

## Decision Notice

*Sustainable Planning Act 2009 s.334*

23 December 2015

Mr Greg Rashford  
General Manager South of Embley Boyd Development  
RTA Weipa Pty Ltd  
GPO Box 153  
BRISBANE QLD 4001

Dear Mr Rashford

### **DEVELOPMENT PERMIT FOR DREDGING - OPERATIONAL WORKS (TIDAL WORKS AND MARINE PLANTS) AND MATERIAL CHANGE OF USE FOR ERA 16 (1B), ON LAND DESCRIBED AS LOT 14 ON SP120446, AT THE PORT OF WEIPA**

**NQBP Reference:** PL/06/02/00005/2  
**RTA Reference:** CAL.01-0000-HH-LTR-00006  
**SARA Reference:** SDA-0815-023209

I refer to your application received by North Queensland Bulk Ports Corporation Ltd (NQBP) on 31 July 2015, seeking approval for Operational Works (Tidal Works and Marine Plants) and a Material Change of Use for ERA 16 (1b) for the purpose of dredging for proposed new facilities at Humbug Wharf at the Port of Weipa.

I wish to advise that NQBP has considered your application and on 23 December 2015 this development application was approved in full subject to conditions, pursuant to section 334 of the *Sustainable Planning Act 2009*.

You are strongly advised to read and familiarise yourself with each of the conditions applicable to this development approval, including the attached referral agency responses.

#### **1. Details of Approval**

<b>Approved Proposal:</b>	<p>Dredging to permit the development of the Humbug barge/ passenger terminal, specifically the following works:</p> <ul style="list-style-type: none"> <li>- Operational Works (Tidal Works);</li> <li>- Operational Works (Removal, Destruction or Damage of Marine Plants); and</li> <li>- Material Change of Use for Environmentally Relevant Activity (ERA) 16 (1b) – dredging in a year more than 10,000 tonnes but not more than 100,000 tonnes of material.</li> </ul>
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#### **Brisbane Office**

GPO Box 409 Brisbane  
Queensland 4001

P 07 3011 7900 f 07 3011 7999  
nqbp.com.au info@nqbp.com.au

#### **Mackay Office**

PO Box 3340 North Mackay  
Queensland 4740

P 07 4969 0700 f 07 4969 0799  
nqbp.com.au info@nqbp.com.au

**Hay Point • Mackay • Abbot Point • Weipa**

Level 1, Waterfront Place, Mulherin Drive Mackay Harbour Queensland is the Registered Office of

**North Queensland Bulk Ports Corporation Limited**

ACN 136 880 218 • ABN 36 136 880 218

**Ports Corporation of Queensland Limited**

ACN 126 302 994 • ABN 49 657 447 879

**Mackay Ports Limited**

ACN 131 965 707 • ABN 69 131 965 707



<b>Type of Approval:</b>	<input type="checkbox"/> Preliminary Approval <input checked="" type="checkbox"/> Development Permit <input type="checkbox"/> Compliance Permit <input type="checkbox"/> Compliance Certificate
<b>Aspect of Development:</b>	<input type="checkbox"/> Carrying out building work <input type="checkbox"/> Carrying out plumbing or drainage work <input checked="" type="checkbox"/> Carrying out operational work <input type="checkbox"/> Reconfiguring a lot <input checked="" type="checkbox"/> Making a material change of use of premises

## 2. Property Description of Proposed Development

<b>Port:</b>	Weipa
<b>Street Address:</b>	Peninsula Development Road, Weipa
<b>Real Property Description:</b>	Lot 14 on SP120446

## 3. Approved Drawings and Documents

<i>Plan or document</i>	<i>Document number</i>	<i>Date</i>
Capital Dredge Management Plan – River Facilities	n/a	05/12/2014
South of Embley Project Boyd Plant – 22.8MDPTPA – River Dredging Humbug Point Barging Terminal Dredging Works Permit Plan	25977-000-S0-5840-05201 (Rev 00A)	27/04/2015
South of Embley Project Boyd Plant – 22.8 MDPTPA – River Dredging Humbug Point Barging Terminal – Dredging Works Permit Sections	25977-000-S0-5840-05210 (Rev 00A)	27/04/2015
South of Embley Project – Figure 5-5 Off lease River Dredging – 2014 Seagrass Mapping at the Port of Weipa		29/07/2015

## 4. Referral Agency Response

The relevant referral agency responses are listed below, and attached to this development approval. A copy of this development approval has been sent to the referral agencies in accordance with section 334 of the *Sustainable Planning Act 2009*.

<i>Attachment</i>	<i>Referral Agency</i>	<i>Advice or Concurrence Agency</i>	<i>Date of Response</i>	<i>Reference Number</i>
3	State Assessment and Referral Agency	Concurrence	26 November 2016	SDA-0815-023209
4	Coordinator General's Conditions	Concurrence		



## 5. Effect of Development Approval

This development approval takes effect on the decision date, in accordance with section 339 of the *Sustainable Planning Act 2009*.

Under section 340 of the *Sustainable Planning Act 2009*, development may commence on the date the development approval takes effect (i.e. the decision date).

Under section 341 (3b) of the *Sustainable Planning Act 2009*, the approved development must be either completed or substantially commenced within 5 years of the decision date

## 6. Applicant's Appeal Rights

Under section 461 of the *Sustainable Planning Act 2009*, an applicant for a development application may appeal to the Planning and Environment Court – the following is an excerpt from the Act regarding applicant appeal rights:

### 461 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following:
  - a. the refusal, or refusal in part of the development application;
  - b. any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242 of the *Sustainable Planning Act 2009*;
  - c. the decision to give a preliminary approval when a development permit was applied for;
  - d. the length of a period mentioned in section 341;
  - e. a deemed refusal of the development application;
- (2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the applicant's appeal period) after:
  - a. if a decision notice or negotiated decision notice is given – the day the decision notice or negotiated decision notice is given to the applicant;
  - b. otherwise, the day a decision notice was required to be given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day of a decision on the matter should have been made.

## 7. Additional Approvals Required

This Development Permit is limited to Operational Work (Tidal Works and Marine Plants) and a Material Change of Use for ERA 16 (1b) for dredging of the proposed Humbug Wharf facilities on Lot 14 on SP120446 at the Port of Weipa. At no time should this document be interpreted to imply approval to any other development, operation or land use.

This Development Permit does not remove the requirement for any other legislative approval (including approvals under the *Sustainable Planning Act 2009*).

It is the applicant's responsibility to ensure that it obtains all other necessary approvals to undertake the use / works approved under this development approval.

If you have any queries regarding the above Development Permit or its conditions, please do not hesitate to contact me as per the details below.

Yours sincerely



Sally Sala  
**Acting Senior Manager Planning**

Enquiries: Sally Sala  
Telephone: (07) 3011 7906  
Email: SSala@nqbp.com.au  
Doc Reference: E15/58029



## ATTACHMENT 1 – ASSESSMENT MANAGER CONDITIONS

<i>General</i>	
1.	Prior to commencing any work on the site, the proponent must ensure that they have a valid sub-lease for the offshore area.
2.	The works and site operations are to be substantially in accordance with the approved plans and documents. No additional or intensified activities or works are to be undertaken on site unless approved by NQBP and any other relevant agency(ies).
3.	The proponent is to provide access and assistance to NQBP staff or a delegated representative to undertake lease compliance, environmental compliance or other forms of inspections or audits as NQBP deems necessary.
4.	NQBP may at any time require the occupier of the place to cease an activity where potential or actual environmental harm may be caused and to implement appropriate impact control measures.
<i>Capital Dredge Management Plan – River Facilities</i>	
5.	<p>NQBP must be provided notification of any environmental incidents that require notification to the Department of Environment under Condition 19 or 20 of the Sea Dumping Permit. Notification to NQBP is to occur at the same time as to the Department of Environment.</p> <p>Please email <a href="mailto:environment@nqbp.com.au">environment@nqbp.com.au</a> or call 4969 0700 or 4955 5107 (after hour emergencies).</p>
<i>Special Conditions</i>	
6.	Survey(s) of the authorised dredging area must be provided to NQBP within one (1) month of the approved dredging being completed.
7.	<p>Spill response procedures are to be developed and incorporated within your contractor's operational procedures.</p> <p>All staff working on site should be inducted and trained in spill response procedures and the use of spill kit material.</p>

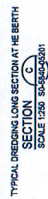
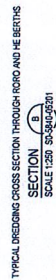
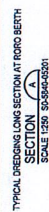


## ATTACHMENT 2 – APPROVED PLANS









**VERTICAL DATUM:**  
LEVELS ARE IN METRES AND ARE REDUCED  
TO CHART DATUM (CD) WHICH IS THE LEVEL  
OF LOWEST ASTRONOMICAL TIDE (LAT).  
CD (LAT) IS 1.752m BELOW 0.000m AHD.

**VERTICAL DATUM:**  
LEVELS ARE IN METERS  
TO CHART DATUM (100  
OF LOWEST ASTRO-  
CD (LAT) IS 1.752m E

**WATER BULK PORTS CORPORATION**  
**APPROVED SUBJECT TO CONDITIONS**  
 NGBP ref: 24/06/02 para 05/2  
 Signed: *[Signature]*  
 Date: 23/12/15

**FOR INFORMATION**

SCALE (METERS)

0 5 10 15

Jacobs Engineering Group, Inc.  
 300 South Zeeb Road  
 Suite 100  
 San Jose, CA 95128  
 Phone: 408.434.7200  
 Fax: 408.434.7201  
 Web: www.jacobs.com

Project No.: 25977-000-50-584-05210  
 Revision No.: 00A  
 Date: 08/25/2023

Project Name: RIVER DREDGING  
 Project Location: BOYD PLANT - 22.8 MDP TPA  
 Project Description: RIVER DREDGING  
 Project Status: IN PROGRESS

NO.	DATE	BY	SCALE	1:250		1:500		1:1000		1:2000		1:4000		1:8000		1:16000		1:32000		1:64000		1:128000		1:256000		1:512000		1:1024000		1:2048000		1:4096000		1:8192000		1:16384000		1:32768000		1:65536000		1:131072000		1:262144000		1:524288000		1:1048576000		1:2097152000		1:4194304000		1:8388608000		1:16777216000		1:33554432000		1:67108864000		1:134217728000		1:268435456000		1:536870912000		1:1073741824000		1:2147483648000		1:4294967296000		1:8589934592000		1:17179869184000		1:34359738368000		1:68719476736000		1:137438953472000		1:274877906944000		1:549755813888000		1:1099511627776000		1:2199023255552000		1:4398046511104000		1:8796093022208000		1:17592186044416000		1:35184372088832000		1:70368744177664000		1:140737488355328000		1:281474976710656000		1:562949953421312000		1:1125899906842624000		1:2251799813685248000		1:4503599627370496000		1:9007199254740992000		1:18014398509481984000		1:36028797018963968000		1:72057594037927936000		1:144115188075855872000		1:288230376151711744000		1:576460752303423488000		1:1152921504606846976000		1:2305843009213693952000		1:4611686018427387904000		1:9223372036854775808000		1:18446744073709551616000		1:36893488147419103232000		1:73786976294838206464000		1:147573952589676412928000		1:295147905179352825856000		1:590295810358705651712000		1:1180591620717411303424000		1:2361183241434822606848000		1:4722366482869645213696000		1:9444732965739290427392000		1:18889465931478580854784000		1:37778931862957161709568000		1:75557863725914323419136000		1:151115727451828646838272000		1:302231454903657293676544000		1:604462909807314587353088000		1:1208925819614629174706176000		1:2417851639229258349412352000		1:4835703278458516698824704000		1:9671406556917033397649408000		1:19342813113834066795298816000		1:38685626227668133590597632000		1:77371252455336267181195264000		1:154742504910672534362390528000		1:309485009821345068724781056000		1:618970019642690137449562112000		1:1237940039285380274899124224000		1:2475880078570760549798248448000		1:495176015714152109959648688000		1:990352031428304219919297376000		1:1980704062856608439838594752000		1:3961408125713216879677189504000		1:7922816251426433759354379008000		1:15845632502852867518708758016000		1:31691265005705735037417516032000		1:63382530011411470074835032064000		1:126765060022822940149670064128000		1:253530120045645880299340128256000		1:507060240091291760598680256512000		1:1014120480182583521197360513024000		1:2028240960365167042394721026048000		1:4056481920730334084789442052096000		1:8112963841460668169578884104192000		1:16225927682921336339157768208384000		1:32451855365842672678315536416768000		1:64903710731685345356631072833536000		1:129807421463370690713262145667072000	
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## **ATTACHMENT 3 – SARA REFERRAL AGENCY CONDITIONS**





Department of Infrastructure,  
Local Government and Planning

Our reference: SDA-0815-023209  
Your reference: PL/06/02/00005/02

**26 November 2015**

Chief Executive Officer  
North Queensland Bulk Ports Corporation  
GPO Box 409  
Brisbane QLD 4001

*Att: Sally Sala*

Dear Sir / Madam

**Amended Concurrence agency response— with conditions**

Development application for operational works (tidal works and marine plants) and material change of use for ERA 16(1)(b) on land described as Lot 14 on SP120446 at the Port of Weipa

(Given under section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the *Sustainable Planning Act 2009* on 1 September 2015.

**Applicant details**

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Applicant name:	RTA Weipa Pty Ltd
Applicant contact details:	GPO Box 153 Brisbane Queensland 4001 SoE.DocumentControl@riotinto.com

**Site details**

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Lot on plan:	Lot 14 on SP120446
Port:	Port of Weipa



**Application details**

Proposed development: Development permit for operational works (tidal works and marine plants) and material change of use for ERA 16(1)(b)

**Aspects of development and type of approval being sought**

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development permit	ERA 16: Dredging of sediments more than 10,000t but less than 100,000t	Code Assessment
Operational Work	Development permit	Clearing or destruction of marine plants during dredging activity	Code Assessment
Operational Work	Development permit	Tidal works associated with dredging activity	Code Assessment

**Referral triggers**

The development application was referred to the department under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger      **Schedule 7, Table 2, Item 1** – Environmentally relevant activities  
                                  **Schedule 7, Table 2, Item 13** – Tidal works, or development in a coastal management district  
                                  **Schedule 7, Table 2, Item 15** – Tidal works, or development in a coastal management district  
                                  **Schedule 7, Table 2, Item 30** – Removal, destruction or damage of marine plants

**Conditions**

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

**Reasons for decision to impose conditions**

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

**No requirements**

The department advises the assessment manager, under section 287(2)(a) of the *Sustainable Planning Act 2009*, that it has no requirements (conditions) relating to the application for **Schedule 7, Table 2, Item 1 – Environmentally relevant activities**.



**Relevant period**

Under section 287(1)(d) of the *Sustainable Planning Act 2009*, the relevant period for any development approval is to be five years for each development aspect starting the day the approval takes effect.

**Further advice**

Under section 287(6) of the *Sustainable Planning Act 2009*, the department offers advice about the application to the assessment manager—see Attachment 3.

**Approved plans and specifications**

The department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
<b>Aspect of development: Operational works - dredging</b>				
Dredging Works Permit Plan	Jacobs	27.04.2015	IH062300-5840-ESO-DG-05201	00A
Dredging Works Permit Sections	Jacobs	27.04.2015	IH602300-5840-ESO-DG-05210	00A
<b>Aspect of development: Operational works – Removal, destruction or dame of marine plants</b>				
South of Embley Project Off-lease River Dredging – 2014 Seagrass Mapping at the Port of Weipa	Rio Tinto Alcan	29/07/2015	Figure 5-5	-

A copy of this response has been sent to the applicant for their information.

For further information, please contact Joanne Manson, Principal Planning Officer, SARA Far North QLD on 4037 3228 or email [joanne.manson@dlgp.qld.gov.au](mailto:joanne.manson@dlgp.qld.gov.au) who will be pleased to assist.

Yours sincerely



Robin Clark  
Manager (Planning)

cc: RTA Weipa Pty Ltd, email: [SoE.DocumentControl@riotinto.com](mailto:SoE.DocumentControl@riotinto.com)  
 enc: Attachment 1—Conditions to be imposed  
 Attachment 2—Reasons for decision to impose conditions  
 Attachment 3—Further advice  
 Attachment 4—Approved Plans and Specifications



Our reference: SDA-0815-023209  
 Your reference: CAL.01-0000-HH-LTR-00006

### Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
<b>Development application for operational work involving tidal works (dredging activity)</b>		
<b>Schedule 7, Table 2, Item 13:</b> Tidal works, or development in a coastal management district — Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the <b>Department of Environment and Heritage Protection</b> to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	The development should be carried out generally in accordance with the following plans: <ul style="list-style-type: none"> <li>• Dredging Works Permit Plan, prepared by Jacobs, dated 27.04.2015, drawing number IH062300-5840-ESO-DG-05201, revision 00A.</li> <li>• Dredging Works Permit Sections, prepared by Jacobs, dated 27.04.2015, drawing number IH062300-5840-ESO-DG-05210, revision 00A.</li> </ul>	At all times
2.	During the construction phase of the works: <ul style="list-style-type: none"> <li>(a) install and maintain all measures, plant and equipment necessary to ensure compliance with these conditions;</li> <li>(b) only use materials which are:               <ul style="list-style-type: none"> <li>i. clean and free of silt;</li> <li>ii. free from pests, chemicals and other contaminants as defined under section 11 of the <i>Environmental Protection Act 1994</i>; and</li> <li>iii. suitable for the purpose; and</li> </ul> </li> <li>(c) promptly remove any material or debris which has been deposited within the coastal management district or tidal waters, other than in accordance with this approval.</li> </ul>	For the duration of the works the subject of this approval
3.	Any disturbed or oxidised acid sulfate soil must be treated and managed in accordance with the current <i>Queensland Acid Sulfate Soil Technical Manual: Soil Management Guidelines v4.0</i> , prepared by the Department of Science, Information Technology, Innovation and the Arts 2014.	For the duration of the works the subject of this approval
<b>Development application for operational work involving tidal works (dredging activity)</b>		
<b>Schedule 7, Table 2, Item 15:</b> Tidal works, or development in a coastal management district — Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the <b>Department of Transport and Main Roads (Maritime Safety Queensland)</b> to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
<b>Maintenance of safe navigation</b>		
4.	Provide written notice to Captain Michael Barnett, Regional Harbour Master (Cairns), PO Box 1787, Cairns QLD 4870 when the development authorised under this approval has: <ul style="list-style-type: none"> <li>(a) commenced; and</li> <li>(b) when it has been completed.</li> </ul> <p>These notices must state the permit number, the location and</p>	<ul style="list-style-type: none"> <li>(a) at least two weeks prior to the commencement of the works</li> <li>(b) within two weeks</li> </ul>

No.	Conditions	Condition timing
	name of registered place and the condition number with the notice is being given.	after the completion of works
5.	Survey(s) of the authorised dredging area must be conducted on completion and a copy of the resulting survey plan(s) must be provided to Captain Michael Barnett, Regional Harbour Master (Cairns), PO Box 1787, Cairns QLD 4870.	No less than one month before the expiry or termination of the dredging permit(s)
<b>Protection of navigable waterways</b>		
6.	<b>The dredging operations are to be conducted in a manner that ensures a navigation channel of 250 metres in width open to vessel traffic at all times.</b>	At all times
<b>Aids to navigation</b>		
7.	Any navigational aid that is damaged due to the construction, operation or maintenance of the approved development must be promptly repaired or replaced at the applicant's cost. In the event that any damage is caused to any aid to navigation, the Harbour Master must be immediately contacted on (07) 4052 7412.	At all times
<b>Development application for operational work involving tidal works (removal, destruction or damage of marine plants)</b>		
<b>Schedule 7, Table 7, Item 30:</b> Removal, destruction or damage of marine plants —Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the <b>Department of Agriculture and Fisheries</b> to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
8.	Development authorised under this approval is limited as follows: <ul style="list-style-type: none"> <li>remove, damage, destroy marine plants being limited to permanent disturbance of 0.73ha (7 300m<sup>2</sup>) of marine plants and shown in South of Embley Project Off-lease River Dredging – 2014 Seagrass Mapping at the Port of Weipa, Rio Tinto Alcan, 29/07/2015, Figure 5-5.</li> </ul>	At all times
9.	Provide written notice to notifications@daf.qld.gov.au, when the development authorised under this approval has started, and when it has been completed.  These notices must state this permit number, the location and the condition number under which the notice is being given.  The notice advising of the completion date must also include a report documenting the completed development works, including but not limited to: <ul style="list-style-type: none"> <li>an evaluation of the actual impacts of the development on fisheries resources (marine plants).</li> </ul>	At least five (5) business days but no greater than twenty (20) business days prior to the commencement of fisheries development works.  And then, as to the notice advising of the completion date, within 15 business days of the completion of the fisheries development works.
10.	Until the works have been completed, permit access to the place where the works are located by Department of Agriculture and Fisheries officers if requested.	For the duration of the works the subject of this approval



No.	Conditions	Condition timing
11.	Marine plants authorised for removal and other material used in the development (e.g. debris, construction material, soil, etc.) are to be promptly removed from the intertidal zone.	At all times
12.	Provide a Financial Settlement Offset for the amount of \$182 500.00, to offset the significant residual impact of the loss of 0.73ha pursuant to sections 18 and 19 of the <i>Environmental Offsets Act 2014</i> .	Prior to commencing works



Our reference: SDA-0815-023209  
 Your reference: CAL.01-0000-HH-LTR-00006

## **Attachment 2—Reasons for decision to impose conditions**

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The reasons for this decision are:

- to ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- to ensure the development avoids or minimises adverse impacts on coastal resources and their values.
- to ensure the disturbance of acid sulfate soil is treated and managed.
- to facilitate the monitoring of the development works for compliance purposes.
- to ensure the department has accurate information on the navigable waterway following dredging works.
- to ensure the development does not encroach on the navigable waterway in a way that impedes the safe passage of vessels.
- to ensure that the development does not interfere with any existing aids to navigation.
- to ensure the development is carried out in the location and to the extent specified on the approved plans of development.
- to facilitate the monitoring of the development works for compliance purposes.
- to ensure the development will not increase the risk of mortality, disease or injury, or compromise the health and productivity of fisheries resources.
- to ensure the development provides an Environment Offset to offset the significant residual impact on marine plants.+
- to ensure the development achieves the outcomes in 5.3 Removal, destruction or damage of marine plants state code in the State Development Assessment Provisions version 1.6.
- to ensure the development achieves the outcomes in 10.1 Tidal works, or development in the coastal management district state code in the State Development Assessment Provisions version 1.6.
- ensure the development achieves the outcomes in 14.1 Maritime safety state code in the State Development Assessment Provisions version 1.6.



Our reference: SDA-0815-023209  
 Your reference: PL/06/02/00005/02

### Attachment 3—Further advice

General advice	
Environmental offsets	
1.	<p>Should the proponent wish to deliver:</p> <ul style="list-style-type: none"> <li>i. a proponent driven offset; or</li> <li>ii. a combination of a proponent driven offset and financial settlement offset;</li> </ul> <p>In lieu of the Financial Settlement Offset in Condition 13 above, the proponent may:</p> <ul style="list-style-type: none"> <li>i. make representations under section 290 of the Sustainable Planning Act 2009 to amend the referral agency response; or</li> <li>ii. request a permissible change to amend a condition of approval under s369 of the Sustainable Planning Act 2009;</li> </ul> <p>provided an agreed delivery arrangement (as defined under the Environmental Offsets Act 2014) has been secured with the relevant administering agency.</p>



Our reference: SDA-0815-023209  
Your reference: CAL.01-0000-HH-LTR-00006

**Attachment 4—Approved plans and specifications**

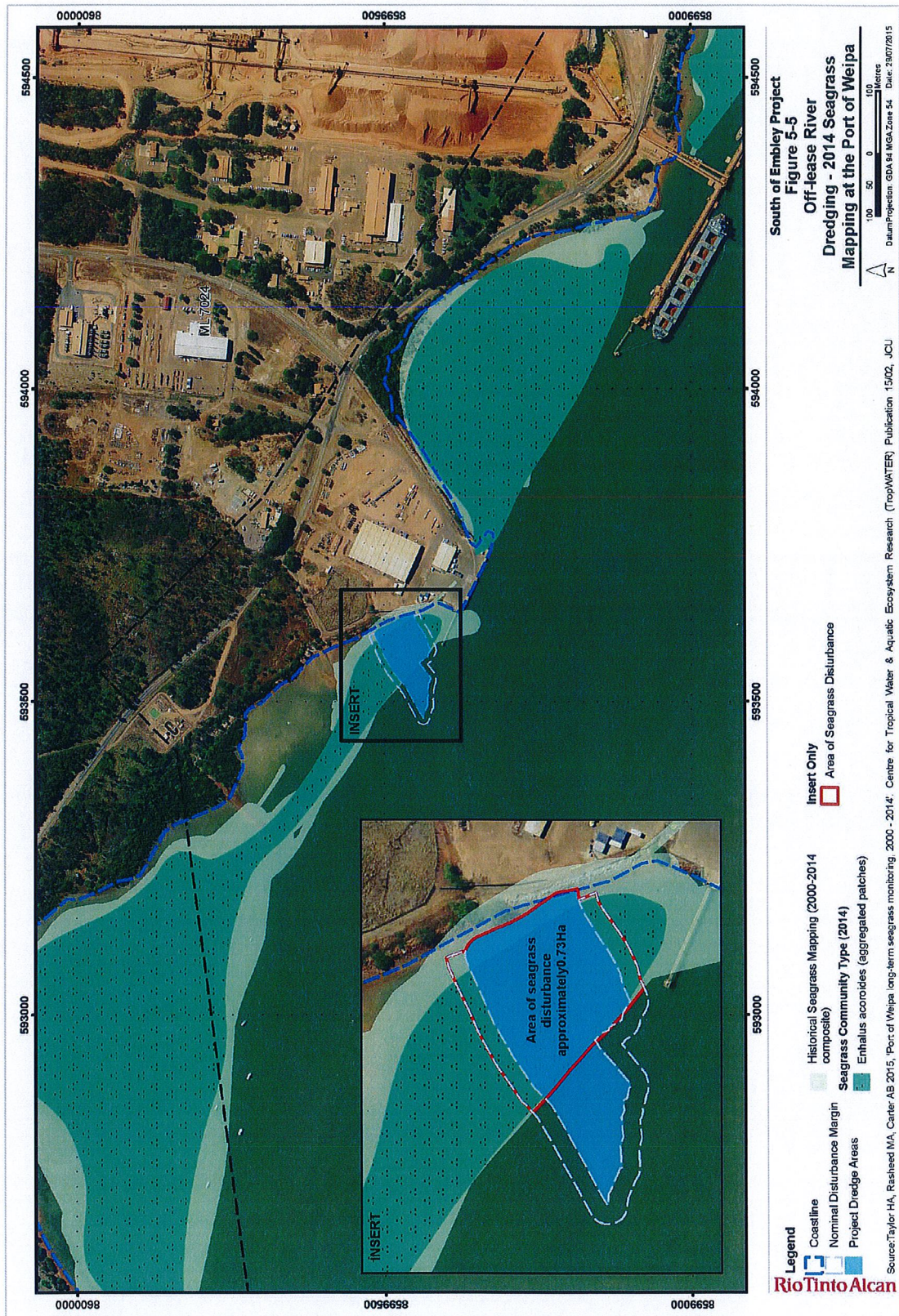
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Our reference: SDA-0815-023209  
Your reference: CAL.01-0000-HH-LTR-00005

Attn: SARA Far North QLD

**Written agreement for the Department of Infrastructure, Local Government and Planning to  
amend its concurrence agency response**

(Given under section 290(1)(b)(i) of the *Sustainable Planning Act 2009*)

**Port:** Port of Weipa  
**Real property description:** Lot 14 on SP120446  
**Assessment manager reference:** PL/06/02/00005/02

As the applicant of the above development application, I hereby agree to the amended concurrence agency response provided to me in the notice dated **26 November 2015**.

**Name of applicant:** RTA Weipa Pty Ltd

**Signature of applicant:** 

**Date:** 1/12/15

## ATTACHMENT 4 – COORDINATOR GENERAL’S CONDITIONS

### Appendix 3 – Part A - Schedule 3 – Coordinator General’s specific conditions for all MCU and Tidal Operational Works Approvals

#### Condition 1 – Dredging and Marine Works

- 1 (a) All dredging must be undertaken in accordance with a dredge management plan/s (DMP/s) based on the draft DMP/s forming part of the SEIS and be approved by DEHP prior to dredging commencing.
- 1 (c) DEHP and DAFF (FQ) shall be consulted in the preparation of all final DMP/s and marine works EMPs and NQBP shall also be consulted in the preparation of the final DMP/s and marine works EMP in the Embley River.
- 1 (d) The port DMP shall provide details of water quality and coral health monitoring programs and water quality objectives proposed to be implemented.
- 1 (e) The Embley River DMP/s shall provide details of water quality monitoring or Photosynthetically Available Radiation (PAR) programs proposed to be implemented.
- 1 (f) Dredging campaigns at the Humbug and Hornibrook ferry/ tug berth sites must not occur for longer than 14 consecutive days at each site. Dredging at any one of these sites may extend over a longer time period, provided:
  - (i) there is a pause in dredging of at least three days between periods of dredging at each site or
  - (ii) where turbidity monitoring is employed, turbidity levels have not increased significantly above background levels as defined in the River DMP.

#### Condition 2 – Marine Plants and Fish Habitat

- 2 (a) For any construction and operational tidal works requiring the removal or damage of marine plants as defined under the *Fisheries Act 1994*, (Fisheries Act) RTAW must submit an application for approval of marine plant disturbance to DAFF (FQ), if required, prior to any works commencing.
- 2 (b) RTAW must submit surveys to DAFF (FQ) that determine the extent of any seagrass that will be disturbed, both temporarily and permanently.
- 2 (c) RTAW must:
  - (i) report on implementation of the Dredge Management Plan(s) for the river facilities to the NQBP Technical Advisory and Consultative Committee for the Port of Weipa.
  - (ii) Establish a technical advisory group which must include representatives from DEHP and DAFF (FQ) for dredging at the South of Embley port. RTAW must report to the group on proposed dredging activities for the Port and implementation of the Dredge Management Plan(s) for the South of Embley port, including monitoring results, management triggers and response actions. The group will assist in the establishment, where appropriate, of longer term management for the maintenance dredging program.
- 2 (d) RTAW shall enter into a Deed of Agreement with the chief executive, managing the Fisheries Act, or his delegate, within three months of FID, to ensure that all impacts to marine plants and tidal lands are offset in a way that is mutually acceptable to DAFF (FQ) and the proponent, and is in line with Fisheries Queensland Policy, *FHMOP 005 Mitigation and compensation for activities and works causing marine fish habitat loss* and the fact sheet, *Offset Measures for Marine Fish Habitats*.