



**Approval**

**Abbot Point Growth Gateway Project, Queensland (EPBC 2015/7467)**

This decision is made under sections 130(1) and 133 of the *Environment Protection and Biodiversity Conservation Act 1999*.

**Proposed action**

**person to whom the approval is granted** Queensland Department of State Development

**proponent's ABN** ABN: 29 230 178 530

**proposed action** To undertake the capital dredging, onshore placement and reuse of dredge material at Abbot Point, approximately 25 km north of Bowen, North Queensland [See EPBC Act referral 2015/7467].

**Approval decision**

Controlling Provision	Decision
Sections 12 & 15A (World Heritage properties)	Approved
Sections 15B & 15C (National Heritage places)	Approved
Sections 18 & 18A (Listed threatened species and communities)	Approved
Sections 20 & 20A (Listed migratory species)	Approved
Sections 23 & 24A (Commonwealth marine areas)	Approved
Sections 24B & 24C (Great Barrier Reef Marine Park)	Approved

**conditions of approval**

This approval is subject to the conditions specified below.

**expiry date of approval**

This approval has effect until 31 January 2031

**Decision-maker**

**name and position** The Hon Greg Hunt MP  
Minister for the Environment

**signature**

**date of decision**

21:12:15

## Conditions of approval

### Dredging

1. The **approval holder** may only undertake the dredging using a **Cutter Suction Dredge**.
2. The **approval holder** must ensure that:
  - a) dredging only occurs in the berth pockets and apron areas identified as 'Dredging footprint' in Appendix A;
  - b) that no more than 1.1 million cubic metres of **dredge material** is removed from those areas; and
  - c) the **dredge material** must be placed in the **dredge material containment area**.

### Dredge material containment area

3. The **dredge material containment area (DMCA)** must be located in the area identified in Appendix B and a polyethylene liner or equivalent must be installed on the internal sides of the **DMCA** to minimise potential lateral seepage.
4. The **DMCA** must not be located within the **buffer zone** as identified in Appendix B. The **buffer zone** must be a minimum of 50 metres from the **wetland fringe** of the Caley Valley Wetlands, as identified in Appendix B.
5. **Commencement** of **DMCA** construction must not be undertaken between the months of December and March inclusive.

### Pipelines

6. The **approval holder** must ensure that construction and operation of the dredge material delivery pipeline and the return water pipeline only occurs within corridors that are no more than 12 metres wide.
7. The **approval holder** must ensure there is an appropriate **buffer zone** between the dredge material delivery pipeline and the return water pipeline and any turtle nests to avoid or minimise disturbance to turtle nests located along the coastal zone at Abbot Point from construction and operation of the **pipelines**.

### Dredge Management Plan

8. The **approval holder** must submit a Dredge Management Plan (DMP) for the **Minister's** approval prior to commencement of the **dredging activities** and construction of the **pipelines**. The **approval holder** must not commence the **dredging activities** or construction of the **pipelines** unless the **Minister** has approved the DMP. The DMP must contain at least the following:
  - a) details of management measures including controls, performance targets, early warning trigger levels, adaptive management strategies, corrective actions, auditing, review and non-compliance reporting for **impacts** from **dredging activities** to each of the **matters of national environmental significance**, including measures to:
    - i. minimise the impacts related to construction and placement of the **pipelines**;

- ii. avoid or minimise disturbance to marine fauna;
  - iii. avoid or minimise the introduction of marine pest species;
  - iv. avoid or minimise the uncontrolled release of **dredge material**;
  - v. manage risks associated with **extreme weather events**;
  - vi. manage the risk associated with the carriage, storage and use of hazardous materials on **vessels**; and
  - vii. avoid **vessel** accidents, oil spills and accidental release of **dredge material**.
- b) management measures to implement the *Water Quality Guidelines for the Great Barrier Reef Marine Park (2010)* for water released into the marine environment through the return water pipeline;
- c) details (including a map) of the final placement of the **pipelines**;
- d) details of management measures to ensure the **buffer zone** required under condition 7 is maintained;
- e) a program to monitor marine water quality for the period of **dredging activities**, and for a specified period before and after **dredging activities**. The program must:
- i. be capable of establishing a pre-dredging baseline and confirming when, after dredging is completed, water quality has returned to baseline levels; and
  - ii. be developed in consultation with the Great Barrier Reef Marine Park Authority and complement existing monitoring programs and future Integrated Monitoring Programs.
- f) water quality trigger levels relating to photosynthetic active radiation, turbidity and/or total suspended solids, taking account of water quality guidelines that are currently applicable within the Great Barrier Reef. The water quality trigger levels must be linked to adaptive management strategies in the event that trigger levels are reached. Trigger levels must include:
- i. early-warning trigger levels for modifying the **dredging activity**; and
  - ii. trigger levels for ceasing the **dredging activity**.
- g) procedures that provide for the **approval holder** to notify the **Department** (in writing) within three (3) business days if a trigger level is reached that requires modification or ceasing of the dredging activity under condition 8a), 8b) and 8f);
- h) procedures that provide for the **approval holder** to report, within one week of any initial notification required by condition 8 g), advising of the cause of a trigger level exceedance, and what adaptive management measures and corrective actions were implemented; and
- i) a peer review by a **suitably qualified independent expert** of the adequacy of the draft DMP, in relation to **dredging activities**, and a table of any changes made in response to the peer review.
9. The approved DMP, or a subsequent version of the DMP as provided for under condition 23, must be implemented.

## Onshore Environmental Management Plan

10. The **approval holder** must submit an Onshore Environmental Management Plan (OEMP) for the **Minister's** approval prior to commencement of **construction**. The **approval holder** must not commence **construction** unless the **Minister** has approved the OEMP (except in the case of the activities for which sub-plans under conditions 10 b) i., 10 b) ii. and 10 b) iii. are separately approved). The OEMP must address the following:
- a) details of management measures including controls, performance targets, early warning trigger levels, adaptive management strategies, corrective actions, auditing, review and non-compliance reporting for **impacts** related to onshore components of the **action** to each of the **matters of national environmental significance**, including measures to:
    - i. manage potential and actual acid sulfate soils;
    - ii. manage erosion and sediment;
    - iii. mitigate impacts to water quality (surface and groundwater);
    - iv. implement stormwater management;
    - v. mitigate impacts related to noise and vibration;
    - vi. manage emergency responses (including response to **extreme weather events**);
    - vii. avoid or minimise impacts related to feral animals and weeds; and
    - viii. avoid or minimise impacts related to vegetation clearing, habitat fragmentation and edge effects.
  - b) details of management measures including controls, performance targets, adaptive management strategies, corrective actions, auditing, review and non-compliance reporting for **impacts** related to onshore components of the **action** to each of the **matters of national environmental significance**, including measures to:
    - i. *Construction*
      - a. avoid or minimise impacts related to **construction** of infrastructure, earthworks and embankments;
      - b. ensure the design of the **DMCA** includes:
        - i. how the design is consistent with the **Manual for Assessing Consequence Categories and Hydraulic Performance of Structures**;
        - ii. lining of the internal sides of the DMCA;
        - iii. sufficient freeboard throughout all stages of the **DMCA** life including sufficient freeboard to contain a 1 in 20 year **Average Recurrence Interval (ARI)** rainfall event; and
        - iv. consideration of outcomes resulting from re-running the groundwater model to incorporate a **DMCA** drainage value of higher vertical permeabilities, representative of the variability of

vertical permeability found across the **DMCA** site. The model should perform to requirements in keeping with modelling best practice or be recalibrated to meet best practice.

ii. *Operation*

- a. ensure the ongoing maintenance of infrastructure; and
- b. ensure ongoing stormwater and erosion control.

iii. *Decommissioning*

- a. ensure the **beneficial reuse** of dredge material, where possible; and
- b. remediation of the site used for the **DMCA** for industrial land use.

- c) a peer review of the adequacy of the OEMP, in relation to each element of the design, construction and operation of the **DMCA**, by a **suitably qualified independent expert** and a table of changes made in response to the peer review.

11. Sub-plans provided for at condition 10 b) i., 10 b) ii. and 10 b) iii. may be submitted separately to the **Minister** for approval. The activities provided for under sub-plans 10 b) i., 10 b) ii. and 10 b) iii. must not **commence** until the **Minister** has approved them.

12. The approved OEMP and sub-plans, or a subsequent version of the OEMP and sub-plans as provided for under condition 23, must be implemented.

### **Dredge Material Management Plan**

13. The **approval holder** must submit a Dredge Material Management Plan (DMMP) for the **Minister's** approval prior to commencement of the **dredging activities**. The **approval holder** must not commence the **dredging activities** unless the **Minister** has approved the DMMP. The DMMP must contain at least the following:

- a) a program to monitor the integrity of the **DMCA** that includes:
  - i. proposed locations of monitoring points, and methods and frequency of monitoring;
  - ii. consideration of the results of the modelling required under condition 10 b) i. b. iv. in determining monitoring requirements;
  - iii. management measures for the **DMCA** including controls, performance targets, early warning trigger levels, adaptive management strategies, corrective actions, auditing, review and non-compliance reporting; and
  - iv. management measures to maintain the integrity of the **DMCA** in the case of **extreme weather events**.
- b) procedures for notifying the **Department** (in writing) within three (3) business days when discharge from the return water pipeline commences;
- c) procedures that provide for the approval holder to notify the **Department** (in writing) within three (3) business day when a discharge trigger level specified under condition 13 a) is exceeded;

- d) procedures that provide for the approval holder to report, within one week of any initial notification under condition 13 c), advising of the cause of trigger level exceedance, what adaptive management measures and corrective actions were implemented; and
  - e) a peer review of the DMMP, in relation to the operation of the **DMCA**, by a **suitably qualified independent expert** and a table of changes made in response to the peer review.
14. The approved DMMP, or a subsequent version of the DMMP as provided for under condition 23, must be implemented.

### **Completion Report**

15. Within three (3) months of the completion of dredging the **approval holder** must submit a Completion Report to the **Minister**. The Completion Report must include details of modelling used to calculate the actual amount (tonnes) of **fine sediment** returned to the marine environment as a result of the **action** during dredging and **dewatering** of the **dredge material**.

### **Offset Management Strategy**

16. The **approval holder** must submit an Offset Management Strategy (OMS) for the **Minister's** approval prior to commencement of the **dredging activities**. The **approval holder** must not commence the **dredging activities** unless the **Minister** has approved the OMS. The OMS must include the following:
- a) details on how the **approval holder** will achieve a reduction of sediment entering the marine environment from the Burdekin and/or Don catchments equal to 150% of the **fine sediment** determined in accordance with condition 15;
  - b) details of how the **approval holder** will provide a contribution to an entity or agency endorsed by the Department to compensate for the loss of **potential seagrass habitat** within the dredge footprint taking account of the equivalence of the density of seagrass coverage and the actual recolonisation of the site by seagrass;
  - c) details of the process of providing offsets, if monitoring demonstrates that impacts to the habitat of listed migratory or threatened species in the Caley Valley Wetlands occurs as a result of impacts from the management of the DMCA;
  - d) details of the process of providing offsets if long-term impacts to turtles or other listed migratory and threatened marine fauna result from laying of **pipelines** and **dredging activities** as identified in the Dredge Management Plan;
  - e) details of how the proposed contributions to programs or incentives align with the broader strategies and programs for the Great Barrier Reef, including but not limited to the **Reef 2050 Long-Term Sustainability Plan**; and
  - f) a process for annual reviews of the performance of the OMS for the life of the **approval** including timeframes for conducting the reviews and for publishing the findings of each review on the **approval holder's** website for those elements of the OMS which do not include a financial contribution to the entity or agency endorsed by the Department.

17. Prior to commencement of the **action**, the **approval holder** must undertake pre-clearance surveys for squatter pigeon (*Geophaps scripta scripta*) on the **project site** and, if the pre-clearance survey identifies the presence of squatter pigeon on the **project site**, the **approval holder** must provide, in the OMS, details of how an offset will be secured for impacts to **squatter pigeon habitat** that is consistent with the **EPBC Act Environmental Offsets Policy**.
18. The approved OMS must be implemented.

#### **Standard conditions**

19. Within ten (10) days after the commencement of the **action**, the **approval holder** must advise the **Department** in writing of the actual date of commencement.
20. The **approval holder** must maintain accurate records substantiating all activities associated with or relevant to the conditions of **approval**, including measures taken to implement the management plans and strategy required by this **approval**, and make them available upon request to the **Department**. Such records may be subject to audit by the **Department** or an independent auditor in accordance with section 458 of the **EPBC Act**, or used to verify compliance with the conditions of **approval**. Summaries of audits will be posted on the **Department's** website. The results of audits may also be publicised through the general media.
21. Unless otherwise agreed to in writing by the **Minister**, within three (3) months of every 12 month anniversary of the commencement of the **action**, the **approval holder** must publish a report on its website addressing compliance with each of the conditions of this **approval**, including implementation of any management plans and strategy as specified in the conditions. Documentary evidence providing proof of the date of publication and details of non-compliance with any of the conditions of this **approval** must be provided to the **Department** at the same time as the compliance report is published.
22. Upon the direction of the **Minister**, the **approval holder** must ensure that an independent audit of compliance with the conditions of **approval** is conducted and a report submitted to the **Minister**. The independent auditor and audit criteria must be approved by the **Minister** prior to the commencement of the audit. The audit report must address the approved criteria to the satisfaction of the **Minister**.
23. The **approval holder** may choose to revise a management plan approved by the **Minister** under conditions 8, 10 and 13 without submitting it for approval under section 143A of the **EPBC Act**, if the taking of the **action** in accordance with the revised plan or strategy would not be likely to have a **new or increased impact**. If the **approval holder** makes this choice it must:
- i. notify the **Department** in writing that the approved plan or strategy has been revised and provide the **Department** with an electronic copy of the revised plan or strategy;
  - ii. implement the revised plan or strategy from the date that the plan or strategy is submitted to the **Department**; and
  - iii. for the life of this **approval**, maintain a record of the reasons the **approval holder** considers that taking the **action** in accordance with the revised plan or strategy would not be likely to have a **new or increased impact**.

24. The **approval holder** may revoke its choice under condition 23 at any time by notice to the **Department**. If the **approval holder** revokes the choice to implement a revised plan or strategy, without approval under section 143A of the Act, the plan or strategy most recently approved by the **Minister** must be implemented.
25. Condition 23 does not apply if the revisions to the approved plan or strategy include changes to environmental offsets provided under the plan or strategy in relation to a matter protected by a controlling provision for the **action**, unless otherwise agreed in writing by the **Minister**. This does not otherwise limit the circumstances in which the taking of the **action** in accordance with a revised plan or strategy would, or would not, be likely to have **new or increased impacts**.
26. If the **Minister** gives a notice to the **approval holder** that the **Minister** is satisfied that the taking of the **action** in accordance with the revised plan or strategy would be likely to have a **new or increased impact**, then:
- i. condition 23 does not apply, or ceases to apply, in relation to the revised plan or strategy; and
  - ii. the **approval holder** must implement the plan or strategy most recently approved by the **Minister**.

To avoid any doubt, this condition does not affect any operation of conditions 23, 24 and 25 in the period before the day the notice is given.

At the time of giving the notice the **Minister** may also notify that for a specified period of time that condition 23 does not apply for one or more specified plans or strategies required under the **approval**.

27. Conditions 23, 24, 25 and 26 are not intended to limit the operation of section 143A of the **EPBC Act** which allows the **approval holder** to submit a revised plan or strategy to the **Minister** for approval.
28. If, at any time after five (5) years from the date of this **approval**, the **approval holder** has not substantially **commenced** the **action**, then the **approval holder** must not substantially **commence** the **action** without the written agreement of the **Minister**.
29. Unless otherwise agreed to in writing by the **Minister**, the **approval holder** must publish all management plans, strategies and reports, referred to in these conditions of **approval** on its website. Each management plan and/or strategy must be published on the website within one (1) month of being approved by the **Minister** or the subject of condition 23.



## Definitions

**Action:** the Abbot Point Growth Gateway Project as referred under the EPBC Act (EPBC 2015/7467).

**Average Recurrence Interval (ARI):** the average expected rainfall over a given duration of a three (3) month event post **dewatering** of the **dredge material** (pre-final landform).

**Approval holder:** the person to whom the approval is granted or any person acting on their behalf, or to whom the approval is transferred under section 145B of the EPBC Act.

**Beneficial re-use:** includes using the dredge material for construction material and/or environmental enhancements.

**Bulk earth works:** includes the removal, movement or borrowing of large quantities of soil or rock from around or to the project area by cutting into or filling of the surface of the ground.

**Buffer zone:** a zone providing distance separation between the predicted habitat or known location of a matter of national environmental significance and the location of any part of the **action**.

**Commencement/Commence/d:** the action commences when the **approval holder** begins **bulk earth works** associated with the construction of the dredge material containment area; dredging activities; laying pipes; and the **construction** of any infrastructure associated with the proposed action.

**Construction:** includes clearing of vegetation and the use of heavy duty equipment for the purpose of **bulk earth works**. **Construction** does not include **preliminary works**.

**Cutter Suction Dredge:** a vessel that uses a rotating cutter head to loosen seabed material and a suction inlet designed to draw the loosened material into a pipe to be transported for disposal.

**Department:** the Australian Government Department or any other agency administering the EPBC Act from time to time.

**Dewatering:** the removal of water from the **dredge material** in the **DMCA**.

**Dredge material:** material below the seabed that is removed from the 'Dredging footprint' in Appendix A by **dredging activities**.

**Dredge material containment area (DMCA):** the onshore area, including structures to contain solid dredge material, and allow controlled removal of water, located in the area marked 'dredge material containment area' in Appendix B.

**Dredging activities:** includes all activities associated with capital dredging, pumping and deposition of **dredge material** in the **dredge material containment area** and release of return water to the marine environment.

**EPBC Act:** the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

**EPBC Act Environmental Offsets Policy:** *Environment Protection and Biodiversity Conservation Act 1999 Environmental Offset Policy* (2012). Commonwealth of Australia.

**Extreme weather event:** includes but is not limited to periods of high rainfall, strong winds, very high tides, wild fire, severe drought and cyclones.

**Final environmental impact statement:** *Abbot Point Growth Gateway Project - Environmental Impact Statement* as submitted to the **Department** on 26 October 2015.

**Fine sediment:** <15.6µm fine silt and clay.

**Impact/s/ed:** has the definition assigned to it in section 527E of the EPBC Act.

**Manual for Assessing Consequence Categories and Hydraulic Performance of Structures:** Department of Environment and Heritage Protection (2014). *Manual for Assessing Consequence Categories and Hydraulic Performance of Structures*, EM635 Version 4. Queensland.

**Matters of national environmental significance:** in the context of this approval: Great Barrier Reef World Heritage Area, Great Barrier Reef National Heritage place; listed threatened species and communities as identified in the **Final environmental impact statement**, listed migratory species as identified in the **Final environmental impact statement**, Commonwealth marine area and the Great Barrier Reef Marine Park.

**Minister:** the Minister administering the EPBC Act and includes a delegate of the Minister.

**New or increased impact:** an **impact** on any matter protected by the controlling provisions for the **action**, which is new or increased when compared to the **impact** described in the plan or strategy that has been approved by the **Minister**.

**Pipelines:** the dredge material delivery pipeline and the return water pipeline.

**Potential impact:** includes **potential impacts** related to, but not limited to, noise, light, dust, accidental release of dredge material, marine water quality, vessel accidents, and **extreme weather events**.

**Potential seagrass habitat:** seagrass in the berth pockets and apron area (61 hectares) identified as 'Dredging footprint' in [Appendix A](#).

**Preliminary works:** includes the erection of fences and signage, transport and storage of equipment and materials and facilities at the **project site**, site surveys and investigations, and other activities of a temporary nature to prepare the project for development.

**Project site:** Onshore components of the **action** as described in the **final environmental impact statement**, including dredge material delivery pipeline corridor, return water pipeline corridor, **dredge material containment area**, soil stockpile area, site office and laydown area.

**Reef Trust:** a financial mechanism assisting in the delivery of the **Reef 2050 Long-Term Sustainability Plan**.

**Reef 2050 Long-Term Sustainability Plan:** *Reef 2050 Long-Term Sustainability Plan*, Commonwealth of Australia 2015.

**Squatter pigeon habitat:** open-forests to sparse open-woodlands and scrub that are:

- mostly dominated in the overstorey by *Eucalyptus*, *Corymbia*, *Acacia* or *Callitris* species;
- remnant, regrowth or partly modified vegetation communities, and
- within three (3) kilometres of water bodies or courses.

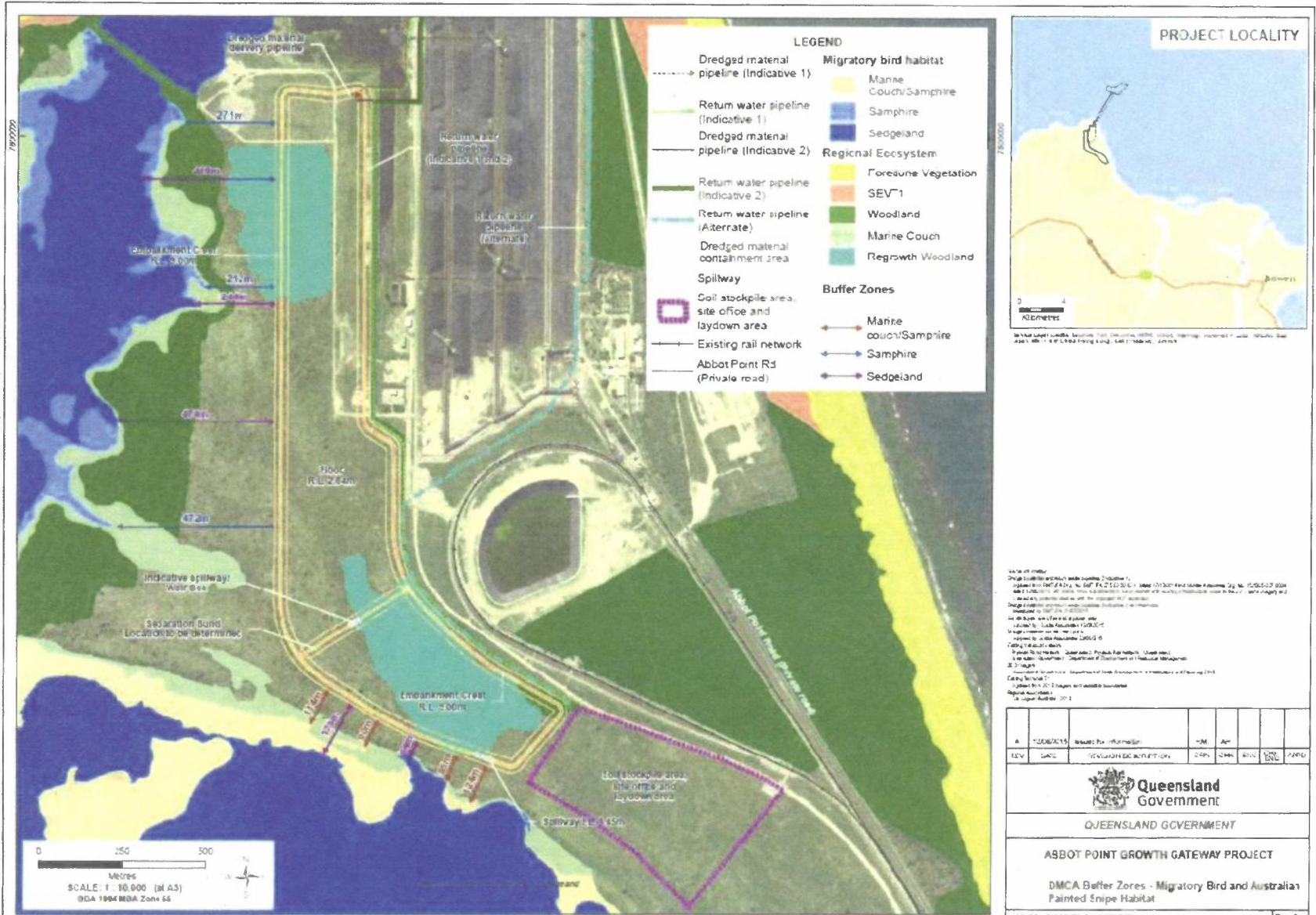
**Suitably qualified independent expert:** a person, approved by the **Minister**, who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative assessment, advice and analysis on performance relative to

the subject matter using the relevant current protocols, standards, methods and/or literature.

**Vessels:** means all boats and/or ships travelling near the port of Abbot Point for the purpose of the **action** including those used during the dredging operation.

**Wetland fringe:** means the wetland fringe of the Caley Valley Wetlands as defined in Volume 4 of the **final environmental impact statement**. The wetland fringe includes mixed salt couch and samphire, samphire and sedgeland (migratory and shorebird habitat).





**NOTES:**

1. This map is a summary of the information contained in the project files and is not intended to be used as a legal document.
2. The map is based on the information provided in the project files and is not intended to be used as a legal document.
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REV	DATE	REVISION DESCRIPTION	BY	APP	CHK	DATE
A	15/06/2015	Issue for information				


**Queensland Government**  
 QUEENSLAND GOVERNMENT

**ASBOT POINT GROWTH GATEWAY PROJECT**  
**DMCA Buffer Zones - Migratory Bird and Australian Painted Snipe Habitat**

30100-1-01956-00-GW-SKP-013; Rev B