



Bauxite Hills Mine – Skardon River

EPBC 2014/7305

Annual Compliance Report

2018-2019 Financial Year¹

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1. Purpose

This compliance report details the progress of Metro Mining Limited (MML) against the requirements outlined in approval EPBC 2014/7305. For the purposes of reporting, MML has elected to report on a financial year basis.

2. Project Description

2.1 Project Name and Location

MML operates the Bauxite Hills Mine (BHM) comprising the tenements controlled by three entities, Aldoga Minerals Pty Ltd, Cape Alumina Pty Ltd and Gulf Alumina Pty Ltd. For reporting and administration purposes, Gulf Alumina Pty Ltd tenements will be referenced to as Skardon River (SR) and Aldoga Minerals Pty Ltd and Cape Alumina Pty Ltd tenements will be known collectively as Bauxite Hills (BH).

This Plan is specifically for the BHM-SR tenements (SR). All are located on Cape York Peninsula, in the Parish of Skardon within the Cook Shire. The Mine site is located approximately 85km north of Weipa and approximately 35 km to the north of Mapoon.

SR tenements are operated under an environmental authority for mining, EPML00967013.

The SR tenements includes open cut operations, haul roads, Barge Loading Facility (BLF), Materials Offloading Facility (MOF), transshipping activities, a 133-person camp, and future open cut operations.

Bauxite product from BH and SR tenements are transported via haul roads to the infrastructure at the Port of Skardon River and transhipped by barge to bulk carriers in deep water beyond the mouth of the river for export.

The BHM-SR tenements consist of three mining leases:

- ML 6025,
- ML 40069, and
- ML 40082

2.2 Proposed action under the EPBC Act

To construct and operate a bauxite mine in ML 40069, ML 40082 and ML 6025, and associated bed levelling, barge loading facility and floating harbour, approximately 100km north of Weipa, Queensland [See EPBC Act referral 2014/7305, Notifications of Variation to Proposal on 18 February 2015 and 22 April 2015, and the Skardon River Bauxite Project Environmental Impact Statement published October 2015 and amended March 2016].

Date of decision is 21/9/2016, with construction activities commencing in September 2017 and mining commencing in April 2018. A decision to vary the conditions attached to approval was received on the 28 July 2017. This variation revoked conditions 4, 6, 7 and 8 and deleted and replaced conditions 1, 2, 3, 5, 9, 10, 11, 12, 13, 14, 15, 20, 21, 22, 23, 24, 25, 26, 27, and 28. An additional decision to vary the conditions attached to approval was received on 11 September 2017. This variation revoked conditions 2, 3, 9 and 10 and deleted conditions 5, 19 and 29 and substituted with conditions 5A and 5B. This was to align the approval with the Bauxite Hills EPBC approval as the project spans both approval areas and operations are run as one operation under the name of the Bauxite Hills Mine.

Changes were also made to definitions of approval holder, survey guidelines, offset attributes and project stage. New definitions were made to habitat, cleared/clearance, port Area Pre-clearance Hollows Survey Report and proposed methodology for habitat assessment, as well as management plan guidelines.

2.3 Controlling Provision

This decision is made under sections 130(1) and 133 of the Environment Protection and Biodiversity Conservation Act 1999. and approved under the following sections:

- Listed threatened species and communities (sections 18 & 18A)
- Listed migratory species (sections 20 & 20A)
- Commonwealth marine areas (sections 23 & 24A)

EPBC threatened species means the following:

- Red goshawk (*Erythrotriorchis radiatus*);
- Masked owl (*Tyto novaehollandiae kimberli*);
- Bare-rumped sheath-tail bat (*Saccolaimus saccolaimus nudicluniatu*);
- Northern quoll (*Dasyurus hallucatus*); and
- Golden shouldered parrot (*Psephotus chrysopterygius*).

Impact is as defined in section 527E of the EPBC Act. Listed dolphin species means the migratory Indo-Pacific humpback dolphin (*Sousa sahulensis*) and Australian snubfin dolphin (*Orcaella heinsohn*).

Listed sawfish and river shark species means the vulnerable Dwarf Sawfish (*Pristis clavata*), vulnerable Green Sawfish (*Pristis zijsron*), Large Sawfish (*Pristis pristis*) and the critically endangered Speartooth Shark (*Glyphis glyphis*).

Listed turtle species means the vulnerable Flatback Turtle (*Natator depressus*), endangered Olive Ridley Turtle (*Lepidochelys olivacea*) and vulnerable Hawksbill Turtle (*Eretmochelys imbricata*).

3. Compliance with conditions

3.1 Condition 1

The approval holder must not take the action outside of the project area.

Compliance statement:

All actions have been undertaken within the lease area.

3.2 Condition 5

Prior to the commencement of the action, the approval holder must submit an Offset Strategy for the written approval of the Minister. The Offset Strategy must be a framework for how the clearance of habitat for the Red Goshawk, Masked Owl (Northern) and Bare-rumped Sheathtail Bat will be offset, and must:

- a) review relevant approved conservation advices, recovery plans and threat abatement plans;
- b) identify threats to Red Goshawk, Masked Owl (Northern) and Bare-rumped Sheathtail Bat, and potential recovery actions and research opportunities; and
- c) outline a process for developing Offset Projects, and a staged process for submitting Offset Projects to the Department for the written approval of the Department.

The approval holder must not commence the action until the Offset Strategy has been approved by the Minister in writing. The approved Offset Strategy must be implemented.

5A. Offset Projects submitted to the Department for approval in accordance with Condition 5 must:

- a) specify the location and nature of Offset Project activities;
- b) include project goal/s, budget and a detailed Offset Project description, including timeframes for implementing the Offset Project, and reporting and publishing of Offset Project results;
- c) demonstrate how the Offset Project is consistent with the Offset Strategy;
- d) outline consultations associated with developing the Offset Project, including the outcomes of those consultations;
- e) outline how the Offset Project complies with the principles of the EPBC Act Environmental Offsets Policy and, if relevant, details of how the Offset Project meets the criteria for research and educational programs identified in Appendix A of the EPBC Act Environmental Offsets Policy; and
- f) identify and manage risks associated with implementing the Offset Project.

The approval holder must not commence an Offset Project until the Offset Project has been approved in writing by the Department. The approved Offset Project must be implemented.

5B. The approval holder must expend on Offset Projects approved in accordance with condition 5A, at least \$2,817 (excluding GST) per hectare of habitat cleared during any financial year, by 30 June of the following financial year. The value of expenditure per hectare of habitat cleared must be annually adjusted in accordance with the Brisbane Consumer Price Index (CPI) fluctuations from 1 July 2017. The first adjustment is to be applied 1 July 2018. The approval holder must prepare and submit to the Department an annual impact reconciliation report by 31 July each year demonstrating compliance with this condition.

Compliance statement:

This Milestone is yet to be reached. The Offset Strategy that satisfies both approvals EPBC 2014/7305 and EPBC 2015/7538 has been submitted to the department and awaiting formal approval.

3.3 Condition 11

The approval holder must submit a Species Management Plan for the written approval of the Minister. The Species Management Plan must be prepared in accordance with the Department's Environmental Management Plan Guidelines and include:

- a. details of measures that will be taken to avoid, mitigate and manage impacts to EPBC Act listed threatened species and their habitat during vegetation clearance, construction, operation and decommissioning of the action;
- b. measures to manage areas in the project area, that are not within the disturbance footprint, as habitat for EPBC Act listed threatened species;
- c. details of how rehabilitation and revegetation measures required under the Environmental Authority issued under the Environmental Protection Act 1994 (Qld) provides environmental outcomes for EPBC Act listed threatened species and their habitat;
- d. a monitoring program to determine the success of mitigation and management measures to ensure adaptive management for the duration of this approval; and
- e. details of how proposed management measures take into account relevant approved conservation advices and are consistent with the measures contained in relevant recovery plans and threat abatement plans.

Compliance statement:

A significant species management plan that satisfied both approvals EPBC 2014/7305 and EPBC 2015/7538 was submitted to the department as per the condition.

3.4 Condition 12

The approval holder must not commence the action until the Species Management Plan has been approved by the Minister in writing. The approved Species Management Plan must be implemented.

Compliance statement:

The Significant Species Management Plan was approved by the department prior to construction activities commencing in September 2017 and mining commencing in April 2018.

3.5 Condition 13

The approval holder must submit a Marine Management Plan for the written approval of the Minister for marine-related activities. The Marine Management Plan must be prepared in accordance with the Department's Environmental Management Plan Guidelines and include:

- a. details of measures to avoid, mitigate and manage impacts to EPBC Act listed dolphin species, EPBC Act listed sawfish and river shark species, EPBC Act listed turtle species, the EPBC Act listed Dugong (Dugong dugon) and the environment of the Commonwealth marine area, including:
 - i. artificial light related impacts from port construction and operation, barge terminals, shipping and barging activities, and anchored/moored vessels;
 - ii. shipping and barging activities, including management of bauxite dust and contamination spills;
 - iii. vessel strike, including restricting vessel speed limits to six (6) knots and the implementation of a transit lane in the Skardon River that follows the greatest water depth;
 - iv. underwater noise, including from pile driving activities, and shipping and barging activities; and
 - v. the risk of introduced marine pest species over the duration of this approval, including ballast water management.

- b. a monitoring program to determine the success of mitigation and management measures to ensure adaptive management for the duration of this approval;
- c. details of how proposed management measures take into account relevant approved conservation advices and are consistent with the measures contained in relevant recovery plans and threat abatement plans; and
- d. details of the timeframe for reviews of the approved Marine Management Plan, including to ensure that the Marine Management Plan is informed by the findings of the Sawfish and River Sharks Research Proposal at condition 15.

Compliance statement:

The Marine Management Plan was approved by the department prior to construction activities commencing in September 2017 and mining commencing in April 2018.

3.6 Condition 14

The approval holder must not commence marine-related activities until the Marine Management Plan has been approved in writing by the Minister and baseline surveys for EPBC Act listed sawfish and river shark species at condition 15 have been completed as determined in writing by the Department. The approved Marine Management Plan must be implemented.

Compliance statement:

The Marine Management Plan was approved by the department prior to construction activities commencing in September 2017 and mining commencing in April 2018.

3.7 Condition 15

The approval holder must submit a Sawfish and River Sharks Research Proposal for the written approval of the Minister. The Sawfish and River Sharks Research Proposal must:

- a) be prepared in consultation with the Department;
- b) provide funding in accordance with the Schedule with payments made to a fund agreed to in writing by the Department;
- c) include baseline surveys for EPBC Act listed sawfish and river shark species to be completed prior to the commencement of marine-related activities;

- d) determine the movement patterns and habitat use of EPBC Act listed sawfish and river shark species in the Skardon River and Namaleta Creek;
- e) monitor changes to key environmental water quality parameters (flow, salinity, turbidity, dissolved oxygen, Chlorophyll A) that may influence movement and habitat use of the Skardon River and Namaleta Creek;
- f) contribute to ongoing research and inform knowledge about the distribution and abundance of local populations of EPBC Act listed sawfish and river shark species and identification of habitat utilised by EPBC Act listed sawfish and river shark species; and
- g) inform avoidance, mitigation and management measures required in the Marine Management Plan at condition 13.

Compliance statement:

A Sawfish and River Sharks Research Proposal was submitted for approval of the Minister within the condition timeframe.

3.8 Condition 16

The approval holder must not commence marine-related activities until the Sawfish and River Sharks Research Proposal has been approved by the Minister in writing and the first annual Schedule payment has been made to the fund agreed to by the Department in writing.

Compliance statement:

The Sawfish and River Sharks Research Proposal was approved and the first payment to the fund processed as per the condition.

3.9 Condition 17

The findings of the approved Sawfish and River Sharks Research Proposal must be provided to the Department within six months of completion of the research and made available to Queensland Government Authorities on written request.

Compliance statement:

This milestone is yet to be reached.

4. General Conditions 18, 20 – 27

4.1 Condition 18

Within 20 days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.

Compliance Statement

The department was advised of the actual date of commencement as per the condition.

4.2 Condition 20

Within three (3) months of every 12 month anniversary of the commencement of the action, the approval holder must publish a report (the Annual Compliance Report) on its website addressing compliance with each of the conditions of this approval, during the previous 12 months. Documentary evidence providing proof of the date of publication must be provided to the Department at the same time as the Annual Compliance Report is published. Reports must remain published for the life of the approval. The approval holder must continue to publish the Annual Compliance Report each year until such time as agreed to in writing by the Minister.

Compliance Statement

The action commenced with Construction activities in September 2017, the annual compliance report was published 31/10/18 within the acceptable time frame as per the condition. However, MML failed to notify the Department of the report's publication to the website.

4.3 Condition 21

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 approval holder must not commence the audit until the Minister approves the independent auditor and audit criteria in writing. The audit report must address the criteria to the satisfaction of the Minister.

Compliance Statement

MML were not directed by the Minister to conduct an independent audit in the 2018-2019 financial year.

4.4 Condition 22

The approval holder must report any potential or actual contravention of the conditions of this approval to the Department in writing within two (2) business days of the approval holder becoming aware of a contravention.

Compliance Statement

There has been no major contravention of the conditions of this approval. MML reported within two days of becoming aware that they failed to notify the department upon publication of the 2017-2018 Annual Compliance Report to their website on 31/10/2018.

4.5 Condition 23

The approval holder may choose to revise a management plan approved by the Minister under conditions 11 and 13 without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the revised plan would not be likely to have a new or increased impact. If the approval holder makes this choice it must notify the Department in writing that the approved plan has been revised and provide the Department, at least four (4) weeks before implementing the revised plan, with:

- a) an electronic copy of the revised plan;
- b) an explanation of the differences between the revised plan and the approved plan; and
- c) reasons the approval holder considers that the taking of the action in accordance with the revised plan would not be likely to have a new or increased impact.

Compliance Statement

All management plans have been submitted and approved by the Minister with no revisions in the reporting period.

4.6 Condition 24

The approval holder may revoke their choice under condition 23 at any time by notice to the Department. If the approval holder revokes the choice to implement a revised plan, without approval under section 143A of the EPBC Act, the plan approved by the Minister must be implemented.

Compliance statement

All management plans have been submitted and approved by the Minister with no revisions in the reporting period.

4.7 Condition 25

If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the revised plan would be likely to have a new or increased impact, then:

- a) condition 23 does not apply, or ceases to apply, in relation to the revised plan; and

- b) the approval holder must implement the plan approved by the Minister.

To avoid any doubt, this condition does not affect any operation of conditions 23 and 24 in the period before the day the notice is given.

At the time of giving the notice, the Minister may also notify that for a specified period of time that condition 23 does not apply for one or more specified plans required under the approval.

Compliance statement

All management plans have been submitted and approved by the Minister with no revisions in the reporting period.

4.8 Condition 26

Conditions 23, 24 and 25 are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised plan to the Minister for approval.

Compliance Statement

All management plans have been submitted and approved by the Minister with no revisions in the reporting period.

4.9 Condition 27

If, at any time after five (5) years from the date of this approval, the approval holder has not commenced the action, then the approval holder must not commence the action without the written agreement of the Minister.

Compliance statement

The action was commenced within the timeframe outlined by the approval.

5. Final Compliance Statement

Metro Mining Limited and Gulf Alumina Ltd. have complied with the general provisions of this approval for the reporting period. No changes to conditions or variations against conditions 18, 20 - 27 have occurred during the reporting period that have triggered any response to the general conditions within approval EPBC 2014/7305.