

**RTA Yarwun Pty Ltd**

## EPBC 2018/8381 Annual Compliance Report

1 November 2023 to 31 October 2024



### Document Revision & Approval History:

| Rev | Date     | Description                             | Prepared                   | Reviewed   | RTA Yarwun Approved                        |
|-----|----------|---|----------------------------|--|--|
| 1.0 | 26/11/24 | EPBC 2018/8381 Annual Compliance Report | Senior Environment Advisor | Principal Advisor - Approvals & Compliance, Environment Superintendent<br>Manager - Communications | Health Safety Environment Business Partner |

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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: Craig Wise

Full name: Craig Wise

Position: HSE Business Partner

Organisation (including ABN/ACN): RTA Yarwun Ptd Ltd (ACN 137266301)

Date: 26/11/2024

## 1. Description of activities

RTA Yarwun Pty Ltd (Yarwun) operates the Yarwun Alumina Refinery at Yarwun near Gladstone, and the associated Residue Management Area (RMA 1) at Aldoga approximately 15 km west of the refinery. The RMA 1 is a disposal area for red mud (a by-product of refining alumina via the Bayer process).

Yarwun has an *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC) approval (EPBC 2018/8381; Expansion of borrow pits) for the development and operation of borrow pits on Lot 7 SP228453 (Lot 7) immediately west of the RMA 1 site. The Lot 7 borrow pits provide clay, rock and general fill (borrow material) to service the existing Yarwun RMA 1. The development of the borrow pits involves the clearing of vegetation for the operation of borrow pit areas, as well as associated haul roads, stockpiles and water management infrastructure. The approval has effect until 30 June 2045.

The Lot 7 borrow pit development includes the direct disturbance of remnant, non-remnant vegetation and cleared areas. The action was commenced on 1 November 2019. An impact assessment of the development identified the following significant residual impacts to Matters of National Environmental Significance (MNES):

- Direct and indirect impacts to 96.0 ha of habitat of the vulnerable Koala (*Phascolarctos cinereus*) (Note: Koala has subsequently been listed as endangered, however the conservation status at the time of the approval still stands).
- Direct and indirect impacts to 162.2 ha of habitat of the vulnerable Squatter Pigeon (*Geophaps scripta scripta*).

The approval (EPBC 2018/8381) requires offsets to be secured to compensate for the significant residual impacts to Koala and Squatter Pigeon.

Figures showing the location and extent of disturbance of Koala and Squatter Pigeon habitat during the reporting period are shown in Annexure 1. A schedule of all plans prepared and in existence in relation to the conditions during the reporting period are provided in Annexure 2.

## 2. Purpose and Scope

### 2.1 Purpose

This annual compliance report has been produced to align with the annual reporting requirements of Condition 15 of EPBC 2018/8381 (reproduced below). This report describes the status of compliance with the conditions of approval from 1 November 2023 to 31 October 2024.

15. 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:

- a. publish each **compliance report** on the **website** within 20 **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 5 **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.

**Note: Compliance reports** may be published on the **Department's** website.

**Bold** text has a definition attached to the approval.

## 2.2 Scope

This annual compliance report presents the compliance status with the conditions of EPBC 2018/8381.

This report has been prepared in accordance with the Department of Climate Change, Energy, the Environment and Water (DCCEEW) Annual Compliance Report Guideline (<https://www.environment.gov.au/epbc/publications/annual-compliance-report-guidelines>) (herein referred to as the DCCEEW Guideline). Compliance descriptors used are consistent with the DCCEEW Guideline including:

- **Compliant:** 'Compliance' is achieved when all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.
- **Non-compliant:** A designation of 'non-compliant' must be given where the requirements of a condition, including the implementation of management plans and other measures, have not been met.
- **Not applicable:** A designation of 'not applicable' must be given where the requirements of a condition or elements of a condition, fall outside of the scope of the current reporting period. For example, a condition which applies to an activity that has not yet commenced.

This report will be published on the RTA Yarwun website (<https://www.riotinto.com/Operations/australia/yarwun>) until this approval expires (30 June 2025). RTA Yarwun will notify DCCEEW by email that a compliance report has been published on the website and provide the weblink for the compliance report to DCCEEW within 5 business days of the date of publication, consistent with Condition 15 (b).

## 3. Compliance Assessment

There was one non-compliance during the reporting period. Apart from this all conditions and commitments of EPBC 2018/8381 were met. The compliance status for all conditions of EPBC 2018/8381 is presented in Table 1.

**Table 1: Compliance Report for EPBC 2018/8381 (1 November 2023 to 31 October 2024)**

| Condition number and Condition  | Compliance Status | Comments/Evidence  |
|---|-------------------|--|
| <b>Part A – Conditions specific to the action</b>   |                   |  |
| <b>Maximum Impact Limits</b>  |                   |  |
| <p>1. Within the project area, the approval holder must not impact more than:</p> <p>a. 96 hectares (ha) of Koala (<i>Phascolarctos cinereus</i>) (combined populations of Qld, NSW and the ACT) habitat; and</p> <p>b. 162.2 ha of Squatter Pigeon (southern) (<i>Geophaps scripta scripta</i>) habitat.</p>   | Non-compliant     | <p>A non-compliance occurred during the reporting period with the clearing of 0.0302 ha of vegetation slightly outside of the project area when developing approved (borrow) Area 13 (refer to Condition 16 and 17 for notification details).</p> <p>The impacts as of 31 October 2024 (including the additional clearing outside of the project area) were:</p> <ul style="list-style-type: none"> <li>• 37.8 ha of Koala habitat</li> <li>• 68.9 ha of Squatter Pigeon habitat.</li> </ul> <p>The total impact area to date is still well within the total approved maximum impact limits.</p> <p>Figures showing the location and extent of impacts to Koala and Squatter Pigeon habitat from the commencement of the activity to the end of this reporting period are shown in Annexure 1.</p> |
| <b>Offset Management Plan</b>   |                   |  |
| <p>4A. The approval holder must submit for the written approval of the Minister an Offset Area Management Plan (OAMP) for one or more Environmental Offsets to compensate, in accordance with the Environmental Offsets Policy, for the impact of the action on the Koala and Squatter Pigeon (southern) as permitted in condition 1. The approval holder must not clear within borrow area 4, borrow area 12, borrow area 13 or the haul route (except to establish erosion and sediment control structures) until the OAMP has been approved by the Minister.</p> | Compliant         | <p>The OAMP, titled 'Offset Area Management Plan Expansion of borrow pits, Lot 7 Aldoga Road, Aldoga, Queensland (EPBC 2018/8381) (titled Version D)' dated 18 March 2024, was approved by DCCEEW on 3 June 2024. Clearing (except to establish erosion and sediment control structures) did not occur within borrow area 4, borrow area 12 or borrow area 13 or the Haul route prior to the OAMP being approved.</p> <p>Clearing commenced within borrow area 13 on 20 August 2024, after the OAMP was approved.</p>  |
| <p>5A. The OAMP/s must be consistent with the Environmental Management Plan Guidelines, and must include the following:</p>   | Compliant         | <p>As detailed in Condition 4A, DCCEEW approved the OAMP on 3 June 2024. Table 2 of the OAMP demonstrates how condition 5A has been addressed.</p>   |

| Condition number and Condition   | Compliance Status | Comments/Evidence   |
|--|-------------------|---|
| <p>a. A summary of the residual impacts to protected matters that will be compensated for by the offset(s) specified in the particular OAMP. This summary must include the area(s) of habitat for protected matters and its condition and quality at all impact sites which the particular offset is to address</p> <p>b. The environmental objectives, relevant protected matters and a reference to the EPBC Act approval conditions to which the particular OAMP refers</p> <p>c. A table of commitments made in the OAMP to achieve the environmental objectives, and a reference to where the commitments are detailed in the OAMP</p> <p>d. Reporting and review mechanisms, and documentation standards to demonstrate compliance with the commitments in the OAMP</p> <p>e. An assessment of risks to achieving environmental objectives and risk management strategies that will be applied</p> <p>f. A monitoring program, which must include:</p> <ul style="list-style-type: none"> <li>i. measurable performance indicators</li> <li>ii. trigger values for corrective actions and</li> <li>iii. the timing and frequency of monitoring to detect trigger values and changes in the performance indicators</li> </ul> <p>g. Proposed corrective actions, if trigger values are reached and</p> <p>h. Links to referenced plans and applicable conditions of approval (including State approval conditions).</p> |                   |   |
| <p>7. Within 3 months of the date the OAMP is approved by the Minister, the approval holder must commence implementing the approved OAMP.</p>  | Compliant         | On 29 August 2024, RTA Yarwun personnel commenced installing signage within the offset area in accordance with the OAMP obligations (Refer OAMP Table 14). This action occurred within 3 months of the date the OAMP was approved on 3 June 2024. |
| <b>Offset Securement</b>   |                   |   |
| <p>8. To compensate for impacts on listed threatened species as identified in condition 1, the approval holder must have irrevocably submitted an application for the legal security of</p>  | Compliant         | Yarwun submitted an application for the legal security of the offset area in the form of a 'Request for a declared area' to the (former) Queensland   |

| Condition number and Condition   | Compliance Status | Comments/Evidence   |
|--|-------------------|---|
| <p>each offset area specified in the approved OAMP within 6 months of the date of approval of the OAMP by the Minister.</p> <p>The OAMP implemented under this condition must be attached to the land title of the relevant offset area via the legal security mechanism implemented as required under this condition.</p>   |                   | Department of Natural Resources on 12 September 2024. Refer to Annexure 3. The application is currently being progressed.   |
| <b>Part B – Standard administrative conditions</b>   |                   |   |
| <b>Notification of date of commencement of the action</b>  |                   |   |
| 9. The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.   | Compliant         | Yarwun notified former Department of Agriculture, Water and the Environment (DAWE) that the action had commenced on 1 November 2019 (the day of the Commencement of the Action)   |
| <b>Compliance records</b>  |                   |   |
| 10. The approval holder must maintain accurate and complete compliance records.  | Compliant         | Yarwun has maintained accurate and complete compliance records relevant to the Conditions of this approval.   |
| 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.<br><br>Note: Compliance records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and/or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the Department's website or through the general media. | Not applicable    | No requests have been received.   |
| <b>Preparation and publication of plans</b>  |                   |   |
| 12. The approval holder must:<br>a. when submitting plans to the Department, submit plans electronically<br>b. publish each plan on the website within 20 business days of the date the plan is approved by the Minister or Department, or of the date a plan is submitted to the Minister or Department, unless otherwise agreed to in writing by the Minister;   | Compliant         | The original (and now approved OAMP) was submitted electronically to the Department on 19 March 2024 with the Department acknowledged receipt of documents on 20 March 2024<br><br>The approved OAMP was published on the RTA Yarwun website on 28 June 2024, which is within 20 business days of the OAMP being approved by the Minister of DCCEEW on 3 June 2024. |

| Condition number and Condition   | Compliance Status | Comments/Evidence  |
|--|-------------------|--|
| <p>c. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and</p> <p>d. keep plans published on the website until the end date of this approval.</p>  |                   | <p>No sensitive ecological data was required to be redacted from the OAMP. The OAMP will remain published on the Yarwun website until the end date of the approval.</p>  |
| <p>13. The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under condition 4A of this approval is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018). This data must be submitted electronically to the Department within 5 years of the legal security of the offset area being executed, and for every subsequent 5 year period, or otherwise in accordance with a recurring date that has been agreed to in writing by the Minister.</p>   | Compliant         | <p>Offset area monitoring data (under Conditions 4A, 5A and 7) has been prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018). Only one month of implementation of the OAMP occurred within the reporting period. Subsequently, OAMP quarterly monitoring and reporting requirements detailed in OAMP Table 17 and 18 were not required to be completed. An Annual Offset Area Report for the period the OAMP was implemented 29 August – 31 September 2024 is not considered warranted.</p> <p>Electronic monitoring data is not yet required to be submitted to DCCEEW, as it has not yet been 5 years since the legal security has been completed.</p> |
| <p>14. If the approval holder wishes to carry out any activities otherwise than in accordance with the approved management plan required under condition 4A, the approval holder must submit to the Department for the Minister's written approval a revised version of that management plan. The varied activity must not commence until the Minister has approved the varied management plan in writing. The Minister will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised management plan that management plan must be implemented in place of the management plan originally approved.</p> | Not applicable    | <p>No activities not in accordance with the approved OAMP have been undertaken. No revised version of the approved OAMP has been submitted to the DCCEEW Minister for approval within the reporting period.</p>  |
| <b>Annual compliance reporting</b>   |                   |  |
| <p>15. 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>  | Compliant         | <p>Yarwun prepared the fourth annual compliance report during the current reporting period. The report was published within 20 business days of the end of the reporting period. The report was published on 24 November 2023. DCCEEW were notified of the publication on 1 December 2023. The</p>   |

| Condition number and Condition   | Compliance Status | Comments/Evidence  |
|--|-------------------|--|
| <p>a. publish each compliance report on the website within 20 business days following the relevant 12 month period;</p> <p>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 5 business days of the date of publication;</p> <p>c. keep all compliance reports publicly available on the website until this approval expires;</p> <p>d. exclude or redact sensitive ecological data from compliance reports published on the website; and</p> <p>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.</p> <p>Note: Compliance reports may be published on the Department's website.</p> |                   | <p>compliance report is available on the Yarwun website (website provided above in Section 2.2). No sensitive ecological data was required to be excluded from the annual compliance report.</p> <p>DCCEEW Compliance and Enforcement Branch acknowledged receipt of the notification on 4 December 2023 and confirmed acceptance of the report on 8 November 2024.</p>  |
| <b>Reporting non-compliance</b>  |                   |  |
| <p>16. 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 10 business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <p>a. any condition which is or may be in breach;</p> <p>b. a short description of the incident and/or non-compliance; and</p> <p>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.</p>   | Compliant         | <p>Yarwun was not aware of any non-compliances, with the conditions or commitments made in plans, during the reporting period. Yarwun became aware of a non-compliance that occurred during the reporting period (20 August 2024) on 7 November 2024. As such, Yarwun became aware outside the annual compliance reporting period. Yarwun notified the Department of this event within the 10-day notification period and will note this in the next annual compliance report.</p> |
| <p>17. 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>   | Compliant         | <p>Yarwun was not aware of any non-compliances, with the conditions or commitments made in plans, during the reporting period. Yarwun became aware of a non-compliance that occurred during the reporting period (20 August 2024) on 7 November 2024, hence notification requirements are outside of the current reporting period.</p>   |

| Condition number and Condition  | Compliance Status | Comments/Evidence  |
|---|-------------------|--|
| a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;<br>b. the potential impacts of the incident or non-compliance; and<br>c. the method and timing of any remedial action that will be undertaken by the approval holder.   |                   |  |
| <b>Independent audit</b>  |                   |  |
| 18. The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.  | Not applicable    | RTA Yarwun did not receive a request for independent audit during the reporting period.                                  |
| 19. For each independent audit, the approval holder must:<br>a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department;<br>b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and<br>c. submit an audit report to the Department within the timeframe specified in the approved audit criteria. | Not applicable    | RTA Yarwun did not receive a request for independent audit during the reporting period.                                  |
| 20. 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    | RTA Yarwun did not receive a request for independent audit during the reporting period.                                  |
| <b>Completion of the action</b>   |                   |  |
| 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 has not been completed and the requirement to provide notification or completion data has not been triggered. |

#### **4. Assessment of new environmental risks**

In accordance with section 3.9 of the DCCEEW Guideline, the compliance report must discuss any new environmental risks that have become apparent during the reporting period.

No new environmental risks related to EPBC 2018/8381 approval became apparent during the reporting period.

**Annexure 1 Disturbance Plans**

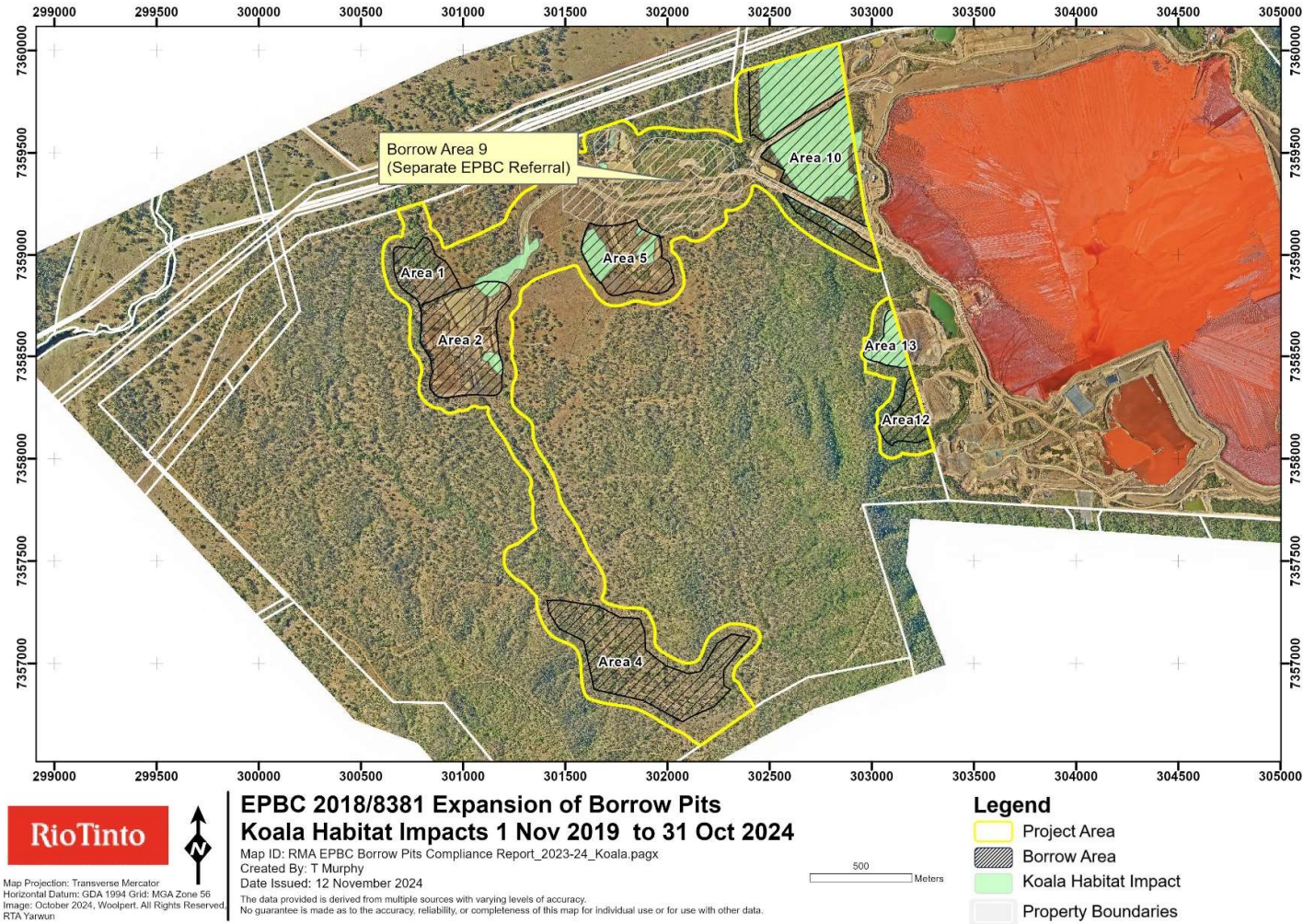


Figure A1.1 Koala habitat disturbance and impacts as of 31 October 2024

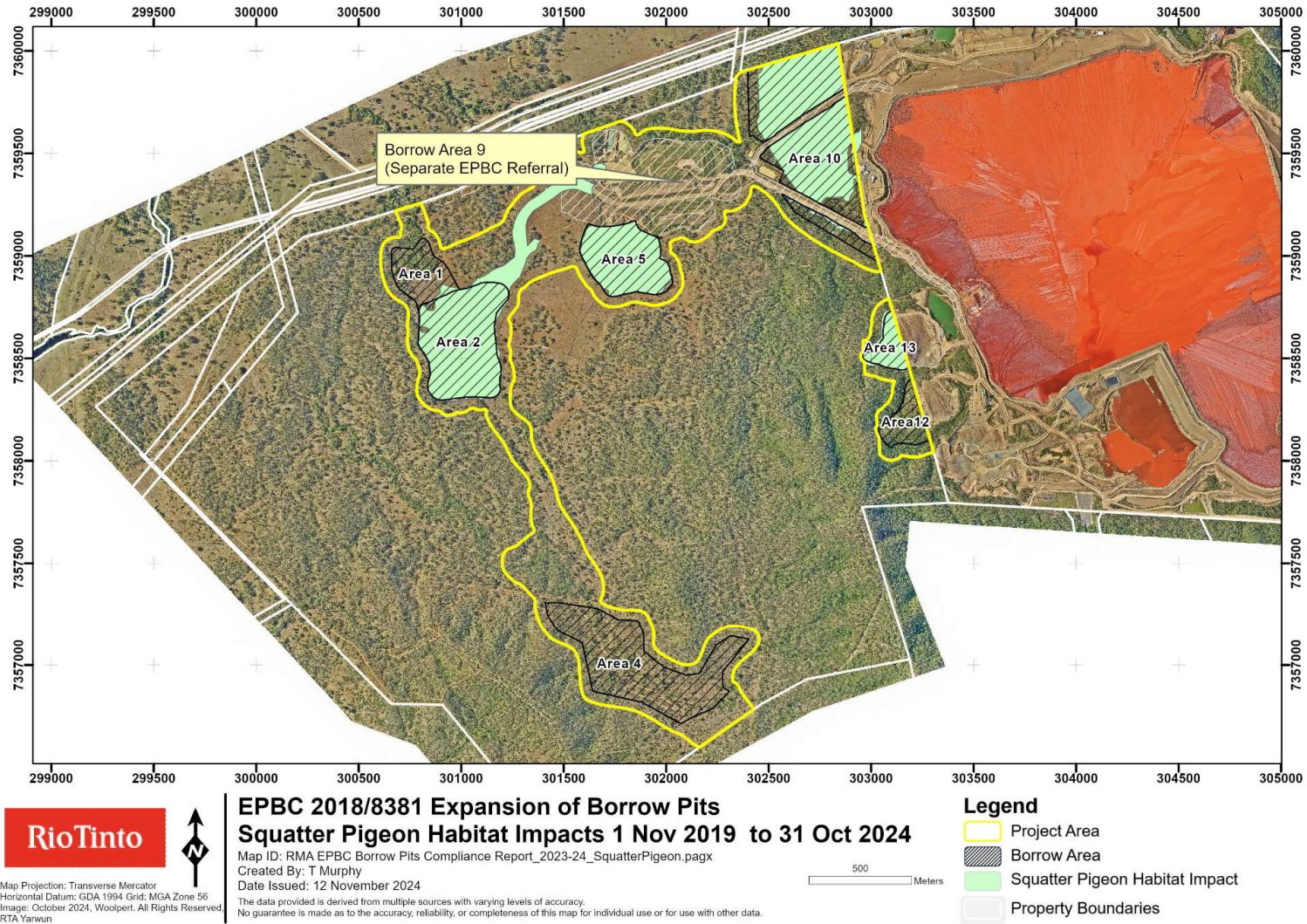


Figure A1.2 Squatter Pigeon habitat disturbance and impacts as at October 2024

## Annexure 2 Schedule of Plans

| Management Plan Name  | Date          | Status   |
|---|---------------|--|
| Management Plan for Offset Delivery RTY Lot 7 Borrow Pits – Property C  | 11 April 2019 | Management plan approved by DAWE.<br><br>Management plan has not been implemented. |
| Management Plan for Offset Delivery RTY Lot 7 Borrow Pits – Property T  | 11 April 2019 | Management plan approved by DAWE.<br><br>Management plan has not been implemented. |
| Expansion of borrow pits, Lot 7 Aldoga Road, Aldoga, Queensland: EPBC 2018/8381 Offset Management Plan  | 9 July 2021   | Draft<br><br>Management plan has not been implemented.                             |
| RTA Yarwun Pty Ltd 'Offset Area Management Plan Expansion of borrow pits, Lot 7 Aldoga Road, Aldoga, Queensland (EPBC 2018/8381) (titled Version D)' dated 18 March 2024.was approved by DCCEEW on 3 June 2024. | 18 March 2023 | Management plan approved by DCCEEW on 3 June 2024.                                 |

**Annexure 3 Application for legal security of offset**

**Murphy, Timothy (RTA)**

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**From:** Resources Vegetation Enquiries <vegetation@resources.qld.gov.au>  
**Sent:** Thursday, 12 September 2024 12:22 PM  
**To:** Murphy, Timothy (RTA)  
**Subject:** [External] RE: Application for declared area on RTA Yarwun property 'Connie Creek'

OFFICIAL

Good afternoon Tim,

Your application has been forwarded to the team to begin processing.

**YOUR FEEDBACK MATTERS.**

Please click [here](#) and tell us what you think of our VEG HUB service.

Regards,



**Ben**  
Natural Resource Management Officer  
Vegetation Hub  
Department of Resources

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P: 135VEG (135 834)  
E: [vegetation@resources.qld.gov.au](mailto:vegetation@resources.qld.gov.au)  
W: [www.resources.qld.gov.au](http://www.resources.qld.gov.au)

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**From:** Murphy, Timothy (RTA) <Timothy.Murphy2@riotinto.com>  
**Sent:** Thursday, September 12, 2024 10:44 AM  
**To:** Resources Vegetation Enquiries  
**Cc:** RTA Yarwun Mailbox - Environment Team; Green, Alison (RTP)  
**Subject:** Application for declared area on RTA Yarwun property 'Connie Creek'

Good morning,

Please find the attached application 'Request for a declared area' and associated 'Declared area management plan' form.

Could you please confirm receipt of the submitted application?

This application is submitted by RTA Yarwun Pty Ltd to obtain a declared area (legal security) for a Commonwealth environmental offset under Commonwealth government environmental approval 'EPBC 2018/8381'.  
The declared area / offset area is located on lot 5377 on PH1903, near St Lawrence.

An Offset Area Management Plan (OAMP) approved by the Commonwealth under approval EPBC 2018/8381 underpins the management of the declared area and is referenced within the application.

To support the application the following information is provided:

RTA Supporting documents:

- Commonwealth approval 'EPBC 2028-8381.pdf'
- OAMP 'RTA Yarwun EPBC2018-8381 Offset Area Management Plan\_RevD\_low res.pdf'
- Map of EPBC 2018\_8381 Offset Area\_A3PDF\_low res.pdf
- Map of EPBC 2018\_8381 Permanent Marks\_A3PDF\_low res.pdf

Declared Area GIS file

- ArcGIS shapefile of the declared area 'EPBC 2018\_8381 Offset Area.shp'

Please let me know if you have any questions

Thanks

Tim

Tim Murphy

Senior Advisor, Environment | RTA Yarwun

975 Hanson Rd, Gladstone, Queensland, 4680, Australia | M [REDACTED]

**RioTinto**

I am located in Yarwun on the land of the Bailai, Gurang, Gooreng Gooreng and Taribelang Bunda people, and I pay my respects to their Elders, both past and present. I further acknowledge the important role that Indigenous peoples continue to play within communities and our business.

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