

Surat - EPBC Approval 2018/8223 Annual Compliance Report 2022/2023

Surat Gas Project Pipelines

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1. Purpose

This document reports Arrow's annual compliance with the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC) Approval 2018/8223 for the year of 2 April 2022 to 1 April 2023.

2. Description of activities

2.1 Approved activities

EPBC Number – 2018/8223

Surat Gas Project Pipelines, Surat Basin, Queensland (SGP PPLs)

Approval Holder: Arrow Energy Pty Ltd

ACN: 078 521 936

Approved Action: To construct and operate pipelines and related infrastructure to transport gas and water associated with the Arrow Energy Surat Gas Project, located in the Surat Basin, Queensland.

Decision Date: 28 May 2020

Variation Date: 27 January 2022

Commencement Date: 2 April 2021

Location of Project: Surat Basin

People accepting responsibility for this report:

- Gary Cardiff, Operations Director
- Chris Mijnsen, General Manager Development & Reservoir Management

Dates for Reporting period: 2 April 2022 – 1 April 2023

Date of Preparation of report: 22 June 2023

2.2 Current activities

A single work package was commenced between 2 April 2022 – 1 April 2023, being the Harry Glendower Pipeline Project (Harry Pipeline) within petroleum pipeline lease (PPL) 2052. At the time of writing, this project is ongoing with future disturbances planned for the next reporting period.

Completed work packages to date include:

- David Pipeline within PPL2033.
- Kenya Brine Dam (part of the broader Kenya Pipeline Project) within PPL2034.

Other work packages pursuant to this approval where work has yet to commence include:

- Jammatt Pipeline within PPL2047.
- McNulty Pipeline within PPL2048.
- Lynwood to Jordan Pipeline within PPL2068.

3. Approval conditions

3.1 Compliance table

Refer to Appendix A for the EPBC Approval Conditions Compliance Table, which demonstrates that all EPBC Approval 2018/8223 conditions have been considered and addressed.

Records substantiating all activities associated with or relevant to approval conditions are stored in Arrow's file directories.

3.2 Referenced management plans

The following management plan is required under EPBC Approval 2018/8223 conditions and is available on Arrows website.

- Surat SGP PPLs Offset Area Management Plan (OAMP), approved on 24 March 2021.

4. Non-compliance

See Table 2.

5. New environmental risks

Nil

6. Reconciliation of impacts against approval limits for listed threatened species

In accordance with Condition 1 of EPBC Approval 2018/8223, Table 1 below provides a report against the maximum impact limit for impacts to Koala (*Phascolarctos cinereus*) habitat. The actual cumulative impact total to date for impacts to Koala is within the approved limits of 65 ha. The values presented in this table represent the cumulative total based upon the 'as-disturbed' footprint for the current and completed work packages.

Table 1: Reconciliation of planned impacts against project maximum disturbance limits

Threatened Species	Whole of project approved limits (ha)	Work Package	Actual Cumulative impact total to date (ha)
Koala	65	David Pipeline	13.30
		Harry Pipeline	1.69
		Kenya Brine Dam	0
Total			14.99
Limit Remaining (specified in Condition 1)			50.01

7. 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: Chris Mijnsen

Position: General Manager Development & Reservoir Management

Organisation: Arrow Energy Pty Ltd

ACN: 078 521 936

Date: _____

**Appendix A: EPBC Approval 2018/8223 Conditions
Compliance Table**

Table 2: EPBC Conditions Compliance Table

Condition	Description	Compliant/non-compliant or not applicable	Comments
1	The approval holder must not clear more than 65 hectares (ha) of Koala (<i>Phascolarctos cinereus</i>) (combined populations of Qld, NSW and the ACT) habitat.	Compliant	The prescribed disturbance limit was not exceeded during the reporting period. See Section 6 for cumulative totals.
2	To compensate for the clearing of 65 ha of Koala (<i>Phascolarctos cinereus</i>) (combined populations of Qld, NSW and the ACT) habitat as specified in condition 1, the approval holder must provide environmental offsets consistent with the Environmental offsets policy.	Noted	Arrow has secured an interest in a property that will fully discharge offset obligations specified in the principles of the EPBC Act Environmental Offsets Policy. The approved Offset Area Management Plan (OAMP) will be enforceable under the <i>Vegetation Management Act 1999</i> (Qld) (VM Act) once the Voluntary Declaration has been executed and registered on the property title.
3	The approval holder must submit an OAMP prepared by a suitably qualified ecologist for the written approval of the Minister. The approval holder must not commence the action until the OAMP has been approved by the Minister. The approved OAMP must be implemented.	Compliant	Arrow's OAMP received approval from the Minister on 24 March 2021 and the action did not commence prior to this date. The OAMP contains detail on the offset property. The offset deed over this property has been executed and the OAMP will be enforceable under the VM Act following the Voluntary Declaration being executed and registered on the property title.

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4	<p>The approval holder must ensure the OAMP required under condition 3 includes the following:</p> <ul style="list-style-type: none"> a) details to demonstrate how the offset compensates for the clearance of Koala (<i>Phascolarctos cinereus</i>) (combined populations of Qld, NSW and the ACT) habitat in accordance with the Environmental offsets policy; b) a description of the offset, including location, size, condition, environmental values present and surrounding land uses; c) relevant baseline data and other supporting evidence, including results from field validation surveys and quantifiable ecological data, that documents the presence of the Koala and the quality of the Koala (<i>Phascolarctos cinereus</i>) (combined populations of Qld, NSW and the ACT) habitat within the offset area; d) an assessment of site habitat quality using a method agreed to in writing by the Department; e) details of how the offset area will provide connectivity with other habitats and biodiversity corridors and/or will contribute to a larger strategic offset for the Koala; f) a description and maps (including shapefiles) to clearly define the location and boundaries of the offset areas, accompanied by the offset attributes (including physical address of the offset areas, coordinates of the boundary points in decimal degrees and the size of the environmental offsets in hectares); g) specific offset completion criteria derived from the site habitat quality to demonstrate the improvement in the habitat quality for Koala in the offset area over the period of effect of this approval; h) details of the management measures (including timing, frequency, duration and method of outcome measurement), to be carried out to meet the offset completion criteria set in condition 4.g; The management measures must specify activities that will be prohibited in the offset area(s), including (but not limited to) mining/exploration, development and alternate land uses. The management measures proposed must be consistent with the Environmental Management Plan Guidelines and the Approved conservation advice. i) performance criteria that set targets at 5-yearly intervals for expected progress towards the completion criteria set in condition 4.g; j) details of the nature, timing and frequency of monitoring to inform progress against achieving the 5-yearly interim milestones (the frequency of monitoring must be sufficient to track progress towards each set of milestones, and sufficient to determine whether the offset area is likely to achieve those milestones in adequate time to implement all necessary corrective actions); k) proposed timing for the submission of monitoring reports which provide evidence demonstrating whether the interim milestones have been achieved; 	Compliant	Arrow has an approved OAMP in place which addresses the required detail as specified by this condition.
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Condition	Description	Compliant/non-compliant or not applicable	Comments
	<ul style="list-style-type: none"> l) timing for the implementation of corrective actions if monitoring activities indicate the interim milestones have not been achieved; m) a risk analysis and a risk management and mitigation strategy for all risks to the successful implementation of the OAMP and timely achievement of the offset completion criteria set in condition 4.g, including for if the offset fails to achieve and maintain the completion criteria; and n) the proposed legal mechanism for legally securing the offset area, such that legal security remains in force over the offset area for at least the period of effect of this approval. 		
5	The approval holder must legally secure the environmental offset within 24 months from the date that the OAMP is approved by the Minister. The approved OAMP must be attached to the legal mechanism used to legally secure the offset area.	Extension sought	<p>Arrow has been engaging with the Department regarding an extension to 24 September 2023 to have the offset property legally secured by a voluntary declaration. Arrow has agreed to the Department's draft variation notice which gives effect to this and is awaiting receipt of the final variation notice from the Department.</p> <p>The offset deed over this property has been executed, with the Voluntary Declaration with the Queensland Department of Resources (DoR) for decision.</p>
6	The approval holder must notify the Department within 5 business days of the legal mechanism being executed.	Noted	Arrow will notify the Department once the legal mechanism has been executed.
7	The legal mechanism used to legally secure the offset area must remain in force for the period of effect of this approval.	Noted	The approved OAMP details the legally binding mechanism that will be used to secure the offset property. This will remain in force for the effect of the approval.
8	The approval holder must notify the Department in writing of the date of commencement of the action within 5 business days after the date of commencement of the action.	Compliant	The Department was advised of the commencement of the action (2 April 2021) on 13 April 2021.

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Condition	Description	Compliant/non-compliant or not applicable	Comments
9	If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.	Compliant	The approval commenced on 2 April 2021 which is within 5 years of the original approval date of 28 May 2020.
10	The approval holder must maintain accurate and complete compliance records.	Compliant	Records of the implementation of Management Plans prepared for the EPBC approval are stored in Arrow file directories.
11	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.	Not applicable	Arrow has not received any such requests from the Department.
12	The approval holder must: <ul style="list-style-type: none"> a) submit plans electronically to the Department for approval by the Minister; b) publish each plan on the website within 20 business days of the date the plan is approved by the Minister or of the date a revised plan is approved in writing by the Minister; c) exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and d) keep plans published on the website until the end date of this approval. 	Compliant	All plans have been approved by the Department and published within 20 business days on the Arrow website (see Section 3.2).
13	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under condition 4, is prepared in accordance with the <i>Department's Guidelines for biological survey and mapped data (2018)</i> and submitted electronically to the Department in accordance with the requirements of the OAMP.	Noted	Monitoring in accordance with the OAMP has not yet been triggered. Arrow will ensure that all monitoring and ecological data will be prepared and submitted to the Department in accordance with the approved OAMP.

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Condition	Description	Compliant/non-compliant or not applicable	Comments
14	<p>The approval holder must prepare a compliance report for each 12-month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> a) publish each compliance report on the website within 60 business days following the relevant 12-month period; b) notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication; c) keep all compliance reports publicly available on the website until this approval expires; d) exclude or redact sensitive ecological data from compliance reports published on the website; and e) where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication. 	Compliant	This report has been published to provide information required by Condition 14 for the current reporting period (being 2 April 2022 – 1 April 2023). The report was published within the required 60 business days timeframe.
15	<p>The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> a) any condition which is or may be in breach; b) a short description of the incident and/or non-compliance; and c) the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available 	Not applicable	No incidents or non-compliances have occurred during the reporting period.
16	<p>The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p> <ul style="list-style-type: none"> a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; b. the potential impacts of the incident or non-compliance; and c. the method and timing of any remedial action that will be undertaken by the approval holder. 	Not applicable	No incidents or non-compliances have occurred during the reporting period.
17	The approval holder must ensure that independent audits of compliance with the conditions are conducted when requested in writing by the Minister.	Not applicable	Arrow has not received any such requests from the Minister.

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Condition	Description	Compliant/non-compliant or not applicable	Comments
18	For each independent audit, the approval holder must: <ul style="list-style-type: none"> a) provide the name and qualifications of the independent auditor and the draft audit criteria to the Department; b) only commence the independent audit once the audit criteria have been approved in writing by the Department; and c) submit an audit report to the Department within the timeframe specified in the approved audit criteria. 	Not applicable	Arrow has not received any such requests from the Department.
19	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.	Not applicable	Arrow has not received any such requests from the Department.
20	The approval holder may, at any time, apply to the Minister for a variation to the OAMP required under condition 3 and approved by the Minister, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised OAMP (ROAMP) then, from the date specified, the approval holder must implement the ROAMP in place of the previous approved OAMP.	Not applicable	Arrow has not applied for a variation to the approved OAMP.
21	Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data	Not applicable	The action remains current and has not been completed.