



BHP response to DCCEEW comments on the Jimblebar Significant Amendment Validation Notice July 2024

Section	DCCEEW comment	BHP response
Letter	DCCEEW recommends that BHP republish the draft Validation Notice for public comment.	Comment noted. Historically, BHP has only received comments on draft Validation Notices from DCCEEW and the relevant Aboriginal corporation. On this occasion, BHP has received comments from DCCEEW and KNAC and has prepared written responses to these. It is therefore not expected that further publication will result in additional public comments. Nevertheless, will republish the validation notice for a further public comment period.
Project description and impact quantification	<p>The project description requires revision. Most of the project elements are simply listed with no further detailed description of what the activity involves and no analysis of potential impacts to Program Matters.</p> <p>We acknowledge that some project elements can be briefly described such as borrow and laydown areas, while others such as hydrological changes, overburden management and closure activities require more thorough information. While the draft validation notice includes a cursory discussion on in pit tailings deposition, it does not provide specifics of the activity and does not identify or discuss potential impacts such as acid and metalliferous drainage risk. The mine decommissioning and closure discussion is also generic and requires more detail.</p>	Section 2.2 identifies all key components of the Activity. Additional information has been included describing mine dewatering and surplus water management, beneficiation, tailings management and the overland conveyor.
Indirect impacts to the Ghost Bat	Potential indirect impacts to the Ghost Bat from the Activity such as habitat modification from hydrological changes, fire and weeds, artificial light, feral animals and cane toads, noise and vibration, dust, hydrological changes, and infrastructure such as communication towers are not identified and assessed in the draft validation notice. Section 4.4.5 Impact Assessment of the draft validation notice only identifies the	<p>Potential indirect impacts and mitigation measures for these have now been included in the Ghost Bat section.</p> <p>Baseline environmental data is provided in Table 4-7 including Ghost Bat records for the</p>

	<p>direct impact of habitat loss from clearing and consequently the mitigation hierarchy has just been applied to this direct impact and not potential indirect impacts. This is a significant omission and is not in accordance with the consideration of indirect impacts in Section 7 Validation Process for Notifiable Actions of the Assurance Plan and Offsets Plan Revision 2.3 as outlined below:</p> <p>Section 7.1 Review Baseline Environmental Data states that baseline environmental data will be used to validate direct and indirect impacts to Program Matters and to inform the application of the mitigation hierarchy and development of appropriate mitigation measures.</p> <p>Section 7.2 Review Proposed Activity Information states that information about the proposed activity will be reviewed to consider whether the relevant Program Matters Outcomes will be met as specified in section 7.1 of the Program. The information will include any construction or operational activities that could result in indirect impacts to Program Matters, and water supply source or network, or water management required to access ore below the water table.</p> <p>Section 7.3 Apply Mitigation Hierarchy states for each Notifiable Action, BHP will apply the mitigation hierarchy to avoid and mitigate impacts to Program Matters as far as practicable and ensure that Program Matter Outcomes are met. This section states that indirect impacts may include, but are not limited to, changes to groundwater regimes or quality, changes to surface water regimes or quality, light and noise pollution, increased human access to bat roosts, vibration, and habitat fragmentation.</p> <p>Section 7.4 Determine Residual Impacts states that residual impacts to Program Matters, determined as part of the validation process and reported in the Validation Notice, will have regard to the identification of direct and indirect impacts associated with the Notifiable Action and the application of the mitigation hierarchy.</p> <p>Section 7.6 Develop a Draft Validation Notice states that a discussion of direct and indirect impact using contemporary information, threat abatement plans and data, and demonstration that the Program Matters Outcomes can be met through application of the mitigation hierarchy, including details of offsets proposed, must be included in Validation Notices.</p>	<p>Activity Area. Additional information is included on cave features and openings.</p> <p>BHP used baseline environmental data to inform the Validation Notice and implemented avoidance measures to ensure avoidance of direct impact to all Ghost Bat caves in the Activity Area. After application of the mitigation hierarchy, BHP considers that the Program Matter outcome for Ghost Bat will be met.</p>
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<p>Figures</p>	<p>Many of the figures in the draft validation notice are inadequate as they lack sufficient detail including:</p> <p>Figure 1-2 – does not show the proposed location of the project elements of the activity such as proposed pits and OSAs, and infrastructure such as haul roads, pipelines, the beneficiation plant and the overland conveyer, to assist the reader to identify potential impacts to Program Matters.</p> <p>No figure is included showing Ghost Bat cave locations, cave identifiers (ID) and cave categories/features of all recorded Ghost Bat roosts within the Activity Area and surrounding the Activity Area as well as the habitat types.</p> <p>Figure 4-11 shows existing Ghost Bat monitoring locations (the ‘Target Bat Caves’) as stars rather than the cave categorisations and cave IDs.</p> <p>Figures 4-10 and 4-11 do not include enlargements showing Ghost Bat records and caves in close proximity to one another, so that the location and number of records in that area can be accurately discerned by the reader.</p>	<p>Figures have been updated to include pits and OSAs, beneficiation plant and in pit tailings storage.</p> <p>Cave identifiers have been added to the Ghost Bat figures.</p> <p>Figures have been amended to include enlargements to better display location and records.</p>
<p>Survey information</p>	<p>The discussion of survey results used to determine Notifiable Actions for Program Matters is absent in some instances. Further discussion demonstrating the adequacy of surveys to detect evidence or signs of Program Matters presence – to support and provide credibility to the conclusion that the Notifiable Action triggers will not be met by this action - is required.</p>	<p>Surveys and survey results are identified for all Program Matters in the draft Validation Notice, in a similar manner to presentation of this data in previous Validation Notices. Note that ‘surrounds’ has been replaced with ‘within 500m of the Activity Area’. Section 4.2.1 describes the contemporary surveys undertaken and compliance with survey requirements. Additional discussion on surveys has been added to section 4.2.1.</p>
<p>Public comment and publishing date</p>	<p>Section 7.8 of the Assurance Plan and Offsets Plan Revision 2.3 states ‘The draft validation notice will be made publicly available on BHP’s website (or equivalent) for a period of 28 days along with instructions on how to make comment on the document. Interested parties will be advised when each draft validation notice is made available.’ There does not appear to be instructions on how to make comments on the draft validation notice either within the document itself or on the BHP webpage where it is published.</p>	<p>Comment noted. BHP published the draft Validation Notice on its website and notified DCCEEW and the relevant state government departments and KNAC of the public comment period. Comments were received from DCCEEW and KNAC. No comments were received from other stakeholders.</p>

	<p>Also, the date of the draft validation notice is 20 February 2024, however Table 3-1: Stakeholder Engagement states the draft validation notice was published on the BHP website for public comment on 19 February 2024, and the department was notified that the publishing date was 21 February 2024.</p> <p>We note that ambiguity in publishing dates also occurred for the Newman Hub Western Ridge draft validation notice. Please ensure the commencement and closure date for the public consultation is clear, accurate and consistent.</p>	
Glossary and abbreviations	Consider removing acronyms COS and DMIRS from the Glossary and Abbreviations table as they are not referenced in the draft validation notice, and adding the acronym, KNAC, which is used in Section 3 Stakeholder Engagement.	Updated.
1.4.1	Include all parts of the proposed action in the Activity description (p. 4) to align with the actions listed at Section 2.2 (p. 13). Please also include how many new iron ore pits are proposed, to inform scope.	Updated. Note that section 1.4 provides a summary of the Activity, while the detailed description is provided in section 2.2, to avoid duplication. This is in keeping with previous Validation Notices.
1.4.2	1.4.2 In Figure 1.2 (p.6), the Indicative Footprint should include the proposed location of the project elements of the Activity listed in Section 1.4, such as proposed pits and OSAs and infrastructure such as haul roads and the overland conveyer, to assist the reader to identify potential impacts to Program Matters.	This comment is a repeat of a previous comment. Figure amended.
1.6	1.6 As this section on timeframes (p. 4) states that the Notifiable Action is forecast to be completed by 2046 and the predicted life span of the mine operation includes construction, mine operation, decommissioning, rehabilitation and closure, all project elements related to these activities should be included in the Activity list at Section 1.4 (p. 4), it should not be limited to mine construction and operation.	Updated.
Table 1.2	Unintentional error: Table 1-2 Notifiable Action triggers for the Activity (p. 7) states there are a total of twelve caves present in the Activity Area, including two Category 2 roosts. However, Section 4.4 Ghost Bat indicates that the two Category 2 roosts are outside the Activity Area boundary and more than 500 m from the Activity Area boundary.	Additional text included in Table 1-2 to clarify that all caves in the Activity Area are Category 3 or Category 4 roosts.

Table 1.2	As commented by the department in other draft validation notices, for each Program Matter where a Notifiable Action trigger is not met, include a summary of the purpose and scope of surveys referenced to support claims of no species presence.	A summary of surveys is provided in Table 4-1. Further detail on survey coverage is provided in Table 1-2 to demonstrate the scope of surveys and to provide rationale as to why triggers are met or are not met.
2.1	Project Disturbance and Description (p. 12) states that Section 2.2 documents unchanged project components from the Revised Jimblebar Optimisation Project Validation Notice and Section 2.3 documents new project elements. Section 2.2 is titled Jimblebar Significant Amendment with a list of activities associated with the current draft validation notice. There is not a section (or a section numbered 2.3) documenting unchanged project components from the Revised Jimblebar Optimisation Project Validation Notice. Please revise this section so that the content and sections correspond and make sense to the reader. As all project components from the Revised Jimblebar Optimisation Project Validation Notice are unchanged, as per Section 1.4 Activity (p. 4) which states that the current draft validation notice ‘...does not reassess or change the previous Activity or impacts associated in the original Jimblebar Optimisation Project Validation Notice (2020) or the Jimblebar Optimisation Project Revised Validation Notice (August 2023)’, including a list of unchanged project components may be redundant.	Section 2 text amended to remove reference to unchanged components from the revised Jimblebar Optimisation Project Validation Notice.
2.2	Project Disturbance and Description (p. 12) states that Figure 1-2 illustrates the location of the proposed works comprising the Activity. As mentioned in the Introduction section, this figure only shows the Indicative Footprint as shaded areas and does not illustrate the proposed location of the project elements of the Activity.	This comment is a repeat of a previous comment. Figure amended.
2.2.1	Other than a brief description of tailing deposition and standard closure and decommissioning wording, this section primarily lists the project elements (p. 13) and does not describe the activities in enough detail to assist the reader to identify potential impacts to Program Matters. Based on the list of project elements, we recommend that the following are described: Hydrological changes – describe hydrological analysis and modelling that addresses changes in groundwater levels from dewatering, the management of surplus mine dewater and changes to surface water regimes from mine pit excavation, construction of infrastructure, creek	Section 2.2 identifies the activity elements. Further description has been included on beneficiation, tailings deposition and overland conveyor. Further detail on the potential impacts of hydrological changes, beneficiation and tailings deposition is provided in Section 4 for each Program Matter.

	<p>diversions and discharge of surplus water, changes to water quality and an analysis of potential impacts for Program Matters. This includes analysis supporting any conclusion that Program Matters and their habitat will not be impacted by these changes (both within and outside the Activity Area). Please also provide a topographic map showing local hydrology including water features and catchments.</p> <p>Overburden management – discuss whether the tailings will be from the new beneficiation plant and whether an Acid and Metalliferous Drainage risk assessment was undertaken for in-pit tailings deposition and overburden storage areas, and an analysis of potential impacts for Program Matters.</p> <p>We also suggest that the draft validation notice describes, and provides analysis of potential impacts to Program Matters from:</p> <p>Processing infrastructure – the beneficiation plant and overland conveyer.</p> <p>Communications infrastructure – the number of new communication towers and any communication rooms, and whether clearing for earthwork pads to install the towers is required.</p> <p>Decommissioning, rehabilitation and closure - include any activities that might be included during the decommissioning, rehabilitation or closure stage of the project.</p>	<p>Clearing for all infrastructure required for the Proposal is included in the total clearing extent which is 2,067 ha.</p> <p>The current approved life of mine, which is 2055 is expected to be extended by 5 years for this Proposal. Given the significant time period to closure, detail on specific activities to be undertaken during decommissioning and closure are not yet available.</p> <p>Acid and metalliferous drainage risk assessment was undertaken and determined the risk of acid drainage to be low. Additional information has been provided in the impact assessment section.</p>
2.2.2	<p>In regard to the description of hydrological activities, the department made comment on the draft validation notice Newman Hub Western Ridge on 20 August 2023 that analysis of hydrological changes should include discussion and justification even where BHP’s analysis shows no impact will occur and that all relevant hydrological surveys or assessments supporting this analysis should be provided as appendices or attachments to the draft and final validation notice. Further, the department requested at a meeting with BHP on 12 January 2024 that relevant hydrological impact assessment reports are to be included as appendices to this draft validation notice, to which BHP agreed. No such reports have been included as appendices.</p>	<p>BHP will publish the hydrological appendices with the final Validation Notice</p>
2.2.3	<p>The department also made comment on the draft validation notice Newman Hub Western Ridge that ‘for all future validation notices for projects that will involve hydrological changes, ensure that analysis of potential impacts extends to potential impacts to program matter habitat that may occur outside the activity area such as creek diversions</p>	<p>Additional discussion of potential impacts of hydrological changes is included in Section 4 in relation to Ghost Bat and Northern Quoll, as</p>

	resulting in increased water flows and dewatering of pits impacting aquifers extending beyond the activity area. Surveys for program matter habitat and occurrence may need to be extended beyond the activity area to support analysis of these potential impacts.'	these are the only two species recorded in the Activity Area or within 500m of the Activity Area.
3.1	Refer to the interim first nations engagement guidelines on our website for more information on the department's expectations of proponents for engaging First Nations stakeholders throughout an environmental assessment process.	Noted. BHP consulted with Nyiyaparli Traditional Owners in relation to the Proposal in May and August 2023, as identified in Table 3-1. This included on site visits to the Jimblebar mine and the Activity Area. Additional detail is provided in Table 3-1.
3.2.1	The public consultation commencement date is stated as 19 February 2024. However, the draft Validation Notice is dated 20 February 2024 and the department was notified that it was published on the BHP website for public comment on 21 February 2024. Table 3-1 also records the public consultation date as 19 February 2024.	The misalignment in dates is noted; however more than the required 28 day public comment period was enabled as public comments closed on 22 March 2024. The publication of documents on BHP's regulatory website is processed by an independent BHP team and can take 24 hours or longer to process, therefore the date included in the validation notice is as accurate as possible at the time of transmission of the documents to the publication department.
3.2.2	Karlka Nyiyaparli Aboriginal Corporation (KNAC) – possible unintentional error: it is stated that BHP provided the draft validation notice to KNAC for review on 22 February 2024, although the draft validation notice is dated 20 February 2024 and was published on the BHP website for public comment on 21 February 2024.	The draft Validation Notice was provided to KNAC on 21 February, inviting comments and providing opportunity for further time to review and respond, if required. KNAC provided comments to BHP on 22 March 2024.
3.2.3	The draft validation notice does not include instructions on how to make comments on the document and instructions also do not appear to be on the BHP webpage where it is published (noting that it has been published under the WAIO – Jimblebar – Consultation and Public Comment section of the Regulatory Information page and note the WAIO – Consultation and Public Comment section). This is not in accordance with Section 7.8 of the Assurance Plan and Offsets Plan Revision 2.3, as already discussed in the General Comments section.	Noted. This was an administrative error. It should be noticed that key stakeholders were notified directly of the public comment period via email including DBCA, DWER, PEOF, KNAC and DMIRS. To date, BHP has only received comments from DCCEEW and the relevant Aboriginal corporation on draft validation notices. BHP will include instructions on how to provide comment for future validation notices.

4.2.1	As mentioned in the department's comments on other validation notices, lettering or number of the published surveys as appendices is recommended for ease of reference. The appendices should be ascribed to the surveys/studies listed in Table 4.1 Terrestrial fauna – recent studies and surveys in the draft validation notice and the corresponding survey/study on the BHP website.	BHP will provide numbering or lettering of appendices for publication of the final Validation Notice.
4.2.2	Hydrological reports (see comment at 2.2.2)	Noted. BHP will append the hydrological reports to the final Validation Notice.
4.2.3	Acid and metalliferous drainage risk assessment – the department has previously requested that these reports are provided as appendices. Please provide a copy of the risk assessment if one has been undertaken.	Noted. This is a repeat of a previous comment. The AMD risk assessment is not provided as it contains commercially sensitive information and is not publicly available.
4.3.2	The discussion under Regional habitat and Baseline Modelling Data on the baseline modelling data from the Impact Assessment Report (Eco Logical 2015) can be removed for each Program Matter as this is not fit for purpose at the scale of the Validation Notice. The discussion should instead focus on contemporary survey results (less than five years old) clearly demonstrating whether Program Matter triggers will be met or not. We also note that the Regulatory information page of the BHP website only has a copy of the Draft Impact Assessment Report. Please update this page to include the Final Impact Assessment Report.	<p>Regional habitat and baseline modelling information has been included in Validation Notices to date as it provides a comparison between the records and habitat modelling undertaken for the SEA, to the local environment. It also enables BHP to validate the Activity against the impacts assessed in the SEA.</p> <p>BHP includes all contemporary surveys in Validation Notices and historical surveys, where relevant.</p> <p>BHP does not agree that this information should be removed from Validation Notices.</p> <p>The final IAR report dated 4 May 2017 will be published on the BHP website.</p>
4.3.3.1	Please include the Indicative Footprint in Figure 4.7 (p. 31) to show the Northern Quoll supporting habitat that is predicted to be directly impacted.	Figure amended.
4.3.3.2	Please explain in this section that while habitat types that may support denning for the Northern Quoll are present within the Activity Area, the	Additional text added to Section 4.3.2.

	<p>habitat is not classified as critical habitat for the Northern Quoll under the Assurance Plan and Offsets Plan Revision 2.3 Table 5.10 as there is no 'home range' due to no evidence of a colony or residing individuals.</p>	
4.3.4.1	<p>In regard to Northern Quoll records, the statement, 'Given the lack of further evidence, it is unlikely that the species occurs in the Activity Area' (p. 29) is inaccurate, as while there may be no evidence of a residing Northern Quoll population or colony in the Activity Area an occurrence of the species has been detected within the Activity Area.</p>	<p>BHP considers that while one scat has been recorded in the Activity Area, regular occurrence in the Activity Area, or occurrence of a population in the Activity Area is unlikely given that no further evidence of presence has been detected, despite targeted survey effort. Additional text has been added to Section 4.3.3 to expand on the explanation.</p>
4.3.6.1	<p>An occurrence of Northern Quoll has been recorded in the Activity Area and there is Northern Quoll supporting habitat in the Activity Area. Direct and indirect impacts have been identified and the impact assessed. However, the full mitigation hierarchy has not been adequately applied in the draft validation notice (p. 33) and a more detailed discussion to demonstrate that the loss of Northern Quoll habitat has been minimised through avoidance and mitigation measures is required.</p>	<p>The Activity will utilise existing infrastructure and activities have been placed on existing cleared areas, to minimise disturbance required. Additional text has been added to Section 2.1 to this effect.</p>
4.3.6.3	<p>Given the stated duration of this activity, including operation and closure, of 46 years – discuss how future changes in risk of cane toad incursion will be monitored and managed. What preventative measures will BHP adopt to reduce this risk? We note that naturally occurring water features may be ephemeral or semi-permanent, however mine sites often have permanent artificial water features such as water treatment pools and cane toads can 'hitchhike'.</p>	<p>There are no permanent water treatment pools included in the scope of the Activity. A permanent pool known as Innawally Pool is present at Jimblebar. This pool varies in size and depth in response to rainfall events. The Activity will not alter the surface water flow to this pool and is not expected to increase the risk of Cane Toad incursion into the Activity Area.</p> <p>In the event that Cane Toad is observed within the Activity Area, BHP will report the observation to the relevant state and federal regulators and implement mitigation measures, if required, in consultation with regulators.</p>

4.3.7	<p>The consideration of the significance of residual impacts (p. 33) is not in accordance with the Assurance Plan and Offsets Plan Revision 2.3 as no significance test is to be applied to consideration of residual impact under the Assurance Plan and Offsets Plan Revision 2.3 and therefore no judgement of significance is required during validation processes. The department has provided BHP this same advice on numerous occasions over the last 12 months.</p>	<p>Comment noted. BHP has amended wording to refer to residual impacts.</p>
4.3.9	<p>4.3.9 We do not agree that no monitoring is required (p. 33). A commitment to monitor the quantity of Northern Quoll supporting habitat directly and indirectly impacted/cleared is required to ensure it does not exceed the 1206.5 ha limit committed to in this draft validation notice. This is of particular importance given the limited analysis of potential impact to supporting habitat from hydrological changes.</p>	<p>Additional text regarding hydrological changes is included in Section 5.2.5</p> <p>BHP commits to clearing no more than 2,067 ha including no more than 7.6 ha of Gorge/Bully and 2.5 ha of Breakaway/Cliff. This is more clearly identified in Table 4-3. Note the addition of a new Section 5.1 providing overview of fauna habitats in the Activity Area and Indicative Footprint.</p> <p>BHP does not consider that monitoring of Northern Quoll is required given that a single scat was previously recorded in 2021, with no other direct or indirect evidence of presence of the species, either as transient individuals, or as a population, despite targeted survey effort.</p> <p>BHP commits to monitoring clearing to ensure that clearing remains within the approved limits.</p>
4.4.3.1	<p>Under Local Habitat (p. 36), the draft validation notice states that critical and supporting habitat are present in the Activity Area. We suggest this sentence be amended to state that critical and supporting habitat are present in the Activity Area or within 500 m of the Activity Area boundary, to align with the Notifiable Action triggers in Table 5.14 of the Assurance Plan and Offsets Plan Revision 2.3.</p>	<p>Text amended.</p>
4.4.3.2	<p>There is no map/figure showing cave locations, cave identifiers (ID) and cave categories/features of all recorded Ghost Bat roosts within the Activity Area and surrounding the Activity Area as well as the habitat types (as per Figure 4.7 in the published Jiblebar Optimisation Project</p>	<p>Noted. This is a repeat of a previous comment. Figures amended to include cave location and identifier.</p>

	<p>Revised Validation Notice). Figure 4-10 (p. 40) only shows the location of Ghost Bat records, and Figure 4-11 (p. 44) only shows existing Ghost Bat monitoring locations with no cave IDs, cave categorisation or habitat types included.</p> <p>This information, in conjunction with a figure showing the proposed location of the project elements of the Activity, as discussed at comment 1.4.2, is important for transparency and to enable the reader to assess potential impacts to the Ghost Bat.</p>	
4.4.3.3	<p>Please provide enlarged areas for Figure 4-10 (p. 40), where there are multiple Ghost Bat records in close proximity to one another, so the number of records in that area can be accurately discerned by the reader.</p>	<p>Figures amended to include enlargements of Ghost Bat records.</p>
4.4.3.4	<p>In Figure 4-11, showing existing Ghost Bat monitoring locations (p44), the 'Target Bat Caves' are designated by black stars. It does not show the cave categorisations and cave IDs. Please amend. Please also provide enlarged areas where there are multiple monitoring sites in close proximity.</p>	<p>Noted. This is a repeat of a previous comment. Figure amended.</p>
4.4.3.5	<p>4.4.3.5 For ease of reading, please include a more detailed discussion of the roosts, such as the number of caves and categorisation (currently the document requires the reader to tally up the number of Category 3 and 4 caves in Table 4-7) and cave features, in the critical habitat and supporting habitat discussion (p.36) as per the Jimblebar Optimisation Project Revised Validation Notice. Please also include the distance of the two Category 2 roosts from the Indicative Footprint to help the reader to assess that they are located sufficiently far so as not be impacted by the activity (noting that, as discussed below, activities that may potentially impact these caves such as hydrological changes have not been assessed).</p>	<p>Text amended as follows: 'A total of 12 caves have been recorded in the Activity Area, including three Category 3 caves and nine Category 4 caves.'</p>
4.4.3.6	<p>Please explain why Category 4 roost CJIM-22, which was identified in the Jimblebar Optimisation Project Revised Validation Notice in Figures 4.6, 4.7 and 4.8 and was 170 m west of the Indicative Footprint, is not listed in Table 4-7 Ghost Bat roosts present in the Activity Area and surrounds (p. 36) of the draft validation notice. Please also explain why information relating to CJIM-22 (other than the figures already cited) that was in the Draft Jimblebar Optimisation Project Revised Validation Notice has been removed from the final Jimblebar Optimisation Project</p>	<p>Further survey of CJIM-22 determined that it is not a cave. The location is a very shallow rocky overhang that does not constitute a cave. CJIM-22 has been removed from BHP's records as a cave.</p>

	Revised Validation Notice published 24 August 2023. Specifically, the roost description in Section 4.3.3 Local Habitat, the paragraph in Section 4.3.5 Impact Assessment, and Table 4.4: Ghost Bat roosts located within the activity Area or withing 500 m of the Activity Area boundary.	
4.4.3.7	Table 4-7 Ghost Bat roosts present in the Activity Area and surrounds (p. 36) is categorised into 'Caves within the Activity Area' and 'Caves outside the Activity Area'. We recommend this categorisation is amended to 'Roosts located in the Activity Area or within 500 m of the Activity area boundary' and 'Roosts located beyond 500 m of the Activity Area'. For those roosts located in the Activity Area or within 500 m of the Activity Area boundary, please include situational information (as per the corresponding table in the Jiblebar Optimisation Project Revised Validation Notice) such as cave opening orientation, distance to existing disturbance and distance to the Indicative Footprint. This information is important to enable the reader to assess potential indirect impacts such as light spill if situated near a haul road. For those roosts located beyond 500 m of the Activity Area, please include the distance to the Indicative Footprint.	The term 'cave' is used as not all caves have evidence of roosting. As a result, use of the term 'roost' is not entirely accurate for all caves. Additional information on cave structure, openings and distance from existing disturbance and the Indicative Footprint has been included in Table 4-8.
4.4.3.8	Table 4-7 (p. 36) - Please include the scope of 'surrounds'. For example, is this within 5 km of the Activity Area boundary?	'Surrounds' refers to within 500m of the Activity Area. Text amended.
4.4.5.1	In regard to impact assessment and habitat loss (p. 41), the draft validation notice states that the activity will avoid impact to all Ghost Bat roosts within the Activity Area. This is repeated in Section 4.4.6 (p. 41) with the statement 'The Proposal will avoid direct impacts to all Ghost Bat roosts within the Development Envelope' and in the Program Matter Outcome Assessment in Table 4-10 (p. 42). However, Table 4-9 Ghost Bat avoidance measures indicates that four Category 4 roosts (CJIM-04, CJIM-08, CJIM-17 and CJIM 18) are: 'Outside of Indicative Footprint and unlikely to have direct impacts'. Also, the Monitoring Commitment in Table 4-12 (p. 45) and the Clearing Commitment in Table7-2 (p. 80) both state there will be no disturbance to these four Category 4 roosts without prior inspection to verify presence/absence of Ghost Bat. Please make it clear that there is the potential for direct impacts to these roosts if disturbance occurs outside of the Indicative Footprint, even if it is considered unlikely.	Additional text has been added to Section 4.4.4 to explain that if disturbance occurs outside of the Indictive Footprint, there is potential for impact to the four Category 4 roosts; however, this is unlikely.

4.4.5.2	Please discuss if any other measures, other than buffers, to avoid direct impacts on the Ghost Bat were considered and applied through improved project design and project planning. For example, the location of OSAs or other infrastructure.	The Activity utilises existing infrastructure where possible which minimises clearing required. Additional explanation has been provided in Section 2.1.
4.4.5.3	As discussed under the General Comments section, the impact assessment (p. 41) only identifies the direct impact from habitat loss. It does not discuss the potential indirect impacts to the Ghost Bat from the Activity such as habitat modification from hydrological changes, fire and weeds, artificial light, feral animals and cane toads, noise and vibration, dust, hydrological changes, infrastructure such as barbed wire fences and communication towers and human disturbance.	Additional text on indirect impacts has been included in Section 5.3.5.
4.4.6.1	The mitigation hierarchy has not been applied to indirect impacts to the Ghost Bat from the Activity. There is a brief reference to the implementation of a Terrestrial Fauna Environmental Management Plan with no detail provided as to what this entails and no further mention of this plan within the draft validation notice.	Additional information on indirect impacts to Ghost Bat has been included in Section 5.3.5 and the fauna management plan is provided.
4.4.6.2	As indirect impacts have not been identified, assessed and the mitigation hierarchy applied, the department, other targeted stakeholders and the public, cannot provide comment on the effectiveness of the avoidance and mitigation measures for indirect impacts.	This omission has been addressed with inclusion of impact assessment and mitigation relating to hydrological changes, habitat modification, light, feral predators, infrastructure and human disturbance.
4.4.6.3	In regard to Ghost Bat records (p. 41), the draft validation notice states there has been one direct observation of a Ghost Bat outside the Activity Area however, Table 4-7 (pp. 36-38) indicates there has been one direct observation of an individual at cave CJIM-03 and two records of direct observations of individuals at cave CNIN-9. Please amend.	Section 5.3.4 Ghost Bat records states that twelve records of Ghost Bat have been recorded in the Activity Area and evidence has been recorded outside of the Activity Area. The records are provided in Table 5-7. Text amended from 'one direct observation' to 'direct observations.'
4.4.6.4	<p>Noting that some caves have 'mining exclusion buffers' (also referred to as exclusion zones within the draft validation notice) (pp. 41 42), please explain what is avoided in these buffers, is it all disturbance?</p> <p>Can blasting/mining occur up to the boundary of the mining exclusion buffer? Potential indirect impacts have not been addressed to show that these buffers will provide adequate protection to the roosts. Please discuss how you have determined mining activities adjacent to the</p>	Mining exclusion zones exclude clearing, blasting and excavation. These activities can occur outside of these buffers. Given these caves are not critical habitat and are all Category 3 caves (diurnal with occasional roosting) and Category 4 caves (nocturnal foraging) the buffers applied are considered

	mining exclusion buffers will not impact each relevant Ghost Bat roost and provide supporting evidence for this discussion for each potential impact pathway e.g. geotechnical analysis of potential vibration and noise impacts to Ghost bat use of these roosts.	appropriate to ensure ongoing use of the caves for these purposes.
4.4.6.5	How are the mining exclusion buffers to be applied to the roosts? For example, is it a 50 m or 100 m radius from the cave entrance, will the application vary depending on the cave characteristics? Please make it clear how the buffers will be measured and consider including a topographic map showing the mining exclusion buffer areas.	Buffers vary depending on cave category, as identified in Table 5-9 and are measured from the cave entrance.
4.4.7.1	As per the Assurance Plan and Offsets Plan Revision 2.3, residual impact is determined following the application of avoidance and mitigation measures, as noted above these have not been applied for indirect impacts to the Ghost Bat.	Mitigation measures have been applied as specified in the previous Jimlebar Optimisation Project Revised Validation Notice. This Validation Notice does not alter the commitments contained within that Validation Notice. Additional text is added to Section 5.3.5 and 5.3.7 in relation to dust.
4.4.7.2	The residual impact (p. 42) is stated as 'the loss of up to 10.1 ha of critical foraging habitat and 820. ha of critical foraging habitat'. Please clarify if this should be 10.1 ha of critical habitat (being Gorge/Gully and breakaway/Cliff habitat type)? Does this calculation of 'up to 10.1 ha' consider the potential direct impact to roosts CJIM-04, CJIM-08, CJIM-17 and CJIM-18?	Caves CJIM-04, 08, 17 and 18 are outside of the Indicative Footprint and are unlikely to be directly impacted. The impact to 10.1 ha of critical habitat does not include these roosts.
4.4.7.3	We note that Sand Plain and Stony Plain habitats were assessed as critical foraging habitat and supporting habitat for the Ghost Bat in the Jimlebar Optimisation Project Revised Validation Notice. Please explain/provide more detail as to why these habitats are considered not structurally suitable to support foraging for the Ghost Bat for this Activity (pp. 36 & 38).	Relevant vertebrate fauna surveys reports (GHD 2019a, 2019b and 2021; Biologic 2019b and 2022; Astron 2023) generally do not classify Sand Plain and Stony Plain as Ghost Bat foraging habitat (as they do not contain suitable perching trees), or these habitat types are classified as Supporting Foraging Habitat. BHP has taken a conservative approach and classified these habitats as Supporting Foraging Habitat. Additional text provided in Section 5.3.3.

4.4.7.4	Ghost Bat supporting habitat of Major Drainage, Minor Drainage, Mulga Woodland and Drainage Area/Floodplain is present in the Activity Area. Please also state in the residual impact calculation (p. 42) whether this supporting habitat is to be directly disturbed, and whether it has been included within critical foraging habitat.	Table 5-10 states that up to 820.2 ha of critical foraging habitat will be impacted and offset. In addition, Table 7-1 demonstrates that impacted Minor Drainage, Major Drainage, Mulga Woodland and Drainage Area/Floodplain habitats will be offset. Additional text is included in Section 5.3.5 and 5.3.10 to this effect.
4.4.9.1	Table 4-11 (p. 43) lists cave microclimate recording as a monitoring method with the monitoring parameters being temperature and humidity. While an impact assessment of indirect impacts to the Ghost Bat has not been included in the draft validation notice, we note that although Ghost Bats are less sensitive to this factor compared to the Pilbara Leaf-nosed Bat, disruption to microclimate should be considered under a hydrological assessment for Ghost Bat roosts.	Assessment of the potential impacts of altered hydrology was not included, given depth to groundwater and lack of groundwater dependent vegetation. In addition, the activity is not predicted to result in significant impacts to surface water. Nonetheless, additional information has been provided to demonstrate no potential impacts from groundwater drawdown in Sections 5.3.5 and 5.3.6.
4.4.9.2	In Table 4-12 Ghost Bat monitoring commitments (pp. 45-46), the first row lists the Monitoring Target as 'No disturbance to the Category 4 roosts (CJIM-04, CJIM-08, CJIM-17 and CJIM-18) without prior inspection to verify presence/absence of Ghost Bats'. We consider this to be a pre-clearance check rather than a monitoring commitment. Also, the corresponding corrective and contingency actions in column 3 are misaligned with the monitoring target as they relate to investigating potential causes of monitoring targets not being met; consultation with experts; comparison of changes with other Ghost Bat monitoring programs; increasing monitoring frequency and expanding the monitoring program. Please amend.	Monitoring target revised to 'Ensure no Ghost Bats are present in Category 4 roosts (CJIM-04, CJIM-08, CJIM-17 and CJIM-18) prior to disturbance.' Corrective and contingency actions to include review of the pre-disturbance checklist if required and provision of the checklist to relevant personnel.
4.4.9.3	The Monitoring Targets in Table 4-12 (pp. 45-46) relating to barbed wire fencing and restricting access to Ghost Bat caves during breeding season are management commitments rather than monitoring commitments. As such, we note that they are both recorded as proposed management commitments in Table 7-3 (p. 81). Please amend.	Monitoring target in Table 5-12 amended.

4.4.9.5	How will the Monitoring Target of 'Improve understanding of the local Ghost Bat population abundance/dynamics' in Table 4-12 (pp. 45-46) demonstrate that BHP is meeting the Program Matter Outcomes for the Ghost Bat? The Category 3 roosts and Category 4 roosts that are to be monitored cannot be identified in Figure 4-11 (p. 43) as the individual roosts are identified by stars and not by cave IDs.	It is important to improve knowledge of Ghost Bats use of caves at Jimblebar, as at present, there is no long term monitoring data. Improved knowledge of how the species uses this habitat will inform adaptive management. Figures have been amended to show Cave ID.
4.4.9.6	Figure 4-11 (p. 43) shows existing Ghost Bat monitoring locations. There are seven roosts listed to be monitored in Table 4-12 (pp. 45-46) yet there are more than seven stars on Figure 4-11. Please explain this discrepancy. Is it due to a reduction in the overall number of roosts being monitored?	BHP is monitoring more than seven caves, as required under state Ministerial Statement 1126, to improve the understanding of Ghost Bat presence and habitat use.
4.4.9.7	We recommend Table 4-11 Monitoring Targets (p. 43) be updated to include recorded presence of Ghost Bat at each Ghost Bat roost committed to being retained at least once every two years of the life of the Activity (i.e. to demonstrate successful application of avoidance measures, noting that potential reasons for results showing temporary absence of Ghost Bats – such as movement between roosts in the region can be discussed when reporting results in the Annual Environmental Reports).	BHP does not consider this to be a realistic target given that Ghost Bats have not been recorded either directly or indirectly at a number of the caves currently being monitored or proposed to be monitored, within the Activity Area.
4.4.9.8	The caves to be monitored are the caves with buffers applied, which is two Category 3 caves with a 100 m buffer and five Category 4 caves with 50 m buffers. Has BHP considered whether these buffers will allow access to the caves for monitoring purposes once construction and mining activities have commenced? We note that the BHP Strategic Environmental Assessment - Annual Environmental Report 2022/23 identified that some caves at Mining Area C could not be accessed for monitoring purposes due to pit progression.	Preliminary assessment indicates that all caves targeted for monitoring will remain accessible.
4.4.9.9	We note the proposed monitoring locations and timeframes (pending safe access and heritage restrictions) in the published Jimblebar Optimisation Project Revised Validation Notice are as follows: <ul style="list-style-type: none"> • Category 2 roosts (CJIM-03 and CNIN-03) - at least 6 monthly 	BHP will continue to monitor the caves identified for monitoring in the Jimblebar Optimisation Project Revised Validation Notice.

	<ul style="list-style-type: none"> • Category 3 roosts (CNIN-01, CNIN-13, CJIM-09) at least yearly • Category 4 roosts (CJIM-03, CJIM-05, CJIM-06, CJIM-08, CJIM15, CJIM17, CJIM-20), at least two yearly <p>We note that five of the Ghost Bat caves proposed to be monitored in this draft validation notice are already listed above, namely CJIM-05, CJIM-06, CJIM-09, CJIM-15 and CJIM-20, with the remaining two caves being CJIM-07 and CJIM-14. While this draft validation notice does not include monitoring commitments for the Category 2 caves CJIM-03 and CNIN-03, we expect these caves to continue to be monitored as per the Jimblebar Optimisation Project Revised Validation Notice commitments, along with those caves listed above that are not listed as monitoring commitments in this draft validation notice.</p> <p>We note that two Category 4 caves, CJIM-08 and CJIM-18, listed to be monitored in the Jimblebar Optimisation Project Revised Validation Notice are identified as potentially being directly impacted in this draft validation notice. Will additional sites be included in the monitoring program if these caves are directly impacted?</p>	<p>Additional text has been included in Table 5--12.</p> <p>CJIM-08 and CJIM-18 are unlikely to be impacted.</p>
4.5.4.1	<p>Under Impact Assessment (p. 52) it is concluded that habitat loss associated with the Activity is not significant and that 'Direct and indirect impacts to the Greater Bilby are not considered significant'.</p> <p>Significance of impact is not the test to be applied here. Instead, include further discussion demonstrating the adequacy of surveys to detect evidence or signs of Greater Bilby presence – to support and provide credibility to your conclusion that the triggers for Greater Bilby will not be met by this action, i.e. were surveys undertaken by a suitably qualified professional? Were they undertaken in accordance with relevant survey guidelines? Did survey coverage extend across all potentially suitable habitat within, and 500 m outside the activity area? Please also include closest known record of the species.</p>	<p>All surveys were completed by qualified professionals in accordance with the relevant guidance, as reported in the Validation Notice and in the appended fauna surveys. Surveys were commissioned prior to the revision of the APOP and therefore did not all cover the 500m buffer around the Activity Area. Since revision of the APOP, BHP is extending survey coverage to ensure this requirement is met for future surveys.</p> <p>The closest known record of Greater Bilby is from over 3km east of the Activity Area. This is included in Section 5.4.3 in the Validation Notice.</p>
4.5.4.2	Unintentional error: Impact Assessment (p. 52) there is a reference to Grey Falcon rather than the Greater Bilby.	Amended.
4.6.1	Pilbara Olive Python	Amended

	See comment 4.5.4	
4.7.1	Pilbara Leaf-nosed Bat See comment 4.5.4	Amended
4.7.3.1	<p>The Pilbara Leaf-nosed Bat Records section (p. 59) states there is no evidence of Pilbara Leaf-nosed Bat within the Activity Area or the surrounds, despite targeted bat survey effort. From the surveys published as appendices, we note the Jimblebar targeted ghost bat survey (GHD 2020) was commissioned by BHP to undertake a targeted Ghost Bat survey covering the Jimblebar area. We also note the Warrawandu Targeted Fauna Survey (Biologic 2023) included the Pilbara Leaf-nosed Bat as a target species.</p> <p>Although it included a large desktop assessment, according to Figure 4-1 Contemporary Vertebrate Fauna Surveys undertaken in the Activity Area (p. 21), the study area was linear, along Jimblebar Railway.</p> <p>Please identify or provide any other surveys that targeted the Pilbara Leaf-nosed Bat?</p>	<p>The targeted Ghost Bat survey was also intended to record Pilbara Leaf-nosed Bat, if present. Acoustic recordings were analysed for both Ghost Bat and Pilbara Leaf-nosed Bat.</p> <p>All fauna surveys undertaken included methods to monitor for presence of threatened bat species, targeting both Ghost Bat and Pilbara leaf-nosed Bat. Surveys include Mesa Gap, Shearers West, Jimblebar greenhouse gas abatement survey, Western Ridge and Jimblebar monitoring, Caramulla Miscellaneous licence, North Jimblebar, East Jimblebar and Caramulla, Jimblebar targeted fauna survey. The Western Ridge and Jimblebar monitoring program included 344 nights of continuous monitoring at caves within or adjacent to the Activity Area between September 2021 and September 2022 using SM4 bat detectors capable of detecting a broad spectrum of bat calls and has not detected any presence of Pilbara Leaf-nosed Bat.</p>
4.7.3.2	<p>This section states there is no evidence of Pilbara Leaf-nosed Bat within the Activity Area or the surrounds, despite targeted bat survey effort. Please explain the scope of 'surrounds'? We note Table 4-1 (pp. 19-20) indicates the Warrawandu Targeted Fauna Survey (Biologic 2023) recorded ultrasonic calls of Pilbara Leaf-nosed Bat. The survey report indicates they were recorded at two locations (from three individual ultrasonic calls) within Mulga Woodland and Drainage Area/Floodplain habitat of the study area but more than 500 m outside of the Activity Area. Please state the distance of these calls from the closest point of the western boundary of the Activity Area. The survey report also states</p>	<p>Surrounds refers to within 500m of the Activity Area. Given the surveys were commissioned prior to the revision to the APOP, they did not consistently extent 500m beyond the Activity Area. Since revision of the APOP, BHP is extending survey coverage to ensure this requirement is met for future surveys.</p>

	<p>that caves monitored for the Jimblebar Ghost Bat monitoring program show no indication of Pilbara Leaf-nosed Bats roosting, but sporadic nocturnal visits were recorded at caves CNIN-01 (Category 4), CNIN-03 (Category 2) and CNIN-09 (Category 3) throughout 2022. Please discuss these records and habitat in the draft validation notice.</p>	<p>The distance of caves CNIN-01,03 and 09 at Ninga, from the Activity Area have been included in Table 5-6.</p>
4.7.3.3	<p>The draft validation notice states that given the lack of records, and lack of critical roosting habitat to support the species, it is considered unlikely that the Pilbara Leaf-nosed Bat occurs within the Activity Area. Figure 4.20 (p. 62) shows three caves (no cave IDs) to the west of the Activity Area, two of which have Pilbara Leaf-nosed Bat records. Please discuss these records, including identifying the distance of these caves from the closest point of the western boundary of the Activity Area. The distance of the records from the Activity Area is important because, as cited in the draft validation notice, Pilbara Leaf-nosed Bats are predicted to travel up to 20 km from roost caves during nightly foraging, however, seasonal variation is known to occur, with foraging occurring up to 20 km in the dry season and up to 50 km during the wet season. We note there is approximately 10,888.7 ha of supporting habitat present in the Activity Area. We also note that Figure 4-18 (p. 60) shows numerous other Pilbara Leaf-nosed Bat records further to the west of the Activity Area.</p>	<p>There are no Pilbara Leaf-nosed Bat records including either caves or evidence of individuals or populations within the Activity Area or within 500m of the Activity Area. Pilbara Leaf-nosed Bat records are present to the west of and outside of the Activity Area, and greater than 500m from the Activity Area. Given these records are outside of these locations, the Notifiable Action Trigger is not met for this species. BHP has minimised clearing by placing infrastructure in existing cleared areas and utilising existing infrastructure where practicable.</p>
4.7.4.2	<p>The distance of the roosts/records from the Activity Area is also important from a hydrological perspective. Although the draft validation notice determines that potential impacts to Pilbara Leaf-nosed Bat as a result of altered hydrological regimes are expected to be negligible, this only considers direct impacts. Depending on the distance of the cave from the Activity Area, indirect impacts to hydrology may include water quality, which may reduce prey availability, and impacts to cave microclimate. As stated in the Project Description and Impact Quantification section, analysis of hydrological impacts extends to potential impacts to Program Matter habitat that may occur outside the Activity Area such as dewatering of pits impacting aquifers extending beyond the Activity Area.</p>	<p>Pilbara Leaf-nosed Bat roosts are broadly understood to occur within approximately 7 km of surface water sources. There are no Pilbara Leaf-nosed Bat roosts present in the Activity Area or known within 500m of the Activity Area. Ghost Bats are not known to be dependent on surface water availability, therefore water quality is not a consideration. In addition, given there is no groundwater dependent vegetation present, it is not expected that groundwater drawdown will alter the climatic conditions within caves.</p>
4.7.4.3	<p>The roost assessment for the Jimblebar targeted ghost bat survey (GHD 2020) states that site CAV-02 was categorised as a potential</p>	<p>CAV-02 (now referred to as CJIM-02) is located over 2.4 km south of the Activity Area relevant</p>

	<p>diurnal roost (unknown type) because the habitat assessment determined 'the roost has potential for the Pilbara Leaf-nosed Bat. It is unlikely that this roost provides ongoing diurnal refuge for the Ghost Bat, however the structural characteristics and microclimate may provide day roosting (albeit transitory) for the Pilbara Leaf-nosed Bat'. The monitoring notes indicate that this roost was to be monitored and considered further for Pilbara Leaf-nosed Bats. Did this occur and what was the outcome?</p>	<p>to this Validation Notice. It can only be accessed by helicopter due to difficult terrain. The location is off tenure.</p> <p>This cave was revisited in February 2024 to install a scat collection sheet, cave photo point and microclimate logger. Results are yet to be collected from this location.</p>
4.8.1	<p>Grey Falcon</p> <p>See comment 4.5.4</p>	Amended
4.9.1	<p>Night Parrot</p> <p>See comment 4.5.4</p>	Amended
6.2.1	<p>Please change significant residual impact to residual impacts (p. 73).</p>	Amended
6.2.2	<p>Table 6-1 residual impacts requiring offsetting (p.101): as previously advised by the department, please include a note in column 5 stating offset rate (\$/ha) is the current rate (GST excl.), with Perth CPI to be applied annually to any subsequent payments. The heading (Total financial offset) in column 6 should be minimum offset payment (as the total may increase over time due to annual application of CPI).</p>	Amended.
6.3	<p>Noting the Pilbara Environmental Offset Fund (the Fund) is still under development, and delivery of offsets for the relevant Program Matters may not be achieved, BHP should be prepared to deliver an alternative offset in this scenario. The Fund is not always an adequate pathway to offset all residual impacts, and in some instances, alternative offset pathways will need to be proposed.</p>	Comment noted.
6.6.2	<p>Summaries of offset outcomes included in Annual Environmental Reports are expected to be provided in enough detail for stakeholders to understand whether reasonable conservation outcomes are being</p>	Comment noted.

	achieved for the impacted species/program matter and the time between impact occurring and offset outcomes has been minimised as far as practicable.	
7.1.1	The discussion of avoidance and mitigation measures in this draft validation notice is not of sufficient detail to adequately inform the department's assessment of suitable monitoring commitments. Please consider the department's comments on monitoring commitments in previous validation notices and include sufficient discussion demonstrating application of the mitigation hierarchy to this activity and relevant monitoring commitments in a revised draft validation notice.	Comment addressed as described in response to previous DCCEE comments above.
7.1.2	Please include a commitment to monitor the quantity of Northern Quoll supporting habitat directly and indirectly impacted/cleared to ensure it does not exceed the 1206.5 ha limit specified in this draft validation notice.	Note this is a repeat of a previous comment above.
7.2.1	Please clearly identify, as a clearing commitment, each roost that is to be retained (impact avoided) for ongoing Ghost Bat use.	Section 5.3.5 states that based on the current Indicative Footprint, the activity is intended to avoid direct impact to all Ghost Bat roosts. In the event that the footprint is modified, caves in exclusion zones will be protected. Impacts to caves not included in exclusion zones are also unlikely.
7.2.2	Please include a clearing commitment that no clearing will occur within the mining exclusion buffers applied to the relevant Category 3 and Category 4 caves within the Activity area.	Section 5.3.6 states that no clearing or mining activities will occur within the buffers. Additional text added to Section 4.4.5.
7.2.3	Please include a commitment that clearing does not exceed the following limits: <ul style="list-style-type: none"> • Total disturbance of 2,067 ha For Ghost Bat critical habitat and critical foraging habitat (dependant on the application of the mitigation hierarchy being applied for direct and indirect impacts), up to:	The Validation Notice commits to clearing no more than 2,067 ha. BHP also commits to clearing no more than 7.6 ha of Gorge/Gully and up to 2.5 ha of Breakaway/Cliff habitat types. For all other habitat types, the extent of clearing identified is based on the current Indicative Footprint. In the event that clearing

	<ul style="list-style-type: none"> • 7.6 ha Gorge/Gully • 2.5 ha Breakaway/Cliff • 16 ha Major Drainage Line • 24.9 ha Minor Drainage Line • 510 ha Mulga Woodland • 269.3 ha Drainage Area Floodplain <p>For Northern Quoll supporting habitat, up to:</p> <ul style="list-style-type: none"> • 1,159.8 ha Hillcrest/Hillslope • 29.5 ha Sand Plain • 17.2 ha Stony Plain 	<p>occurs outside of the Indicative Footprint, the total clearing extent will remain up to 2,067 ha.</p> <p>To increase clarity, text in Section 5.3.5 and Table 8-2 4.4.5 has been updated to reflect this by referring to clearing of up to 7.6 ha Gorge/Gully and 2.5 ha Breakaway/Cliff, and approximating the extent of hectares to be cleared for other habitat types.</p>
7.3.1	Update management commitments to include feral cat abatement, light pollution, and fire management to align with the commitments in the Jimblebar Optimisation Project Revised Validation Notice.	Additional text added.
7.3.2	Please clearly identify as a management commitment each roost that is to be retained (impact avoided) for ongoing Ghost Bat use.	<p>This is repeat of a previous comment.</p> <p>Section 5.3.5 states that the activity will direct impacts to all Ghost Bat roosts. This is also identified in Table 5-6 and Table 5-9.</p>
7.4.1	As commented above, this draft validation notice does not sufficiently identify indirect impacts to Program Matters. As a result, confidence in the accuracy of the calculated residual impact is low and we are unable to confirm the accuracy of offset payment calculations.	<p>This is a repeat of previous comments.</p> <p>Additional text has been added related to indirect impacts.</p>
7.4.2	The offset commitment (Payment of financial contribution to the Fund) is not sufficient. Commitment needs to include achievement of conservation outcomes equal to or greater than the impact (e.g. habitat loss).	Additional text added to Section 7.3 as follows 'Combined with the avoidance and mitigation measures, this will ensure that the Program Matter Outcomes identified in the APOP are achieved.'

7.4.3

Reporting needs to include evidence of payment to the department of on-time payments into the Fund (including minimum 10% within 1 month of validation notice becoming effective), and summary of offset outcomes in Annual Environment Report to the department and public.

Additional text added to Section 7.6.1 as follows
'BHP will also provide notification to DCCEEW of the payment to the PEOF of 10% of the offsets within one month of the Validation Notice taking effect. A summary of offset outcomes will be reported in the Annual Environment Report.