

EPBC Submissions

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RE: Submission on Preliminary Documentation for the Peak Downs Mine Power Line Realignment Project (EPBC 2024/09983)

Thank you for the opportunity to make this submission in relation to the Peak Downs Mine Power Line Realignment Project (**the Project**) by BM Alliance Coal Operations Pty Ltd (**the Proponent**) under the *Environment Protection and Biodiversity Conservation Act 1999* (**EPBC Act**).

Environmental Advocacy in Central Queensland

Environmental Advocacy in Central Queensland (**EnvA**) is a Central Queensland association concerned about the risks associated with coal mining, coal seam gas and climate change.

EnvA is concerned about the significant impacts on the environment stemming from the high numbers of new and expanding coal and coal seam gas projects in Central Queensland, particularly the impacts on threatened species, water quality and the resulting greenhouse gas emissions.

The proposed project

The Project seeks to realign three powerlines (7N/5N/2N) to facilitate the continuation of approved mining activities at the Peak Downs Mine (PDM). The existing mine pits are progressing to the east and are approaching the exclusion limits to blasting for mining activities. The Project would realign the powerlines to the east of the current alignment, and would comprise the following three components:

- 7N power line realignment – entirely outside of a mining lease
- 5N power line realignment – partly within ML 70411, partly outside a mining lease
- 2N power line realignment – entirely within ML 70411

The proposed disturbance footprint covers a 12.66 km powerline realignment corridor encompassing approximately 83.55 ha of land.

EnvA's Recommendation

EnvA recommends that the Minister refuse the Project based on:

- Unacceptable impacts to threatened species and communities that will not be appropriately mitigated through the proposed offsets, and
- The Project cannot be justified without the approval and progression of the associated Peak Downs Continuation Project.

Further information is provided in our grounds for submission below.



GROUNDS FOR SUBMISSION

Significant impact on threatened species and communities and migratory species

The project would or has the potential to impact on numerous threatened species and communities listed under the EPBC Act. Of note, the Proponent has identified direct impacts on:

- 0.4ha of brigalow (*Acacia harpophylla* dominant and co-dominant) (Endangered)
- 0.57ha of Natural grasslands of the Queensland Central Highlands and northern Fitzroy Basin (Threatened ecological community)
- 17.57ha of koala habitat (*Phascolarctos cinereus*) (Endangered)
- 6.42ha of greater glider habitat (*Petauroides volans*) (Endangered)
- 22.77ha of squatter pigeon habitat (*Geophaps scripta scripta*) (Vulnerable)
- 0.19ha of ornamental snake habitat (*Denisonia maculata*) (Vulnerable)

EnvA notes that these species are regularly identified in applications for new and expanding coal mines in Central Queensland. The conservation status of some of these species and communities has declined in the last few years. By way of example, koalas and greater gliders were reclassified from Vulnerable to Endangered in 2022. We also note that the Proponent has indicated that this project has the potential for a significant impact on koalas and greater gliders (Tables 11 and 12 in the MNES Significant Impact Assessment Report)¹, and may also result in some impacts on the other listed MNES.

The pre-clearing cover for the Isaac-Comet Downs subregion is estimated at approximately 2,693,397 ha compared to 570,968 ha that remains (Accad et al. 2023²). Therefore, 78.8% of vegetation cover has already been cleared in this Brigalow Belt subregion which means that any further habitat loss or disturbance is likely to result in significant impact on threatened species and ecosystems.

We acknowledge that this Project is comparatively small compared to the large areas already cleared, or proposed to be cleared for coal mining in the Isaac-Comet Downs subregion which include (but not limited to):

- Vulcan Coal, Vulcan Coal infrastructure and Vulcan South
- Peak Downs and Peak Downs Continuation Project
- Saraji, Saraji East, Saraji Grevillea Pit extension, and
- Lake Vermont and Lake Vermont Meadowbrook Extension.

Combined, these projects have already, or if approved and progressed, will clear thousands of hectares of threatened ecological communities and species habitat, including the species that have been listed above for this Project. Every hectare of threatened species habitat is now critical to protect to prevent the further decline in conservation status.

EnvA does not agree with the Proponent's assertion that substantial remnant vegetation within the survey area and broader region will remain undisturbed and continue to provide habitat for MNES (Section 4.1.11¹).

There are also additional coal projects proposed within the Bowen Basin that will further impact threatened species and communities in the broader Central Queensland region.

¹ [Epic Environmental \(2025\), Appendix C: Revised MNES Significant Impact Assessment Report for the Peak Downs Mine Powerline Realignment Project.](#)

² [Accad, A. Kelley, J.A.R., Richter, D., Li, J., Neldner, V.J. and Ryan T.S. \(2024\). Remnant Regional Ecosystem Vegetation in Queensland \(Version 13.1\), Analysis 1997-2021. Queensland Department of Environment and Science: Brisbane.](#)

The mapping provided in the referral documents does not clearly define the location of the Project in the context of the proposed coal mine projects, nor does it depict the areas which are secured and “will remain undisturbed and continue to provide habitat for threatened species”.

Proposed offset management plan³

The Proponent considers that the proposed offset area of 115.56 ha of land on Croydon Station exceeds legislative requirements – a location approximately 80km from the project area.

The Proponent considers that MNES offsets will only be required for the koala and greater glider. It is EnvA’s view that offsets must be required for all impacts on MNES to ensure there is a measurable conservation gain as required under the EPBC Act Offsets Policy. The permanent loss of threatened species habitat from this project must be considered significant as the cumulative loss is leading to the further decline of their conservation status.

In addition to this, EnvA notes that the proposed offset area does not replace the habitat that will be destroyed by this project. The offset area management plan only proposes to marginally improve the habitat quality of an already vegetated area where koalas and greater gliders already occur and at a considerable distance from the project area.

EnvA further considers that the proposed offset fails to meet the requirements of the EPBC Act Environmental Offsets Policy.⁴ Specifically:

1. Suitable offsets must deliver an overall conservation outcome that improves or maintains the viability of the protected matter. Offsets must deliver an outcome that improves or maintains the viability of the protected matter relative to a “do nothing” scenario. In this case, the offset area already supports the listed species, and no evidence is presented to demonstrate that it can sustain higher population densities or expanded ecological functions. This means the offset does not create new habitat or improve long-term viability; rather, it preserves what already exists. Therefore, it fails to provide an additional conservation outcome.
2. Tenure for direct offsets to constitute a legitimate offset, requires that the site must be legally secured in a way that ensures long-term protection and management. As identified in the Offset Area Management Plan, the proposed offset area is to be secured through a Voluntary Declaration under the *Vegetation Management Act 1999 (VM Act)*.

The use of a Voluntary Declaration under the VM Act—while legally recognised—is insufficient for enduring protection. The declaration is dependent on the landholder’s agreement and only remains in place until the objectives of the OAMP are achieved, the declaration ends, or when the authorised activities have ended (s19 of the VM Act).
3. Suitable offsets must be of a size and scale proportionate to the residual impacts on the protected matter. The proposed offset area is linear in nature and not connected to any other ‘secured’ offset area (Figure 2)³. While improved management of threatened species habitat is positive, the linear nature of the proposed offset and lack of connectivity with secured habitat is inconsistent with the EPBC Act Environmental Offsets Policy and relevant recovery plans for koalas and greater gliders.
4. Suitable offsets must be additional to what is already required, determined by law or planning regulations, or agreed to under other schemes of programs. EnvA considers that

³ [BMA \(2026\) Appendix F: Offset management plan](#)

⁴ [EPBC \(2012\) Environmental Offsets Policy](#)

the proposed offset area already has a level of protection under the VM Act and the revised EPBC Act. The VM Act regulates the clearing of vegetation in a way that conserves remnant vegetation, prevents loss of biodiversity and maintains ecological function. Likewise, the EPBC Act amendments now require approvals for:

- Clearing of vegetation that has not been cleared for at least 15 years, and
- Clearing of vegetation from land within 50m of a watercourse, wetland or drainage line within the Great Barrier Reef Catchment area.⁵

EnvA also notes broader concerns regarding the effectiveness of biodiversity offsets in Australia. Even the previous Federal Environment Minister has acknowledged that “We know the current offset arrangements are broken and making nature worse.”⁶ This reinforces the need for strict application of the EPBC Act Environmental Offsets Policy and a precautionary approach to habitat loss.

Since the Queensland Environmental Offsets Policy was introduced in 2014, biodiversity indicators— including vegetation extent and condition, and populations of threatened species— have continued to decline across the state.⁷

It is essential that the avoidance of impact - not offsetting - remains the priority. Offsets should only ever be used as a last resort.

The Project will result in the loss and fragmentation of habitat for multiple endangered and vulnerable species within an already heavily cleared bioregion. The proposed offset fails to meet key EPBC Act Environmental Offsets Policy tests, including additionality, enduring protection, and delivery of a genuine conservation gain.

Given the cumulative ecological losses, the limited effectiveness of offsets in highly cleared landscapes, and the availability of alternatives that avoid further habitat destruction, EnvA considers the impacts unacceptable. EnvA therefore recommends that the Project be refused.

Justification

The proposed action involves relocation of existing powerlines associated with the Peak Downs Mine. The relocation is required to support the proposed Peak Downs Mine Continuation Project (EPBC 2022/09350), which is currently subject to a delayed bilateral assessment process.⁸

This raises concerns regarding the prohibition on “split referrals” under section 74A of the EPBC Act. The powerline realignment is functionally dependent on, and forms part of, the broader Peak Downs Mine Continuation Project. Assessing this component separately risks fragmenting consideration of cumulative impacts. It is further noted that the Initial Advice Statement for Peak Mine Continuation Project also includes the relocation of a section of transmission line which may be a duplication of part of this Project.⁸

In the alternative, if DCCEEW does not consider the referral to constitute an impermissible split referral, EnvA submits that a decision on this Project should not be made prior to determination of the Peak Downs Mine Continuation Project. The powerline realignment is not required if the continuation project is not approved or does not proceed.

⁵ [DCCEEW \(2026\) Updates to agricultural action exemptions under the EPBC Act](#)

⁶ [The Guardian \(2024\) A third of land set aside for restoration in worse state than before, Australian offset audit finds.](#)

⁷ [Queensland Government \(2024\). State of the Environment Report](#)

⁸ [Queensland Coordinator General \(2025\) Peak Downs Mine Continuation project](#)

EnvA also notes uncertainty regarding the economic justification for continued expansion of the Peak Downs Mine. Recent public statements and operational decisions by the Proponent indicate changing investment priorities and reduced expansion activity, resulting in the loss of jobs and mothballing approved coal mines.^{9, 10, 11}

Commonwealth environmental assessment frameworks require consideration of environmental risks alongside claimed economic benefits. When considered in the context of the Peak Downs Mine Continuation Project, the inadequate offset proposal, and uncertainty regarding long-term economic benefits, EnvA considers that the Project does not represent a balanced or justified outcome.

Thank you again for the opportunity to make comment on Preliminary Documentation for the Peak Downs Mine Power Line Realignment Project.

Yours sincerely,



Dr Coral Rowston

Director

Environmental Advocacy in Central Queensland

⁹ [Mining and Energy Union \(29 August 2025\) Queensland shows how to get a fair return from resources](#)

¹⁰ [Courier Mail \(4 March 2026\) BHP doubles down despite latest twist](#)

¹¹ [The Guardian \(17 September 2025\) Queensland deputy premier labels BHP 'unAustralian' as mining giant blames job cuts on coal royalties scheme](#)