

Woleebee Creek to Glebe Weir Pipeline Project, Queensland EPBC Act 2011/6181 Compliance Report

3 May 2020 to 2 May 2021

Final Report

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Woleebee Creek to Glebe Weir Pipeline Project, Queensland (EPBC Act 2011/6181) – Compliance Report
(3 May 2020 to 2 May 2021)

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Document Information

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Authorisation

	Title	Name	Date
Owner	Principal Aquatic Ecologist	Ben Cook	22/06/2021
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Approver	Manager Environment	Chris Delamont	23/07/2021

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Abbreviations

Term	Definition
BOS	Biodiversity Offset Strategy
CEMP	Construction Environmental Management Plan
CSG	Coal Seam Gas
DAWE	Department of Agriculture, Water and Environment
DoEE	Department of the Environment and Energy (Preceding Department to the DAWE)
DoR	Department of Resources
DMP	Discharge Management Plan
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
EPR	Environmental Performance Report
ML	Mega Litre
WQMP	Water Quality Monitoring Plan

Executive Summary

This Compliance Report is required by Condition 10 of the Environment Protection and Biodiversity Conservation (EPBC) Act referral 2011/6181 and assesses Sunwater’s compliance against the conditions of the approval. A compliance report is required to be published on the website within three months of every 12-month anniversary of the commencement of the action. Sunwater commenced the approved action on the 3 May 2013. The approved action is to construct and operate a pipeline for the transportation and use of up to 113 ML/day of treated coal seam gas water from Woleebee Creek to Glebe Weir in Queensland. This compliance report is for the reporting period 3 May 2020 to 2 May 2021.

The construction of the pipeline has concluded however Sunwater continues to operate the pipeline for the transportation and use of treated Coal Seam Gas (CSG) water. The Woleebee Creek to Glebe Weir pipeline commenced discharge on 7 February 2015. During the reporting period from 3 May 2020 to 2 May 2021, Sunwater discharged 2,856 ML of treated CSG water into Glebe Weir. The treated CSG water discharge volume was allocated for take by irrigators (part of the announced allocation process described in the Fitzroy Basin Resource Operations Plan) and was accounted for in the Dawson Valley Water Supply Scheme area.

During the reporting period, Sunwater undertook regular monitoring of physico-chemical water quality and biological parameters of the receiving environment in addition to vegetation offset monitoring. The outcomes of this environmental monitoring are summarised in this report.

Sunwater has assessed compliance against the conditions of approval and determined that the Woleebee Creek to Glebe Weir Pipeline Project complied with conditions 1 to 13 of the EPBC Act referral 2011/6181.

1 EPBC Act Referral 2011/6181 Compliance

This Compliance Report presents an evaluation of compliance against EPBC Act Referral 2011/6181 Condition 10 for the period 3 May 2020 to 2 May 2021.

1.1 Condition 10

Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a Compliance Report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans 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.

- a. From first submission of the EPR described in Condition 8, the second of those reports submitted each year can also serve as the Compliance Report required by this condition, as long as the requirements of both conditions are met.

1.2 Condition 10 Compliance

Compliance with Condition 10 is summarised in Table 1.1.

Table 1.1 Condition 10 Compliance

Condition number/ reference	Condition	Compliance status	Evidence/comments
1	The person taking the action must undertake the action in accordance with the Preliminary Documentation dated 2 August 2012, and the conditions of this approval. The conditions of this approval prevail to the extent of any inconsistencies.	Not Applicable	All actions undertaken by Sunwater in the construction and operation of the Woleebee Creek to Glebe Weir pipeline have been in accordance with the conditions of the approval.
2	Within 20 business days after the commencement of the action, the person taking the action must advise the department in writing of the actual date of commencement of the action.	Not Applicable	Sunwater commenced the action on 3 May 2013. Written advice of this was provided to the department on 17 May 2013, within the stipulated timeframe of 20 business days.
3	The person taking the action must prepare a Construction Environmental Management Plan (CEMP). The CEMP must be submitted to, and approved by the department prior to commencement of the action. The CEMP must be implemented. The approved CEMP must include, but should not be limited to, the following: <ul style="list-style-type: none"> a. measures to minimise impacts to EPBC Act listed threatened fauna species including measures to care for injured fauna; b. measures to minimise impacts to EPBC Act listed threatened flora, including a vegetation clearing strategy; c. measures to limit the spread of pests and invasive species; d. sediment and erosion controls; 	Not Applicable	On 15 April 2013, Sunwater received confirmation from the Department of Sustainability, Environment, Water, Population and Communities that the submitted CEMP had been assessed and approved by the department. CEMP previously provided to the department, but will be made available upon request.

Condition number/ reference	Condition	Compliance status	Evidence/comments
	<p>e. measures to revegetate and rehabilitate the subject site following construction; and</p> <p>f. measures to implement, monitor, or improve (should deficiencies be identified, either by the person taking the action or by the department) the CEMP.</p>		
4	<p>The person taking the action must not destroy by clearing or any other activity, more than 2.08 ha of the endangered ecological community "Brigalow (<i>Acacia harpophylla</i>) dominant and co-dominant," nor more than 1.38 ha of the endangered ecological community "Coolibah - Black Box Woodlands of the Darling Riverine Plains and the Brigalow Belt South Bioregions."</p> <p>a. If clearing of more than 2.08 ha of the endangered ecological community "Brigalow (<i>Acacia harpophylla</i>) dominant and co-dominant," or more than 1.38 ha of the endangered ecological community "Coolibah - Black Box Woodlands of the Darling Riverine Plains and the Brigalow Belt South Bioregions" is necessary, the person taking the action must:</p> <p>i. undertake pre-clearance surveys of additional areas to be cleared; and</p> <p>ii. submit the pre-clearance surveys to the department for approval prior to clearing.</p> <p>b. Any approved clearing of vegetation must be conducted in accordance with the CEMP, required by Condition 3.</p>	Not Applicable	<p>Whilst undertaking the action, 1.25 ha of Brigalow (<i>Acacia harpophylla</i>) dominant and co-dominant, and 0.85 ha of Coolibah - Black Box Woodlands of the Darling Riverine Plains and the Brigalow Belt South Bioregions was cleared within the specified limits stated in condition 4. Evidence of this was provided to and acknowledged by the department on 7 March 2014.</p> <p>Whilst under construction, weekly and monthly reports documented any environmental issues or incidents encountered during construction within the applicable reporting period. This enabled any issues to be effectively communicated and addressed, and ensured all clearing undertaken was in accordance with the approved CEMP.</p> <p>Construction reports previously provided to the Department of the Environment and Energy (DoEE), and will be made available upon request.</p>

Condition number/ reference	Condition	Compliance status	Evidence/comments
5	<p>The person taking the action must not destroy by clearing or any other activity, more than 22 ha of natural habitat suitable for the vulnerable species: Large-eared Pied-bat (<i>Chalinolobous dwyeri</i>) Southern-eastern Long-eared Bat (<i>Nyctophilus corbeni</i>) and Brigalow Scaly-foot (<i>Parademi orientalis</i>).</p> <p>a. If more than 22 ha of natural habitat suitable for the vulnerable species: Large-eared Pied-bat (<i>Chalinolobous dwyeri</i>) Southern-eastern Long-eared Bat (<i>Nyctophilus corbeni</i>) and Brigalow Scaly-foot (<i>Parademi orientalis</i>) is necessary, the person taking the action must:</p> <ol style="list-style-type: none"> i. undertake pre-clearance surveys of additional areas to be cleared; and ii. submit the pre-clearance surveys to the department for approval, prior to clearing. <p>b. Any approved clearing of vegetation must be conducted in accordance with the CEMP, required by Condition 3.</p>	Not Applicable	<p>As detailed in Sunwater’s Woleebee Creek to Glebe Weir Pipeline Vegetation Offset Strategy, and the Atkinson Realignment Flora Investigation report, the total area of natural habitat suitable for the vulnerable species: Large-eared Pied-bat (<i>Chalinolobous dwyeri</i>); Southern-eastern Long-eared Bat (<i>Nyctophilus corbeni</i>); and Brigalow Scaly-foot (<i>Parademi orientalis</i>) cleared was less than 22 ha.</p> <p>During the construction of the Woleebee Creek to Glebe Weir pipeline all work/activities complied with the CEMP.</p>
6	<p>The person taking the action must develop a Biodiversity Offset Strategy (BOS) to ensure better protection of EPBC Act listed threatened species and communities. The BOS must be submitted to, and approved by the Minister prior to commencement of the action.</p> <ol style="list-style-type: none"> a. The BOS must be developed in accordance with the EPBC Act Environmental Offset Policy. b. The BOS must include, but should not be limited to, the following: 	Compliant	<p>Sunwater submitted a BOS to the department on 1 May 2013. A signed letter of approval was provided to Sunwater on 2 May 2013, one day prior to the commencement of the action.</p> <p>BOS previously provided to DoEE, but will be made available upon request.</p> <p>The vegetation offset area for condition 6.b.i has achieved the management outcomes specified in the Offset Area Management Plan. An application to have this offset area assessed as remnant vegetation was submitted to the</p>

Condition number/ reference	Condition	Compliance status	Evidence/comments
	<p>i. details of the acquisition and ongoing management of vegetation which meets or will meet the definition of the endangered ecological community "Brigalow (<i>Acacia harpophylla</i>) dominant and codominant";</p> <p>ii. details of the acquisition and ongoing management of vegetation which meets or will meet the definition of the endangered ecological community "Coolibah - Black Box Woodlands of the Darling Riverine Plains and the Brigalow Belt South Bioregions";</p> <p>iii. details of steps to be undertaken to legally secure the proposed offset areas and implement to BOS within 12 months of the commencement of the action.</p> <p>iv. The offset areas for each separate community must be contiguous (that is, the total cannot be composed of a number of fragments), and must not be located within an existing mining lease or mining lease application areas; and</p> <p>v. Upon legally securing the offset area, the BOS must be updated with a textual description and map to clearly define the location and boundaries of the offset area. This must be accompanied with the offset attributes and a shapefile.</p>		<p>Queensland Department of Natural Resources, Mines and Energy on 28 May 2020. Sunwater submitted the final annual monitoring report for the Condition 6.b.i offset to Department of Agriculture, Water and Environment (DAWE) on 30 June 2020, which stated that the offset has achieved the required outcomes of the approved Offset Management Plan.</p> <p>An application for a Property Map of Assessable Vegetation was submitted to the Department of Resources (DoR) on 1 April 2021 to update the vegetation mapping of the offset site. Sunwater notes that DoR has not responded to either request within the 60-day timeframe stipulated within the Offset Area Management Plan.</p> <p>Sunwater notified the DAWE of a landholder compliance issue identified at the vegetation offset area for condition 6.b.ii on 4 November 2019. Sunwater has identified a suitable replacement site for this offset area, due to significant damage from landholder activities. The BOS is currently being updated accordingly and will be submitted to DAWE for approval.</p>

Condition number/ reference	Condition	Compliance status	Evidence/comments
7	<p>The person taking the action must prepare a Discharge Management Plan (DMP). The DMP must be submitted to, and approved by the department prior to commencement of discharge. The DMP must include, but should not be limited to, the following:</p> <ul style="list-style-type: none"> a. measures to ensure a volume of water equivalent to the volume of discharged Coal Seam Gas water is extracted from the Dawson River prior to the end of the Dawson Valley Water Supply Scheme area; and b. measures to monitor usage of said volume, including measures to deal with inappropriate usage. 	Not Applicable	<p>Sunwater submitted the DMP to the Department on 22 January 2015, before the commencement of discharge on 7 February 2015. Sunwater received a letter of approval for the DMP from the department on 23 January 2015.</p> <p>DMP previously provided to DoEE, but will be made available upon request. See also Section 1.2 above.</p>
8	<p>The person taking the action must prepare and submit a Water Quality Monitoring Plan (WQMP), for the Minister's approval.</p> <ul style="list-style-type: none"> a. The WQMP must include, but not be limited to; <ul style="list-style-type: none"> i. Measures to conduct regular environmental monitoring within the Dawson River, at a range of locations including, but not limited to: <ol style="list-style-type: none"> 1. upstream of the discharge point; 2. within Glebe Weir, but downstream of the discharge point; and 3. downstream of Glebe Weir, at least as far as Theodore Weir. ii. details of parameters to be monitored. 	Compliant	<p>On 5 February 2015, a WQMP was submitted by Sunwater to the department for the Minister's approval. The discharge commenced on 7 February 2015. Sunwater submitted an Environmental Performance Report (EPR) on 6 November 2015, within the timeframe specified, and have submitted EPRs on a six-monthly basis since commencement of the discharge. Each EPR also contains the available detailed results and reports from the implementation of the DMP and WQMP.</p> <p>During the reporting period, EPR's were provided to the department on the 5 November 2020 and 6 May 2021. The department confirmed receipt of these reports.</p> <p>The water quality, sediment and aquatic ecology monitoring reports attached to the EPR's included the results of the regular environmental monitoring and also included an impact assessment section. The monitoring reports and EPR's have</p>

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	<p>iii. for each parameter specified in Condition 8(a)(ii); the WQMP must stipulate a threshold limit.</p> <p>iv. The WQMP must specify the guideline, standard, or relevant research for which both the background level within Glebe Weir and the threshold limit has been set, along with a discussion as to why the particular guideline, standard, or relevant research is appropriate.</p> <p>b. Within three months of every six month anniversary of commencement of discharge (and until two year after the cessation of discharge), the person taking the action must submit to the Minister an Environmental Performance Report (EPR). Each EPR must include, but not be limited to, the following:</p> <p>i. the results of implementation of the DMP required by Condition 7;</p> <p>ii. the results of the regular environmental monitoring required by the WQMP;</p> <p>iii. an independent evaluation of the results of the regular environmental monitoring required by the WQMP, and an assessment of any new or increased impacts/likely impacts to the environment are identified.</p> <p>c. If, upon review of an EPR, the Minister is not satisfied that appropriate actions have been taken or will be taken to mitigate any new or increased impacts/likely impacts to the environment identified during the regular monitoring required by this condition, the</p>		<p>concluded, upon assessment of the environmental monitoring data, that overall:</p> <ul style="list-style-type: none"> the release of treated CSG water does not appear to have had an adverse impact on water quality in the receiving environment; there was no evidence of impact from the release of treated CSG water to aquatic habitat condition, sediment quality, fish communities or macroinvertebrates in the Dawson River; and no new or increased impacts/likely impacts to the environment were identified as a result of the discharge of treated CSG water to the environment. <p>In addition, a detailed risk assessment framework and program rationalisation review was commissioned in November 2020 which has since been concluded. The review included an assessment of the monitoring data to date and recommends a number of proposed changes to the monitoring program. This review is presented in a report 'Glebe Receiving Environment Monitoring Program - Risk Assessment Framework and Program Rationalisation' dated 12 March 2021.</p> <p>The review recommends changes to the water quality monitoring frequency, risk assessment framework, water quality parameter suite and sediment monitoring program.</p> <p>A summary of these proposed changes were previously communicated to the department on 25 March 2021, and the department provided advice to Sunwater on the 12 April 2021 regarding the implementation of these changes. In addition, the proposed changes to the monitoring program were submitted to the department in correspondence dated the 6</p>

Condition number/ reference	Condition	Compliance status	Evidence/comments
	Minister may direct the person taking the action to reduce or cease discharge. The person taking the action must then undertake an evaluation in accordance with the recommendations of an independent evaluator and submit the report to the department for approval.		<p>May 2021 alongside the submission of the EPR and accompanied by the report mentioned above.</p> <p>Further to this correspondence, Sunwater will continue to implement the monitoring requirements as per the approved WQMP, and undertake the following actions regarding the recommended changes to the monitoring program in response to receipt of department advice:</p> <ul style="list-style-type: none"> • Reduce the frequency of regular physico-chemical water quality monitoring from monthly to quarterly (i.e. summer, autumn, winter and spring) commencing in July 2021, as recommended in the Environmental Performance Report - 8 August 2020 to 7 February 2021, and • Revise the current WQMP (dated February 2015) to incorporate all proposed recommended changes to the monitoring program and submit to the department for review and assessment. Sunwater acknowledges the proposed amendments require department assessment and approval prior to implementation (with the exception of the monitoring frequency, i.e. changing to quarterly from July 2021).
9	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans 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	Compliant	Sunwater records are managed in accordance with Sunwater's internal records management policy. The statements and intent of this policy are in accordance with the requirements of condition 9, ensuring all required records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans required by the approval, will be readily available to the department if requested.

Condition number/ reference	Condition	Compliance status	Evidence/comments
	<p>compliance with the conditions of the approval. Summaries or audits will be posted on the department's website. The results of audits may also be publicised through the general media.</p>		
10	<p>Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a Compliance Report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans 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.</p> <p>a. From first submission of the EPR described in Condition 8, the second of those reports submitted each year can also serve as the Compliance Report required by this condition, as long as the requirements of both conditions are met.</p>	Compliant	<p>This Compliance Report shall be available on Sunwater's public website sunwater.com.au. Documentary evidence of compliance with these conditions has been provided to the Department throughout construction and operation including photos, maps, reports and surveys.</p>
11	<p>If the person taking the action wishes to carry out any activity otherwise than in accordance with the management plans/strategy as specified in the conditions, the person taking the action must submit to the department for the Minister's written approval, a revised version of that management plan/strategy. The varied activity shall not commence until the Minister</p>	Compliant	<p>During the construction of the Woleebee Creek to Glebe Weir Pipeline there was a slight variation in the final alignment of the pipelines from the original alignment communicated to the department. This alignment change and evidence that the impacts were able to be managed through the existing plans and strategies was provided to the department. The department acknowledged receipt of this information on 7 March 2014.</p>

Condition number/ reference	Condition	Compliance status	Evidence/comments
	<p>has approved the varied management plan/strategy in writing. The Minister will not approve a varied management plan/strategy unless the revised management plan/strategy would result in an equivalent or improved environmental outcome over time. If the Minister approved the revised management plan/strategy that management plan/strategy must be implemented in place of the management plan originally approved.</p>		<p>As per the comments for Condition 8, the 'Glebe Receiving Environment Monitoring Program - Risk Assessment Framework and Program Rationalisation Report' recommends a number of proposed changes to the monitoring program.</p> <p>Sunwater will continue to implement the monitoring requirements as per the approved WQMP, and undertake the following actions regarding the recommended changes to the monitoring program in response to receipt of department advice:</p> <ul style="list-style-type: none"> • Reduce the frequency of regular physico-chemical water quality monitoring from monthly to quarterly (i.e. summer, autumn, winter and spring) commencing in July 2021, as recommended in the Environmental Performance Report - 8 August 2020 to 7 February 2021, and • Revise the current WQMP (dated February 2015) to incorporate all proposed recommended changes to the monitoring program and submit to the department for review and assessment. Sunwater acknowledges the proposed amendments require department assessment and approval prior to implementation (with the exception of the monitoring frequency, i.e changing to quarterly from July 2021).
12	<p>If the Minister believes that it is necessary or convenient for the better protection of World Heritage properties (sections 12 and 15A), National Heritage places (sections 15B and 15C), Listed Threatened Species and Communities (sections 18 and 18A), or the Great Barrier Reef Marine Park (section 248 and 24C) to do so, the Minister may request that the person taking the</p>	Not Applicable	<p>Sunwater has not received any requests from the Minister to make specified revisions to the management plan/s/strategy for the Minister's written approval.</p>

Condition number/ reference	Condition	Compliance status	Evidence/comments
	<p>action make specified revisions to the management plan/s/strategy specified in the conditions and submit the revised management plan/s/strategy for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plan/strategy must be implemented. Unless the Minister has approved the revised management plan/strategy, then the person taking the action must continue to implement the management plan/strategy originally approved, as specified in the conditions.</p>		
13	<p>Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all management plans referred to in these conditions of approval on their website. Each management plan must be published on the website within one month of being approved.</p>	Compliant	<p>Sunwater has published the Construction Environmental Management Plan, Discharge Management Plan, and Water Quality Monitoring Plan on the Sunwater website: sunwater.com.au.</p>