake c) 1115 hectares of primary habitat for the Black-throated Finch (southern) d) 358 hectares of Brigalow ( <i>Acacia harpophylla</i> dominant and co-dominant) e) 179 hectares of Natural Grasslands of the Queensland Central Highlands and the northern Fitzroy Basin f) 109 hectares of Semi-evergreen vine thickets of the Brigalow Belt (North and South) and Nandewar Bioregions	Compliant	The prescribed disturbance limits have not been exceeded.

4	<p>If the disturbance limits stated in Condition 3 of this approval are predicted to be exceeded, the approval holder must contact the Department in writing 20 business days before reaching the disturbance limit and provide for the Minister's approval:</p> <ul style="list-style-type: none"> <li>a) the actual and predicted amount of disturbance in hectares for each EPBC Act listed species and community</li> <li>b) justification why the approved disturbance limits require increasing, alternatives, and proposed actions to avoid, mitigate and manage impacts</li> <li>c) an assessment of the impact and residual impact to the EPBC Act listed species or community in accordance with the EPBC Act Significant Impact Guidelines</li> <li>d) a proposal to offset additional impacts to EPBC Act listed species and communities in accordance with the EPBC Act Environmental Offsets Policy in force at the time.</li> </ul>	Compliant	<p>Noted</p> <p>The disturbance limits were not predicted to be exceeded during the 2024 reporting period.</p>
5	<p>The approval holder must submit a Biodiversity Offset Management Plan (BOMP) to the Department for the Minister's approval, outlining how offsets to address the residual impacts to <i>Brigalow (Acacia harpophylla dominant and co-dominant, Semi-evergreen Vine Thickets of the Brigalow Belt (North and South) and Nandewar Bioregions, Natural Grasslands of the Queensland Central Highlands and the northern Fitzroy Basin</i>, the Ornamental Snake (<i>Denisonia maculata</i>) and the Squatter pigeon (southern) (<i>Geophaps scripta scripta</i>), will be managed. The approved BOMP must be implemented.</p>	Compliant	<p>On 30 September 2016 Byerwen Coal submitted the Byerwen Coal Mine: Offset Delivery Plan (the BOMP) (dated 28 September 2016) to the Department. A revised BOMP was submitted on 23 December 2016 and was approved on 20 January 2017.</p> <p>A Stage 1a BOMP for further disturbance was submitted for assessment on 7 November 2017 and was approved on 10 December 2018.</p> <p>A Stage 2 BOMP was submitted to the department on 22 July 2019 and was approved on 7 February 2020.</p> <p>A Stage 2a BOMP was submitted to the department on 31 March 2020, and was approved on 29 April 2020.</p> <p>The approved BOMP continues to be implemented.</p>



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6	The BOMP must be submitted for approval within twelve months after the commencement of construction. Clearing of EPBC Act listed species and communities must not occur until the BOMP is approved by the Minister in writing.	Compliant	Completed in a prior period. Action commenced 8 December 2015. BOMP submitted on 30 September 2016. Ministerial approval of the BOMP, received on 20 January 2017.
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7	<p>The BOMP must include, but is not limited to:</p> <ul style="list-style-type: none"> <li>a) maps of the offset area/s inclusive of the distribution and extent (in hectares) of the EPBC Act listed species and communities to be offset in electronic Geographic Information System format</li> <li>b) evidence that the offsets are consistent with the Department's <i>Environmental Offsets Policy</i> (October 2012)</li> <li>c) details of how the offset area/s have been or will be legally secured to provide long-term protection</li> <li>d) detailed on-ground surveys, complying with relevant survey guidelines, and description of the baseline condition, attributes and values of the offset area/s with respect to EPBC Act listed species and communities</li> <li>e) management measures (including timing, frequency and longevity) for each of the EPBC Act listed species and communities and other vegetation within the offset area/s with written evidence of input from a suitably qualified expert who has relevant expertise in the management of native vegetation of the Bowen Basin</li> <li>f) details of how the management measures align with the relevant Conservation Advice, Recovery Plans and Threat Abatement Plans for the EPBC Act listed species and communities to be offset</li> <li>g) discussion of connectivity of the offset area/s with other habitats and biodiversity corridors</li> <li>h) a description of the risks to the successful implementation of the BOMP, including mitigation measures and residual risk ratings</li> <li>i) a monitoring program for the offset area/s which must: <ul style="list-style-type: none"> <li>i. clearly set out performance indicators and milestones</li> <li>ii. detail how the success of the management measures against the performance indicators and milestones will be measured, recorded and reported</li> <li>iii. include monitoring scope and parameters, timing, frequency, triggers and corrective actions</li> <li>iv. detail how adaptive management strategies will be incorporated</li> <li>v. outline how compliance will be reported</li> <li>vi. detail who will be undertaking monitoring, reporting, review, and implementation of the BOMP (if this person is not the approval holder).</li> </ul> </li> </ul>	Compliant	The approved BOMP satisfies the requirements of Condition 7.
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8	The BOMP must be updated, within a timeframe specified by the Minister, to include any changes to the offsets approved by the Minister. Updates must be consistent with the requirements in Condition 7.	Compliant	Noted.
9	The approval holder must, within two years of the commencement of construction (or as required under relevant Queensland legislation), register a legally binding conservation mechanism to provide long-term protection to the offset area/s approved by the Minister in the BOMP. Note 1: To ensure efficiency the approval holder may prepare and align the BOMP required under the conditions of approval with the requirements of the Biodiversity Offset Strategy required under the Queensland Environmental Authority, as long as the relevant matters under the conditions of this approval are clearly and adequately addressed.	Compliant	A Voluntary Declaration (VDec) (the legally binding conservation mechanism) was initially lodged on 8 December 2017 and certified on 24 December 2018. A VDec for the Stage 2 and 2a offsets was lodged on 3 June 2020 and was certified on 16 September 2020.
10	The approval holder must submit a Groundwater Monitoring and Management Plan (GMMP) to the Department for the Minister's approval. The approved GMMP must be implemented.	Compliant	Completed in a prior period. A GMMP was submitted to the Department on 17 November 2015 and was approved by the Minister on 22 December 2015. Since receiving ministerial approval, the GMMP has been implemented.
11	The GMMP must be approved by the Minister in writing prior to the commencement of dewatering activities in the mining pits detailed in Chapter 3 of the Environmental Management Plan.	Compliant	Completed in a prior period. The GMMP was approved in writing by the Minister on 22 December 2015

12	<p>The GMMP must include, but is not limited to:</p> <ul style="list-style-type: none"> <li>a) the groundwater quality and/or level triggers as described in the Queensland Environmental Authority in force at the time</li> <li>b) a detailed description of the actions, including timeframes, the approval holder will take if groundwater quality and level triggers are exceeded or predicted to be exceeded</li> <li>c) a strategy to conduct a landholder bore survey to determine water supply bores and water users in the vicinity of the project that may be impacted by mining activities and the potential to incorporate those bores into the groundwater monitoring program</li> <li>d) details of how the existing groundwater monitoring program will be expanded to better determine surface water/groundwater interaction, including monitoring locations, parameters to be measured, monitoring frequency and reporting requirements</li> <li>e) a groundwater model to simulate and quantify groundwater drawdown extent and flow impacts on the Suttor River, and validate the assumptions and potential risks and impacts of the project on groundwater resources identified in the EIS documents. The model must be developed with reference to the <i>National Water Commission Groundwater Modelling Guidelines</i> and must include a monitoring strategy to validate the model.</li> <li>f) the methods, frequency and timeframes in which the GMMP and groundwater model will be reviewed.</li> </ul> <p>Note 1: The Minister may by written request, require the GMMP be reviewed by a suitably qualified expert. Following any review, the GMMP must be revised and updated accordingly and submitted to the Minister for approval.</p> <p>Note 2: The GMMP does not need to be submitted for an early works bulk sample pit.</p> <p>Note 3: To ensure efficiency the approval holder may prepare and align the GMMP required under the conditions of approval with the requirements of the groundwater monitoring program required under the Queensland Environmental Authority, as long as the relevant matters under the conditions of this approval are clearly and adequately addressed.</p>	Compliant	The approved GMMP satisfies the requirements of Condition 12.
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13	The approval holder must notify the Department in writing within 10 business days if the groundwater quality and/or trigger levels referred to in Condition 12 of this approval are exceeded and the results of required investigations indicate the exceedance is a result of mining activities. If requested, the approval holder must provide copies of any exceedance investigation documents to the Department in a timeframe agreed in writing by the Department, which state the cause, response and actions undertaken to prevent further occurrences.	Compliant	Noted.
14	Within 20 business days after the commencement of construction, the approval holder must advise the Department in writing of the actual date of the commencement of construction.	Compliant	Completed in a prior period. Action commenced on <b>8 December 2015</b> . Notification via email and post submitted on <b>23 December 2015</b> .
15	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement management plans, strategies, reports required by this approval, 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 results of audits may also be publicised through the general media.	Compliant	Noted.
16	Within 60 business days of every 12 month anniversary of the commencement of construction, the approval holder must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans, strategies, reports as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published. The compliance reports must remain on the website for the period the approval has effect.	Compliant	This report.

17	Potential or actual contraventions of the conditions of approval must be reported to the Department in writing within two business days of the approval holder becoming aware of the actual or potential contravention unless otherwise stated. All contraventions must be included in the compliance reports.	Compliant	Noted.
18	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	Noted.
19	If the approval holder wishes to carry out any activity otherwise than in accordance with the management plans, strategies, reports as specified in the conditions, the approval holder must submit to the Department for the Minister's approval a revised version of that management plan, strategy, report. The varied activity shall not commence until the Minister has approved the varied management plan, strategy, report in writing. If the Minister approves the revised management plan, strategy, report, that management plan, strategy, report must be implemented in place of the management plan, strategy, report originally approved	Not applicable	Noted.
20	If the Minister believes that it is necessary or convenient for the better protection of EPBC Act listed species and communities or a water resource to do so, the Minister may request that the approval holder make specified revisions to the management plans, strategies, reports specified in the conditions and submit the revised management plans, strategies, reports for the Minister's written approval. The approval holder must comply with any such request. The revised approved management plans, strategies, reports must be implemented. Unless the Minister has approved the revised management plans, strategies, reports, then the approval holder must continue to implement the management plans, strategies, reports originally approved, as specified in the conditions.	Not applicable	Noted.

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21	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	Action commenced on 8 December 2015.
22	Unless otherwise agreed to in writing by the Minister, the approval holder must publish all management plans, strategies, reports referred to in these conditions of approval on their website. Each management plan, strategy, report must be published on the website within 20 business days of being approved. The approval holder must notify the Department with five business days of publishing the management plan, strategy, report on their website and the management plan, strategy, report must remain on the website for the period the approval has effect.	Compliant	Noted All Approved management plans, strategies, reports referred to in these conditions of approval are available on the QCoal Website ( <a href="http://www.qcoal.com.au">www.qcoal.com.au</a> )