

28 February 2018

Ben Woodman North Queensland Bulk Ports Corporation GPO Box 409 BRISBANE QLD 4001

Email: bwoodman@nqbp.com.au

Dear Ben,

DEVELOPMENT APPROVAL PACKAGE FOR OPERATIONAL WORKS BEING TIDAL WORKS ON LAND DESCRIBED AS LOTS 308 AND 309 ON SP118066, AT THE PORT OF ABBOT POINT

NQBP Reference: PL/02/02/00009

North Queensland Bulk Ports Corporation Ltd (NQBP) wish to advise that your development application seeking approval for removal of timber fender piles adjacent to the Bowen Wharf at the Port of Abbot Point was approved in full subject to conditions on 28 February 2018.

Approval has been given with respect to operational works being tidal works under the *Planning Act 2016* and Port Development Approval under the Port of Abbot Point Land Use Plan (October 2010).

You are strongly advised to read and familiarise yourself with each of the enclosures applicable to this approvals package.

If you have any queries regarding the approval package, please contact the undersigned.

Yours sincerely

Julie Keane

Principal, Development Approvals

Telephone: (07) 3011 7912 Email: JKeane@nqbp.com.au

Doc Reference: E18/04410

Enc: Decision notice issued under to s 63 of the *Planning Act 2016*

Port development approval issued under the Port of Abbot Point Land Use Plan (October 2010).

Referral agencies – Department of State Development, Manufacturing, Industry and Planning

Local government – Whitsunday Regional Council

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
Level 1 Waterfront Place
Mulherin Drive Mackay Harbour
Queensland 4740
P 07 4969 0700 F 07 4969 0799
nqbp.com.au Info@nqbp.com.au

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

Cc:



Decision Notice

Planning Act 2016 s.63

1. Details of approval

Applicant name:	North Queensland Bulk Ports Corporation	
Approved development:	Tidal works assessable under Schedule 10, Part 17,	
	Division 1, Section 28 (1)(a), being:	
	the removal of timber fender piles adjacent to the Bowen	
	Wharf; and	
	associated works.	
Date of decision	27 February 2018	
Aspect of development:	☐ Material change of use	
	Reconfiguring a lot	
	□ Operational work	
	☐ Building work	
Decision:	☐ Preliminary approval only (with conditions)	
	Part approval only (with conditions)	
	☐ Part approval only (without conditions)	
	Approval (with conditions)	

2. Property description of proposed development

Port:	ABBOT POINT
Street address:	Santa Barbara Parade, Bowen
Real property description:	Lot 308 on SP118066 and Lot 309 on SP118066
Local government area:	Whitsunday Regional Council

3. Approved drawings and documents

The following document has been approved.

Document	Number	Date
Construction Environmental Management Plan	230-2TF-CEMP(V2)	18/12/2017

4. Referral agency response

The development application was referred to the Department of State Development, Manufacturing, Industry and Planning under the following provisions of the Planning Regulation 2017:

- 10.17.3.2.1 Tidal works or work in a coastal management district
- 10.17.3.1.1 Tidal works or work in a coastal management district

A referral agency response (1712-3174 SRA) has been received from the Department of State Development, Manufacturing, Industry and Planning and is attached to this decision notice.



5. Waiver of representations

The applicant has waived their rights, by written correspondence dated 22 February 2018, to make representations to the Department of State Development, Manufacturing, Industry and Planning under Section 30 of the Development Assessment Rules.

6. Properly made submissions

Not applicable—no part of the application required public notification.

7. Additional development permits

This development permit is limited to Operational Works (Tidal Works) for the purpose of removing timber fender piles adjacent to the Bowen Wharf at the Port of Abbot Point. At no time should this document be interpreted to imply approval to any other development, operation or land use.

It is the applicant's responsibility to ensure that all other necessary development permits are in place prior to work commencing.

8. Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of the *Planning Act 2016*.

9. Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

A copy of the relevant appeal provisions are attached.

Further information may be obtained from the Planning and Environment Court website:

http://www.courts.qld.gov.au/courts/planning-and-environment-court



Attachment 1

ASSESSMENT MANAGER CONDITIONS

	Condit	ion		Timing
Ca	Carry out the approved development			
The development must be undertaken generally in accordance with the documentation referenced in the table below which forms part of this approval, unless otherwise specified by any condition of this approval.		At all times.		
D	ocument	Number	Date	
C	onstruction Environmental	230-2TF-CEMP(V2)	18/12/2017	
M	anagement Plan			
En	vironmental management			
	vironmental management			
2.	•		At least four (4) weeks prior to commencement of works).	
3.	The release of sediment or sediment laden stormwater from the stockpiling area must be minimised by implementing best industry practice for sediment and stormwater control. At all times.		At all times.	



Attachment 2

REFERRAL AGENCY RESPONSE

Agency	Reference	Date received
Department of State Development,	1712-3174 SRA	22 February 2018
Manufacturing, Infrastructure and Planning		



Department of
State Development,
Manufacturing,
Infrastructure and Planning

Our reference: 1712-3174 SRA Your reference: PL/02/02/00009

22 February 2018

North Queensland Bulk Ports GPO Box 409 Brisbane QLD 4001 planning@nqbp.com.au

Attention: Ben Woodman

Dear Mr. Woodman

Referral agency response—with conditions

(Given under section 56 of the Planning Act 2016)

The development application described below was properly referred to the Department of State Development, Manufacturing, Infrastructure and Planning on 9 January 2018.

Applicant details

Applicant name: Mr Ben Woodman

Applicant contact details: GPO Box 409

Brisbane QLD 4001 bwoodman@nqbp.com.au

Location details

Street address: 71A Santa Barbara Parade, Bowen; 71 Santa Barbara Parade, Bowen

Real property description: Lot 308 on SP118066; Lot 309 on SP118066

Local government area: Whitsunday Regional Council

Application details

Development permit Operational work for Removal of timber fender piles.

Referral triggers

The development application was referred to the department under the following provisions of the Planning Regulation 2017:

10.17.3.2.1 Tidal works or work in a coastal management district
 10.17.3.1.1 Tidal works or work in a coastal management district

Conditions

Under section 56(1)(b)(i) of the *Planning Act 2016* (the Act), the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

The department must provide reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

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

For further information please contact Dylan Brown, A/Senior Planning Officer, on (07) 4898 6812 or via email MIWSARA@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

Patrick Ruettjes

Manager (Planning), Mackay Isaac Whitsunday Regional Office

cc Mr Ben Woodman, bwoodman@nqbp.com.au

enc Attachment 1—Conditions to be imposed

Attachment 2—Reasons for decision to impose conditions

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Opera	ntional Work – Tidal Works	
the De	3.1.1—The chief executive administering the <i>Planning Act 2016</i> nominates epartment of Environment and Science to be the enforcement authority for this development approval relates for the administration and enforcement lowing condition(s):	the development to
1.	For the proposed works, only use clean materials and ensure that the works do not cause contamination.	For the duration of the works.
the De	3.2.1—The chief executive administering the <i>Planning Act 2016</i> nominates epartment of Transport and Main Roads to be the enforcement authority for this development approval relates for the administration and enforcement lowing condition(s):	r the development to
2.	a) Provide written notice to the Regional Harbour Master, Marine Operations (Townsville Region), Maritime Safety Queensland, Department of Transport and Main Roads, 60 Ross Street, Townsville QLD 4810 GPO Box 1921, Townsville QLD 4810, P: (07) 4421 8100, F: (07) 4721 2028, E: RHMTownsville@msq.qld.gov.au when the development authorised under this approval is scheduled to commence.	a) At least two (2) weeks prior to the commencement of works.
	b) Provide written notice to the Regional Harbour Master, Marine Operations (Townsville Region), Maritime Safety Queensland, Department of Transport and Main Roads, 60 Ross Street, Townsville QLD 4810 GPO Box 1921, Townsville QLD 4810, P: (07) 4421 8100, F: (07) 4721 2028, E: RHMTownsville@msq.qld.gov.au when the development authorised under this approval has been completed.	b) Within two (2) weeks of the completion of works.
	Each notice must state this application number, the location and name of registered place and the condition number under which the notice is being given.	
3.	All vessels, structures, plant and equipment associated with the construction of the approved works must be lit/marked in accordance with the following specifications and requirements such that undertaking the construction works does not cause a risk to the safe navigation of ships:	While the works are occurring.
	 Floating plant and equipment is to be lit in accordance with the International Regulations for the Prevention of Collision at Sea. 	
	Mooring buoys are to be lit in accordance with IALA recommendations.	
	 Lighting must be provided in accordance with Section 3 of AS4282-1997 'Control of the obtrusive effects of outdoor lighting' to ensure safe navigation of other ships. 	
	Lighting provided must not obscure, disguise or otherwise interfere with the effectiveness of navigational lighting.	

4. Either:

 a) All piles and/or structures to be demolished, both above and below the waterline must be completely extracted/removed OR; While the works are occurring.

- b) If any of the timber piles need to be left in the seabed:
 - I. the seabed will be excavated around the base of the individual pile to a depth of 600mm and cut using an underwater pneumatic saw (or equivalent); and
 - II. the location must be recorded by GPS with this data given to the Regional Harbour Master, Marine Operations (Townsville Region), Maritime Safety Queensland, Department of Transport and Main Roads, 60 Ross Street, Townsville QLD 4810 | GPO Box 1921, Townsville QLD 4810, P: (07) 4421 8100, F: (07) 4721 2028, E: RHMTownsville@msq.qld.gov.au. This is to aid any potential future pile removal/development.

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure that at all times, all lights on or above the development site do not interfere with safe navigation in surrounding waterways.
- To facilitate the monitoring of the development works for compliance purposes.
- To ensure the development does not encroach on the navigable waterway in a way that impedes the safe passage of vessels.
- To ensure the development avoids or minimises adverse impacts on coastal resources and their values.



Attachment 3

APPEAL PROVISIONS

PLANNING ACT 2016

229 APPEALS TO TRIBUNAL OR P&E COURT

- (1) Schedule 1 states—
 - (a) matters that may be appealed to-
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the "appellant"); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The "appeal period" is-
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under *Chapter 7*, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269 (3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the **appellant** gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Example: See the P&E Court Act for the court's power to extend the **appeal period**.



SCHEDULE 1 APPEALS

- 1 Appeal rights and parties to appeals
 - (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.

Table 1

Appeals to the P&E Court and, for certain matters, to a tribunal

1. Development applications

For a development application other than an excluded application, an appeal may be made against—

- (a) the refusal of all or part of the development application; or
- (b) the deemed refusal of the development application; or
- (c) a provision of the development approval; or
- (d) if a development permit was applied for—the decision to give a preliminary approval.

Column 1	Column 2	Column 3	Column 4
Appellant	Respondent	Co-respondent (if any)	Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	1 A concurrence agency that is not a co-respondent 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 Any eligible advice agency for the application 4 Any eligible submitter for the application



Statement of Reasons

Planning Act 2016 s.56

1. Applicant details

Applicant name:	North Queensland Bulk Ports Corporation
Applicant contact details:	Ben Woodman
	GPO Box 409
	BRISBANE QLD 4001

2. Property description of proposed development

Port:	Abbot Point
Street address:	Santa Barbra Parade, Bowen
Real property description:	Lot 308 and 309 on SP118066
Local government area:	Whitsunday Regional Council

3. Development details

Approved development:	Tidal works assessable under Schedule 10, Part 17,
	Division 1, Section 28 (1)(a), being:
	 the removal of timber fender piles adjacent to the Bowen
	Wharf; and
	associated works.

4. Assessment matters

The application has been assessed against:

- Port of Abbot Point Land Use Plan (October 2010).
- Port authority functions under the *Transport Infrastructure Act 1994*, chapter 8, part 3.

5. Reasons for the decision

The reasons for the decision are that the proposal:

Complies and contributes toward the achievement of the desired environmental outcomes of the Port of Abbot Point Land Use Plan (October 2010).

• Is consistent with the functions of the Port as specified in the *Transport Infrastructure Act* 1994, chapter 8, part 3.

Evidence or other material on which the findings were based:

Material provided in the development application.



Port Development Approval

Port of Abbot Point Land Use Plan (October 2010)

1. Details of approval

Applicant:	North Queensland Bulk Ports Corporation
Approved proposal:	Tidal works, being: removal of timber fender piles adjacent to the Bowen Wharf; stockpiling of removed timber piles, and associated works.
Currency of approval	This approval will lapse if the approved development is not substantially commenced within two (2) years date of decision.
Date of decision	27 February 2018
Decision:	☐ Approved ☐ Approved subject to conditions

2. Property description of proposed development

Port:	Abbot Point
Street address:	Santa Barbra Parade, Bowen
Real property description:	Lots 308 and 309 on SP118066
Lease:	N/a
Lessee:	N/a

3. Approved drawings and documents

The following document is approved by NQBP as the basis for the works. Copies of this approved document is provided as an enclosure.

Document	Number	Date
Construction Environmental Management Plan	230-2TF-CEMP(V2)	18/12/2017

4. Additional approvals required

This Port Development Approval is limited to the proposal described above. At no time should this document be interpreted to imply approval to any other development, operation or land use.

This Port Development Approval does not remove the requirement for any other legislative approval (including approvals under the *Planning Act 2016*).

It is the proponent's responsibility to ensure all necessary approvals, permits and licences are obtained to undertake the proposed use / works. In particular, the applicant should note the requirement to obtain approvals for, but not limited to:



5. Conditions of approval

	Condition Timing				
Ca	rry out the approved development				
1.	The location of the laydown area, stockpiling area and any associated site office area is to be confirmed with NQBP (via approvals@nqbp.com.au).	At least four (4) weeks prior to commencement of works.			
2.	NQBP Port Operations (via dbaker@nqbp.com.au) must be advised of commencement of works to facilitate notification to users of the Bowen Wharf regarding the proposed works and project timing.	At least two (2) weeks prior to commencement of works.			
3.	Construction works must only occur between 6.30 am and 6.30 pm Monday to Saturday (excluding public holidays).	At all times.			
4.	Access to the public wharf facilities must be maintained. Exclusion areas required for works are to be minimised as far as practicable.	At all times.			
Sit	e management				
5.	Construction laydown area and stockpiling area must be securely fenced.	At all times.			
6.	All construction vehicle parking must be accommodated within the proposed laydown areas.	At all times.			
7.	The Applicant, or party acting on behalf of the Applicant, is not permitted to adversely impact the effective and efficient operation of the Port.	At all times.			
8.	The Applicant will ensure that infrastructure, services, property assets or utilises are not damaged during the construction or operation of the approved development. If any damage results, the proponent will be required to meet all costs of the remediation / repair to the satisfaction of NQBP and / or the relevant service provider.	At all times.			
9.	The release of sediment or sediment laden stormwater from the laydown area and stockpiling area must be minimised by implementing best industry practice for sediment and stormwater control.	At all times.			
10.	All waste must be removed from the site and taken to a licenced waste management facility on a regular basis. No waste is to be burned or buried on site.	At all times.			



Condition			
General environmental management			
 11. Where potential or actual environmental harm may be caused by the approved development, NQBP may at any time direct the Applicant, or persons acting on behalf of the Applicant, to: cease an activity implement appropriate impact control measures modify work plans or methods. 	At all times.		
12. Any environmental emergency, incident or potentially harmful event involving the approved development must be reported to NQBP's Environment Group via environment@nqbp.com.au or 07 4969 7000	Initial report: within 24 hours of the emergency, incident or event occurring.		
A written report must also be provided, detailing the following information: name of the operator the name and telephone number of a designated contact person quantity and substance released person/s involved location and time of the release/event likely cause of release/event effects of the release sampling performed and conclusions drawn actions taken to mitigate any environmental harm proposed actions to prevent a recurrence.	Written report: within 14 days of the emergency, incident or event occurring.		
Community			
 13. A communication strategy must be submitted for approval by NQBP via approvals@nqbp.com.au. The strategy must address: Requirements for pre-development advisory information. Notification requirements and procedures to alert facility users of disruptions to the use of the facility. Signage requirements. At least four (4) weeks prior to commencement of works.			
14. Any community complaints, received by the Applicant, or party acting on behalf of the applicant, must be reported to NQBP's Planning Group via planning@nqbp.com.au or 07 3011 7900. A written report must also be provided, detailing the following information:	Initial report: within 24 hours of the emergency, incident or event occurring.		
 incident subject of the complaint investigations undertaken into the complaint proposed action to be undertaken to prevent further complaints. 	Written report: within 14 days of the emergency, incident or event occurring.		

6. Advisory information

Please note that the information contained in this section under the heading Advisory information has been provided as advice only and does not form part of the development approval conditions. This information has been provided to advise of other obligations under



state legislation or local laws that may require action to be undertaken prior to commencing the activity approved by this development approval.

NOTES

Cultural heritage duty of care

Section 23 of the Aboriginal Cultural Heritage Act 2003 establishes a duty of care for all
persons carrying out an activity to take all reasonable and practicable measures to
ensure the activity does not harm Aboriginal cultural heritage. It is the responsibility of the
person undertaking the to ensure compliance with the duty of care.

A copy of the legislation can be accessed via https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/A/AborCultHA03.pdf

Hours of work and noise

2. Section 440R of the *Environmental Protection Act 1994* prohibits construction, building and earthworks activities likely to cause audible noise (including the entry and departure of heavy vehicles) between the hours of 6:30pm and 6:30am from Monday to Saturday and at all times on Sundays or Public Holidays.

A copy of the legislation can be accessed via https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EnvProtA94.pdf

General safety during construction

- 3. The *Work Health and Safety Act 2011* establishes a number of obligations relevant to the project, in particular:
 - a. Under section 19(2), a person conducting a business or undertaking must ensure the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.
 - b. Under section 20(2), the person in control of the workplace is obliged to ensure that the means of entering and exiting the workplace and anything arising from the workplace are without risks to the health and safety of any person.

A copy of the legislation can be accessed via https://www.legislation.gld.gov.au/LEGISLTN/CURRENT/W/WorkHSA11.pdf



Approved document

Document	Number	Date
Construction Environmental Management Plan	230-2TF-CEMP(V2)	18/12/2017



Proposed Pile Removal Works at Bowen Wharves Construction Environmental Management Plan

18 December 2017

Prepared for:

North Queensland Bulk Ports Limited

Report by:

Houghton Environmental Management Pty Ltd

NORTH BULK PORTS CORPORATION
APPROVED SUBJECT TO CONDITIONS
NQBP ref: PL/02/02/00009
Signed:
Date: 27/02/2018

CONTENTS

CON	TENTS.			2
ATT/	CHME	NTS		2
1	INT	RODUC	FION	3
2	THE	E PROJE	CT	4
	2.1	De	molition Management Plan	4
	2.2	Wa	aste Management	4
	2.3	Ор	erational Hours and Duration	4
	2.4	De	commissioning and clean-up	5
3	EN	/IRONMI	ENTAL RISK ASSESSMENT	6
	3.1	As	pects and Impacts Register	6
	3.2	Su	mmary of Environmental Elements To Be Managed	6
4	CO	NSTRUC	TION ENVIRONMENTAL MANAGEMENT PLAN	7
	4.1	Ov	erview	7
	4.2	NG	RBP Environmental Policy and Management System	7
	4.3	Ma	nagement Responsibility	8
	4.4	Co	ntacts Register	8
	4.5	SH	E Training	9
	4.6	Em	nergency Procedures and Incident Response	9
	4.7	Co	mmunications	10
	4.8	Re	porting	11
	4.9	En	vironmental Control Plans	12
		4.9.1	Standards	12
		4.9.2	Applicable Legislation	13
		4.9.3	Performance Criteria and Guidelines	13
		4.9.4	Preliminaries	14
		4.9.5	ECP1: Water Quality/ Pollution Management	14
		4.9.6	ECP 2: Waste Management	17
		4.9.7	ECP 3: Noise Management	19
		4.9.8	ECP 4: Decommissioning and Clean-up	21

ATTACHMENTS

A NQBP Environment Policy

1 INTRODUCTION

This Construction Environmental Management Plan (CEMP) has been prepared as supporting information to the application for a Tidal Works Application (TWA) to the Department of Environment and Heritage Protection (DEHP) and a Port Development Application (PDA) to be made to NQBP. Information presented herein is also to be used by NQBP to assess whether measures to be implemented by the contractor comply with NQBP's responsibilities as the Port Authority for the Port of Abbot Point.

This CEMP should be read in conjunction with the accompanying Report on Proposed Works for the TWA and PDA which provides additional detail on the proposed pile removal methods and impact issues. **Figures 3** and **4** in the main report present the locations of the piles to be removed.

This CEMP addresses the following:

- An overview of the environmental issues and potential impacts of the project;
- The environmental management strategies to be employed by the contractor;
- The commitments to environmental management at the site;
- The control measures to be employed during the works to avoid environmental harm;
- The need for contingency measures and procedures for non-routine situations;
- Communication measures (including key contacts should an incident occur); and
- Monitoring, training and record keeping requirements and outcome performance review.

The primary objectives of this CEMP are to:

- Develop and implement a program for the removal of the piles to comply with, and where feasible, exceed the environmental requirements.
- Provide state government authorities with a framework to assist in the assessment of the effectiveness of site management practices.
- Provide evidence of environmental due diligence.

2 THE PROJECT

A full description of the pile removal project is presented in the Report for the Tidal Works Application (herein the TW Report).

Given their existing condition, NQBP are proposing to completely remove these piers.

NQBP propose to put the works out to competitive tender. It is expected that the successful tenderer will be an accredited contractor experienced in undertaking works in areas within and adjacent to a tidal/marine environment.

2.1 Demolition Management Plan

It will be a requirement that the successful contractor will present a methodology for demolition consistent with the environmental requirements of the regulatory agencies including NQBP. A Demolition Management Plan (DMP) is to be prepared by the contractor detailing the methods proposed and associated environmental controls. The environmental management controls described below should be regarded as indicative with further detail to be provided by the successful contractor in the DMP. The DMP is to be approved by NQBP prior to commencement of demolition. The DMP needs to be consistent with this CEMP and the TW Report unless departures can be substantiated as having improved environmental and logistical outcomes.

2.2 Waste Management

The TW Report presents the arrangements to be implemented for removal of the piles and associated material capture and handling at the site.

It is proposed that all material/debris that results from the structure demolition be removed from the port area to a landfill designated by Whitsunday Regional Council. This is likely to be the nearest landfill near Bowen.

2.3 Operational Hours and Duration

Removal operations on the site are to be conducted between 7:00AM to 5:00PM, 5 days per week with restrictions to potentially noisy activities on public holidays. No work is to be conducted at night time so lighting will not be required. Exclusion zones will be established on the Public Wharf area preventing public access to those areas immediately adjacent to the active work front, while maintaining access to this recreational space as far as practicable.



2.4 Decommissioning and clean-up

NQBP require that the designated work area containing the wharves and associated laydown areas be suitably decommissioned and left in a clean state free of any construction waste associated with the works. This includes the area of the sea bed within and adjacent to the pile footprints. An inspection/audit following completion of pile removal activities should be undertaken to ascertain that no construction debris remains on the seabed from the pile removal activities.

3 ENVIRONMENTAL RISK ASSESSMENT

3.1 Aspects and Impacts Register

The main report presents a review of potential environmental issues and impacts that form the basis for determining the appropriate management plan measures.

3.2 Summary of Environmental Elements To Be Managed

The matters to be addressed in terms of environmental management of the demolition are as follows:

- the potential release of debris and associated sediment (caused by the breakup, removal and handling of pile material) into the adjacent tidal and sub-tidal waters of the wharf area.
- Sediment disturbance during pile removal including the management of Potential Acid
 Sulphate Soils (PASS) in any attached sediment that is exposed to the atmosphere.
- Interaction with other wharf and recreational users and facilities in proximity eg Bowen Marina
- Waste handling
- Clean-up of the site.

Assessments conducted for the proposed works have indicated that there are no significant environmental values in the environs of the proposed work area that will require special protection controls nor are there significant environmental issues that will require implementation of intensive or difficult management measures. The operations should readily meet the conditions set by government agencies given adherence to the environmental strategies described in this CEMP.

There is the potential for isolated seagrass plants to be present in the immediate vicinity of the piles. However, as noted in the main report, the proposed works are considered to be maintenance under the DAF guideline *Accepted development requirements for operational works that is the removal, destruction of damage of marine plants*. Environmental controls will be implemented to ensure minimal impact to any seagrass that may be present in the proximity of the works.

4 CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

4.1 Overview

The following sections present management strategies in the form of a Construction Environmental Management Plan (CEMP) that is to be implemented by NQBP (as operators of the affected port area). On-the-ground actions, unless specified otherwise, will be implemented by the works contractor who will develop a Demolition Management Plan (DMP) consistent with this CEMP. NQBP is to approve this DMP prior to commencing demolition activity.

This CEMP has been developed in accordance with the *Environmental Protection Act 1994* (EP Act) and subordinate legislation. It also provides guidance to meet compliance with conditions of approval. Such conditions will be available once the approval of the TWA has been received from EHP and NQBP has issued the Port Development Approval (PDA). This CEMP has thus been prepared as a draft and may need to be amended once the conditions of approval are available. Alternatively, compliance with any new specific conditions can be addressed in the DMP.

4.2 NQBP Environmental Policy and Management System

Attachment A presents the NQBP Environmental Policy (Policy 7). This policy and the NQBP Environmental Management System (as presented in the NQBP Manual) will apply to site activities as will the NQBP Sustainable Port Development Guidelines where applicable to the proposed demolition works.

The NQBP Environmental Management System (applicable to operations throughout all NQBP facilities) consists of a hierarchy of documents and a matrix of procedures showing the relationship between the system elements of various management system standards (*eg* AS9001, AS14001 and AS4801).

The following environment system documents are part of the Environment Management System that will be applicable to the demolition:

- Overall NQBP Management System Procedures
- Environmental management planning
- Forms and Checklists
- · Auditing and performance review.

Records that are to be generated as part of the CEMP are to be managed according to the NQBP guidelines. This procedure specifies the identification, storage, protection, retrieval, retention and disposal of records required as part of this CEMP.

4.3 Management Responsibility

Table 1 details the environmental responsibilities of personnel who manage, perform, and verify work affecting the project at Bowen Wharves.

Table 1 Environmental Responsibilities

Title	Responsibilities
	Supervise Contractor in terms of environmental performance
NQBP Superintendent	Implement CEMP as port operator
(or representative) –	 Notify, investigate and report, all environmental incidents to NQBP
termed as NQBP Project	Environment Manager.
Manager in this CEMP	Ensure intent of CEMP is met by contractor
	Assess and approve contractor DMP
	Ensure NQBP Policy is being met
	Obtain licences and approvals as site owner and adherence
NQBP Environment	 Provide advice to NQBP Project Manager as required
Manager	 Conduct final assessment of site conditions following clean up by
	contractor
	Agency liaison
	Primarily responsible for implementation of DMP provisions including
Contractor Project	implementation of controls and compliance
Manager	 Carry out environmental auditing of the site before, during and after mobilisation.
	Report any environmental incidents to DEHP and NQBP and respond
	accordingly
	Agency and public liaison
	Allocation and management of resources
	Obtain licenses and approvals as operator and ensure adherence on
	site
	Reporting requirements
Contractor Work	 Day to day inspection of environmental controls including hazard ID
Supervisor	and response
	Supervision of any subcontractor performance
	Emergency preparedness and response
	Corrective and preventative action on site and response to
	environmental incidents
	 Promote site environmental performance including training and site induction
	Ensure public is made aware of works and is appropriately signposted

4.4 Contacts Register

The Contractor is to develop a Key Contacts Register within the Demolition Management Plan. The Designated Contact Person, their area of responsibility in terms of activity/incident reporting and contact details (mobile phone, landline and email) are to be listed in the DMP and placed on a notice board in site office and at entrance to the works area.

Contact details are to be provided and kept up-to-date for:

- Contractor Project Manager
- NQBP Project Manager

- NQBP Environment Manager
- Department of Environment and Heritage Protection local office (including hotline for pollution incidents)
- Whitsunday Regional Council hotline
- Fire Brigade (includes emergency spill response)
- Maritime Services Queensland (for maritime safety incident and external vessel control)
- Department of Agriculture and Fisheries(for port waters incident)
- Veterinary Services private company (for incident relating to animals)
- Wildlife Rescue Services in Bowen area.

4.5 SHE Training

The Contractor is to ensure that all site personnel are to be made aware of:

- · General environmental duty;
- Contents of environmental legislation specific to their position;
- · Concept of due diligence;
- · Basic environmental values.

Daily prestart meetings will be held where required.

4.6 Emergency Procedures and Incident Response

Key emergency contacts are to be prominently displayed at the entrance to the works site.

Site personnel are required to report any incidents of environmental damage (even where damage is minimal) to the Project Site Supervisor in the first instance. All incidents are to be investigated and logged into a Complaints and Incidents Register recording:

- date, time and nature of incident;
- impact of incident;
- response initiated;
- action taken;
- reporting to Council/EHP undertaken; and
- whether on-going monitoring and remediation is required.

The criteria to be used for rating as an incident are as follows:

- where the designated compliance criteria (as specified in each of the ECPs and the TW approval) are exceeded
- where demonstrable environmental harm has occurred (in accordance with GED provisions);

- where NQBP and/or the Contractor has been advised by regulatory bodies that environmental harm has occurred or is likely to occur;
- where a formal community complaint has been made and assessed as being valid.

All environmental incidents are to be reported, recorded and investigated in accordance with EHP and NQBP requirements. A summary of the key elements of all environmental incidents is to be maintained in an Incident Register.

Should a significant non-compliance incident occur, the Contractor Project Manager and/or site supervisor is responsible for notifying the EHP's and/or NQBP's nominated person as well as the NQBP Project Manager as soon as practicable, but no later than 12 hours after the incident. Advice on action to be implemented is then taken from the EHP's in consultation with NQBP's designated officer. Contact details of the agencies and key representatives should an incident occur are to be held in the Contractors site office. It is ensured that this point is fully accessible to all employees on site.

Initial notification shall be by telephone and shall include all of the information set out in an Emergency or Incident Notification Form (as documented in the demolition company SHE system). A report, which details the proposed action to prevent re-occurrence and the outcomes of action taken to minimise environmental harm and nuisance, shall be forwarded to the EHP (and/or other agency if applicable) within 14 days of the emergency or incident.

Reports will be made of any spill of fuel and oils, paints or solvents greater than 20 litres.

4.7 Communications

To ensure that appropriate lines of internal and external channels of communication are established, established procedures will be used which have been documented in the company's SHE system. A summary of the key points is as follows.

Internal Communications

Environmental issues shall take the form of reports and returns (if required by conditions of approval), induction and awareness training and communication of other requirements and activities of the demolition company's environmental management.

Induction Training

Each employee involved in works activities shall undergo site induction and awareness training on the CEMP/DMP.

Internal Information



The Contractor Site Supervisor shall inform employees regarding any environmental issues on a notice board within the site office and during pre-start meetings.

4.8 Reporting

The Contractor Project Manager shall submit a return to NQBP at the completion of the works (or at a more frequent interval if required) identifying that all management commitments designated in this CEMP, the DMP and approval conditions have been met. This report shall include the results of any incidents, controls, remediation and monitoring for the demolition works and any other requirements by the TW approval from DEHP (this will be identified in the DMP). Specific decommissioning/clean-up requirements are noted in ECP4.

4.9 Environmental Control Plans

This section addresses the relevant requirements of management of specific components of the proposed pile removal works in accordance with probable future conditions of approval plus compliance with overall environmental duty of care provisions of the *Environmental Protection Act*. Environmental Control Plans (ECPs) have been developed for:

- Water Quality/Pollution Management and wharf area safety.
- Management of Wastes.
- Noise.
- Decommissioning and Clean-up.

Elements presented are based on the following intent.

Element	Description
Management Action	The procedures to be undertaken to meet the condition, policy and/or strategy.
Performance Requirement	The required level of performance, where environmental/ legislative standards apply, or in their absence, project specific performance objectives.
Monitoring	Procedures to monitor, measure and record performance.
Records and Reporting	Reporting requirements of the task/action and the responsible parties.
Responsibility	Nominated responsible person(s) for undertaking each specific task/action. (Note that this is indicated only where responsibilities are different or additional to those indicated in Table 1)
Corrective Action	The procedures to be undertaken if performance goals are not met.

4.9.1 Standards

In addition to the specific criteria set by the various agencies, the following standards may apply.

General Activity

Australian Standard (AS) 2601-2001 *The demolition of structures* will apply to activities associated with this project. The contractor is to be conversant and compliant with this standard.

Noise

- AS1055.1 and AS1055.2 Acoustics Description and management of environmental noise
- AS1269 Acoustics Hearing conservation
- AS1270 Acoustics Hearing protection
- AS2659.1 Guide to the use of sound measuring equipment



- AS2659 Sound level meters
- DEHP (DoE) Noise measurement manual (1995)

Water

- AS2031 Selection of containers and preservation of water samples for chemical and microbiological analysis
- Standard methods for the examination of water and wastewater AWWA
- DEHP (DoE) Water quality sampling manual.

4.9.2 Applicable Legislation

Statutory Legislation and Agreements applicable to the site environmental management are as follows:

- Biosecurity Act 2014 (Qld)
- Biosecurity Act 2015 (Cwth)
- Environmental Protection Act 1994
- Environmental Protection Regulation 2008
- Environmental Protection (Noise) Policy 2008
- Environmental Protection (Water) Policy 2008
- Environmental Protection (Waste Management) Policy 2008
- Environmental Protection (Waste Management) Regulation 2008
- Fisheries Act 1994
- Nature Conservation Act 1992
- Nature Conservation Regulation 1994
- Nature Conservation (Wildlife) Regulation 1994
- Sustainable Ports Development Act 2015
- Aboriginal & Cultural Heritage Act 2003;
- Coastal Protection and Management Act 1994
- Nature Conservation Act 1992:
- Dangerous Goods Management Act 2001
- Waste Reduction and Recycling Regulation 2011.

Section 319 of the EPAct specifies that 'a person must not carry out an activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practical measures to prevent or minimise the harm'. This is known as the General Environmental Duty (GED).

4.9.3 Performance Criteria and Guidelines

In this document, performance criteria within each ECP presented later are expressed in simple terms that can be readily understood and measured, and provide a basis for corrective action. The summary sheet for each key area ie. noise and water quality management has been prepared due to the need for rapid response to issues. Where relevant, each ECP is set against established legislative or quantitative standards.

4.9.4 Preliminaries

The following general environmental measures will need to be undertaken following receipt of approval conditions:

- Ensure all permits/approvals have been obtained and specific reporting and other approval requirements in lieu of commencing works activity have been obtained.
- Confirm overall site environmental procedures based on requirements in this report and the approved DMP.
- Overall demolition management plan (as presented in this CEMP and following NQBP endorsement) to be confirmed with all personnel with responsibilities on site.
- Ensure site boundaries for the specific working area (including water area) have been clearly determined and agreed to with NQBP.
- Confirm that all personnel to be involved on site are aware of their environmental responsibilities.

4.9.5 ECP1: Water Quality/ Pollution Management

Objective	To ensure no adverse effect on the water quality in proximity to pile removal works and on the environmental values of port waters and port safety.
Management Actions	Working area limits to be clearly defined and demarcated including the use of buoys or other appropriate means (eg land marker) in or adjacent to port waters; no work activities are to be conducted outside this area while other vessels are to be excluded from the working area (with the exception of tugs and associated vessels).
	 Area work limits to be agreed to with NQBP.
	Barricades erected and signs placed advising public of no access to discrete areas of the wharf during works
	Other water users are to be advised of the proposed activities and exclusion limits (including notice in Bowen Marina and Notice to Mariners).
	 No water-based activities are to be undertaken should marine turtles or mammals be sighted within the working area limits.
	 Removal of piles will ensure that there is minimal sediment entrained on the pile being actively removed (refer below). This may entail manual scraping of the pile

Objective	To ensure no adverse effect on the water quality in proximity to pile removal works and on the environmental values of port waters and port safety.
	to dislodge material as the pile is being extracted from the water column.
	 PASS management measures will apply should a substantial volume of consolidated sediment (ie >1m³) be exposed to drying in the air for a period greater than two days. The NQBP Environment Manager is to be consulted for management strategies that will apply should such exposure be unavoidable.
	There is to be no induced collapse of structures when removed from over-water areas. All material is to be manually removed or removed by crane/excavator, generally after timber, steel or concrete cutting has been undertaken.
	 Floating silt screens are not proposed for establishment around the off-shore working areas. However, if evidence of heightened turbidity levels within the water is noted to persist for durations longer than 3 hours around working areas once work has concluded, then consideration of the establishment of such screens may be required in consultation with the NQBP Environment Manager and Project Manager.
	No pumped discharge of water to port waters.
	Refuelling of equipment on water may only take place in line with the NQBP refuelling over water requirements.
	 Any inadvertent releases of oils or greases are to be captured, treated and disposed of in accordance with best industry practice.
	Any laydown areas that contain any potentially polluting material are to be fully bunded.
	 Areas on floating plant containing liquids (oil, fuel, etc) are to be fully bunded to adequately capture the volume of liquid being stored.
	 Clean up of equipment to be conducted in designated areas only. No wash water will be permitted to enter port waters.
	 Contractor is to use environmentally friendly/biodegradable hydraulic oil for all equipment that may have hydraulic hoses above water eg. excavators used for pile extraction related works.

Objective	To ensure no adverse effect on the water quality in proximity to pile removal works and on the environmental values of port waters and port safety.	
	 Contractor to minimise any risk of spillage of potential pollutants. Spill equipment is to be positioned at a designated location at site and reflect the potential spill volume and chemical nature (expected to be mainly hydrocarbons). Equipment is to comprise: 	
	 Absorbent booms – it should be ensured prior to commencement of demolition that booms were suitable for the establishment around each jetty in the event of spillage 	
	 Absorbent pads 	
	 Absorbent material/granules 	
	 Bags/gloves/receptacles and instructions for use. 	
Performance Requirements	Minimise adverse impacts to water quality and ecological values at all times.	
	To minimise safety risks to other users	
	To comply with statutory requirements.	
	No public complaints.	
Monitoring	General Observations	
	Regular (typically daily) checking of water quality immediately adjacent to working areas. Focus is to be on visual evidence of elevated turbidity that is in contrast to prevailing port water quality conditions. Remedial actions if necessary to be addressed in consultation with NQBP Project Manager.	
	Daily checks of compliance with procedures required by this CEMP.	
	NQBP Project Manager to assess water conditions on a weekly basis.	
	Undertake safety/risk monitoring on a daily basis.	
	Weather conditions should be monitored in the event of significant storm or cyclonic events occurring or likely to occur at the port. Water-based operations may need curtailment prior to and during such events.	
	Water Quality	
	Should any water quality monitoring in adjacent areas be required (as directed by NQBP), monitoring and assessment should be	

Objective		To ensure no adverse effect on the water quality in proximity to pile removal works and on the environmental values of port waters and port safety.
		undertaken in accordance with methods prescribed in the Department of Environment and Heritage Water Quality Sampling Manual, 2nd Edition, February 1995. Monitoring of overall port water quality is to be essentially response driven.
Records Reporting	and	Weekly noting of visual surveillance. Reporting as per approval conditions
Responsibility		Contractor Project Manager (and NQBP Project Manager as required).
Timing		Daily surveillance by Site Supervisor. Weekly check by NQBP Project Manager
Corrective Action		Excessive turbidity levels would indicate the need for more stringent and more effective sediment detention measures. Rectification would be implemented on the advice of NQBP Environment Manager.

4.9.6 ECP 2: Waste Management

Types of demolition waste referred to in this element are wastes likely to be generated at the site during daily operations. These include:

- Steel and timber from piles and associated material; and
- other domestic waste which is generated by the employees on site (volumes are expected to be small).

Objective	To ensure effective waste handling and disposal strategies are employed.
Management Actions	Waste handling strategies are to be confirmed prior to commencement of demolition.
	Segregation of different waste types is to be undertaken at the site laydown and stockpiled in accordance with best industry practice.
	Other waste management activities to be implemented by contractor include:
	Any domestic garbage and industrial waste is to be disposed of into the industrial bin/skip or in
	designated collection area at the site. No open or

Objective	To ensure effective waste handling and disposal strategies are employed.
	ground rubbish areas will be established within the site. No burning of waste on or off-site.
	 Any stored material or material stockpiled is to be located in an area away from potential inundation. This should take account of potential storm surge conditions at the port.
	 the details of waste transported off site shall be monitored and recorded in terms of waste type and volume.
	Major maintenance and repairs will be carried out off-site.
	Any spills of fuels and oils will be rendered harmless and, depending on the extent of the spillage, collected for treatment and disposed of at a designated site for such material. The DEHP will be informed should a significant spillage occur.
	Employees to be aware of the need to minimise impacts on the existing uses. This will include:
	Disposing of rubbish in accordance with the above waste strategies.
	Maintaining access road to jetty in a suitable trafficable condition.
	Generally maintaining the working area in a tidy condition.
	No dangerous goods are to be stored at the site.
Performance Requirements	 Minimise adverse impacts to port water quality at all times. To comply with statutory requirements. No public complaints.
	Recycling opportunities maximised
Monitoring	General
	Periodic (generally daily) surveillance checks.
	Ongoing checks of plant and equipment.
	Where any regulated waste is to be removed from the site, it is to be collected by a licenced contractor.

Objective	To ensure effective waste handling and disposal strategies are employed.
	The following shall be recorded and monitored:
	 the date, quantity and type of waste removed;
	 name of the waste transporter and or disposal operator that removed the waste;
	 the intended treatment and/or disposal destination of the waste.
Records and Reporting	Visual checking only with the volumes of waste sent to the Council landfill.
	Records must be kept of the results of any monitoring and other information required to be recorded in conjunction with such monitoring for a period of at least a year.
Responsibility	Site Supervisor to undertake monitoring.
Timing	Ongoing.
Corrective Action	Any clean up required to be in accordance with DEHP/NQBP recommended procedures.
	Assessment and review of procedures (including from an incident) to be undertaken by a suitably qualified person/body.

4.9.7 ECP 3: Noise Management

Objective	To minimise and keep noise below EPP (Noise) guideline levels, and meet noise requirements
Management Actions	Equipment will be maintained and attended to promptly to avoid loose or rattling covers and broken equipment
	Equipment will be operated and inspected in accordance with manufacturers recommendations, or as may be otherwise reasonably required, and defects will be promptly repaired.
	Operational hours are to be complied with.
	Noise control measures outlined in AS 2436 will be implemented if required.

Objective	To anticipate and the control to the Law EDD (Mails a) and the live Localis
0,000	To minimise and keep noise below EPP (Noise) guideline levels, and meet noise requirements
Performance	Minimise noise emissions at all times.
Requirements	
	To keep noise emissions below EPP (Noise) guideline levels.
	To comply with statutory requirements
	No public complaints.
Monitoring	Monitoring will be carried out for peak operating periods.
	Regular visual and aural inspection of machinery by the Site Supervisor to ensure equipment condition and maintenance was not
	affecting noise levels. Should levels be shown to be in excess of the
	desired levels, further potential noise mitigation measures would be
	identified and implemented.
	Consultation with any affected persons to be undertaken in response
	to any complaint.
Records and Reporting	Complaints to be reported and recorded.
	Monitoring results derived from noise control program (if
	public complaint received) to be forwarded on to DEHP for review.
	The DEHP shall be notified of any exceedance of a licence
	or condition within 14 days of completion of analysis.
Responsibility	Monitoring conducted daily by Site Supervisor (qualitative only).
	Monitoring by specialist to occur on receipt of complaints.
Timing	Duration of works
Corrective Action	Will depend on nature of noise source, but would be likely to focus on improved muffling of equipment.
	Timing of specific activities to set periods may be an appropriate action should DEHP guideline noise levels not be achievable.

4.9.8 ECP 4: Decommissioning and Clean-up

Objective	To ensure that final site conditions (including seabed within and immediately adjacent to works area) is suitably decommissioned, clean and with no evidence of debris.
Management Actions	Decommissioning
	 All equipment and machinery is to be removed from site so that original uses and site conditions can be reinstated.
	Any areas of contamination/spillage to be suitably treated and material handled and disposed of in accordance with DEHP contaminated land remediation requirements.
Performance	Meet approval conditions;
Requirements	 Levels of debris on seabed are no worse than pre- pile removal conditions. A target will be to remove all significant debris from the sea bed;
	Site is reinstated to a condition that is suited for subsequent use (including recreation in Public Wharf area).
Monitoring/Audit	The site is to be checked by the NQBP Project Manager following clean up. Conditions at completion will be detailed in the contract with the contractor.
	A final site audit following cleanup is to be undertaken to ensure that seabed conditions are equivalent to or better than the pre-pile removal conditions. The audit results are to be made available to the NQBP Project Manager
Reporting	Decommissioning report to be provided to NQBP Project Manager following final audit.
Responsibility	Contractor Project Manager
Timing	Final treatments and decommissioning expected to be conducted over a period of a week following completion of demolition activities
Corrective Action	Remediation to take place should certain rehabilitation/decommissioning treatment strategies have failed, including excessive volumes of debris on seabed.