

# Clinton Vessel Interaction Project

**Annual Compliance Report: *Environment Protection and Biodiversity Conservation Act Approval (EPBC) 2017/7976***

**April 2022**

For the attention of: Department of the Agriculture, Water and Environment

eDOC NO: 1777293



<b>Rev No.</b>	<b>Date</b>	<b>Status</b>	<b>Author</b>	<b>Reviewer</b>
1	01/04/2022	Final	AS	FH/KL

Cover photo: Back Hoe Dredge Woomera

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## 1. Introduction

The Gladstone Ports Corporation Limited (GPC) undertook the dredging component of the Clinton Vessel Interaction Project (CVIP) between March and August 2020 by performing capital dredging to widen the Clinton Channel. The project involved dredging approximately 800,000 m<sup>3</sup> of material to deepen and widen the existing Clinton Channel and dispose of the dredged material in the existing Western Basin Reclamation Area (WBRA). The project also included the relocation of two navigational aids.

This project was implemented to minimize the risk of vessel interaction in the Port of Gladstone. The passing of Cape size vessels departing from the Wiggins Island Coal Terminal (WICT) through the Clinton Bypass Channel in close proximity to vessels moored at RG Tanna Coal Terminal (RGCT) resulted in forces imposed on the moored vessels due to the displacement of water. These forces may have been sufficient to break mooring lines and in the extreme, have the vessel fully break away from the berth. A break away may be sufficient to result in vessel collisions either between the interacting vessels or with other vessels moored in the adjoining berths. A significant failure of this nature could result in major incident with economic and environmental consequences. A range of dredging and non-dredging options was examined before arriving at the preferred solution.

State approval (Environmental Authority) to conduct the project was obtained by GPC in March 2019 followed by the Federal approval (EPBC Approval) in July 2019.

Dredging operations for the project commenced on 5 March 2020 and was undertaken by Hall Contracting Ltd. A backhoe dredge “Woomera” (BA900 backacter with 1900kW installed power) was used for the dredging operations. The following equipment supported the Woomera:

- 2 large tugboats
- 1 to 2 smaller tugboats
- 3 to 4 flat hopper barges
- Survey vessel
- Crew transfer vessel
- Unloading pontoon

A temporary unloading pontoon was installed on the eastern side of the WBRA. All dredged material were unloaded by means of excavators (positioned on the hopper barges) into dump trucks, positioned on the unloading pontoon. The unloading pontoon was connected to the shore via a ramp, allowing for the transit of dump trucks on/off the pontoon. Dredged material was placed in WBRA. No tail water discharge occurred during the dredging operations.

The dredging operations ended on 27 August 2020.

Two Navigational Aids were removed prior to the commencement of the dredging operations between 20 and 31 January 2020. Reinstallation of the navigational aids was completed by 13 September 2020.

The Environmental Authority for CVIP was surrendered to the Department of Environment and Science (DES) on 8 March 2021.

The project was regulated through adherence to the conditions of the Approvals and the Environmental Management Plans of GPC and Hall Contracting. Regular environmental inspections were conducted during the project in addition to two (2) third party audits. All observations from the inspections and the audits were closed prior to completion of the project.

GPC had commissioned a review of the environmental performance of the project by an independent expert post-completion of the project. This review concluded that:

*The results of the CVIP monitoring program have demonstrated:*

- ➔ *That the dredging activities did not adversely affect the Outstanding Universal Value(s) of the Great Barrier Reef World Heritage Area (GBRWHA);*
- ➔ *That there were no significant long-term changes in the health of (and no net loss of) high ecological value sensitive receptors such as seagrass meadows and reefs;*
- ➔ *That scheduled Water Quality Objectives (WQOs) were met in order to sustain the particular environmental value(s) that they support;*
- ➔ *That appropriate marine ecological condition monitoring was undertaken in accordance with the Monitoring Procedure to inform adaptive management actions and control measures to minimise or avoid impacts to marine ecological components, processes and services;*
- ➔ *That direct impacts were confined to the dredge-loading site (dredged footprint), and that impacts outside of the lawful footprint were small-scale and temporary.*

*In addition, the replacement of two navigational aids was completed successfully without any significant impact on the environment, owing to the implementation of relevant management measures and application of appropriate caution and care.*

*The various studies and monitoring activities for the CVIP project were generally of a high quality and were conducted by capable and respected institutions, adopting relevant national and international best practices and performance standards. There has been a significant level of transparency in the project, including substantial community and stakeholder engagement and online data sharing.*

## 2. Objective

This report is the second report (for the currency period April 2021 to March 2022) prepared to address Condition 13 of the EPBC Approval 2017/7976, which states:

*The approval holder must prepare a compliance report for each 12-month period following the date of commencement of the action, until completion of the action, or as otherwise agreed to in writing by the Minister.*

No compliance issues were identified during the current reporting period.

Activity currently occurring under the approval is:

Preparation of the Fine Sediment Offset Plan to address Condition 7 of the approval.

Section 3 (Compliance Summary) provides details of compliance with each condition of the Federal approval.

### 3. Compliance Summary

**Approval – Decision on Controlled Action EPBC 2017/7976 (original date of decision: 15 July 2019, Date of Variation No. 1: 21 January 2021, Validity of approval: 30 June 2026)**

**Status of project as at March 2022:** All capital dredging including material placement, management, and navigational aids works under this project approval have been completed. Fine Sediment Offset Plan has been submitted and being revised to address comments from DAWE.

**Compliance Rating Y: Compliant; NA: Not applicable**

Condition No.	Requirement	Compliance Comments-(2021-2022)	Compliance Rating
1	For the protection of protected matters, the approval holder must ensure that:		
1a	Capital dredging does not occur outside the Clinton channel widening footprint and the Western Basin Reclamation Area shown at Attachment A;	<p>The following documents provided validation that:</p> <p>a) Dredging was conducted within the approved footprint</p> <ul style="list-style-type: none"> <li>• Post Dredge survey records (Close Out report HALL Contracting (#1648252) and by Independent Hydrographic survey by Aquamap (#1644069) commissioned by GPC)</li> <li>• Acceptance of the post dredge survey by the Regional Harbour Master (Attachment 1).</li> </ul> <p>b) Placement of material in the WBRA:</p> <ul style="list-style-type: none"> <li>• Daily reports from HALL to GPC included locations of placement of the dredged materials within the WBRA</li> <li>• Post completion drone survey of the WBRA included in Close out report by HALL.</li> </ul> <p>Practical Certificate of Completion (for dredging and placement of material in the WBRA) issued to HALL contracting by GPC (Attachment 2)</p>	Y
1b	No more than 800,000 cubic metres of capital dredge material is removed;	Post dredge survey calculations recorded that 796555m <sup>3</sup> of material was dredged under this approval.	Y

Condition No.	Requirement	Compliance Comments-(2021-2022)	Compliance Rating
1c	Capital dredge material is only disposed of within the Western Basin Reclamation Area shown at Attachment A	All capital dredge material was disposed in the Western Basin Reclamation Area as verified through daily reports and Closeout Report by Hall Contracting.	Y
1d	There is no uncontrolled release from the Western Basin Reclamation Area of placed capital dredge material; and	Dredging activity was conducted with a Backhoe Dredge. No Discharge of Tail water occurred during the activity. No Incidents involving uncontrolled release of dredge material from the Western Basin Reclamation Area was reported.	Y
1e	Ensure that dredging activities do not result in the Benthic Photosynthetically Active Radiation level being less than 6 mol photons m <sup>-2</sup> day <sup>-1</sup> at the seagrass canopy depth for more than 28 consecutive days at any of the seagrass meadow water quality monitoring sites shown (as CVIP BPAR sites) in Attachment A.	Dredging activity did not cause lowering of BPAR at any of the monitoring locations.  There were four (4) exceedances of BPAR: <ul style="list-style-type: none"> <li>• WI dated 30 January 2020: no dredging operations were in progress</li> <li>• PBS dated 28 February 2020: no dredging operations were in progress</li> <li>• BS dated 19 March 2020 and 25 May 2020: environmental conditions</li> <li>• QI dated 28 June 2020: environmental conditions</li> </ul> Investigations had revealed the low BPAR levels were a result of environmental conditions (high mid-day tides, increased cloud cover) and not due to dredging. All exceedances were reported at the time to DES and to “EPBC Monitoring” as per requirement of the CVIP Environmental Management Plan.  All exceedance reports were accepted by DES.	Y
2	The approval holder must:		
2a	implement the approved Fine-grained Sediment Validation Monitoring Plan; and	The Fine-grained Sediment Validation Monitoring Plan approved by the Department of Agriculture Water and Environment (DAWE) was implemented during the dredging campaign	Y
2b	Publish the Fine-grained Sediment Validation Monitoring Plan on the website within 20 business days of the date of this approval decision.	The Fine-grained Sediment Validation Monitoring Plan was published on the website on 26 July 2019, within 20 business days of receipt of the approval (15 July 2019) from DAWE.	Y

Condition No.	Requirement	Compliance Comments-(2021-2022)	Compliance Rating
3	If the approval holder revises the <b>Dredge Management Plan</b> approved under the approval holder's state Environmental Authority EA000168:		
3a	Any revision must not result in a new or increased impact; and	<p>The Dredge Management Plan (DMP) was revised twice during the activity. None of the amendments led to increased Impacts.</p> <p>First amendment was administrative changes to version numbers and Approval numbers.</p> <p>Second amendment included two revisions:</p> <ul style="list-style-type: none"> <li>• Time of potential impact (days) at Site QI changed to 26 days from 24 days as the 26 days included in the Table was an error.</li> </ul> <p>The above amendment referred to change in potential impact timing of low BPAR from 24 days to 26 days at one BPAR location. The 24 days presented in the previous document was an error.</p> <ul style="list-style-type: none"> <li>• The adaptive management table was amended to remove the requirement to stop dredging during seagrass growing season.</li> </ul>	Y
3b	within five (5) business days of the revised plan being approved by the State Government, the approval holder must provide to the Department an electronic copy of the revised Dredge Management Plan with all changes from the previous version marked in track changes mode, evidence that the revised plan is published on the website and an explanation as to why implementation of the revised plan will not result in a new or increased impact.	<p>First amendment: Approved by DES on 3 June 2020. DAWE was notified of the change (inclusive of all supporting documentation) on 3 June 2020</p> <p>Second amendment: Approved by DES on: 30 July 2020: DAWE was notified on 30 July 2020 (inclusive of all supporting documentation).</p>	Y
4	Within 20 business days after the completion of capital dredging, the approval holder must notify the Department of the actual date of completion of	Capital dredging for CVIP was completed on 27 August 2020. Notification of Completion of dredging was sent to EPBC Monitoring on 8 September 2020.	Y



Condition No.	Requirement	Compliance Comments-(2021-2022)	Compliance Rating
	capital dredging.		
5	The approval holder must submit a Dredging Completion Report (DCR) to the Department within six (6) months of the completion of <b>capital dredging</b> . The OCR must include, but is not limited to:	Dredging Completion Report was submitted to 'PostApproval@environment.gov.au' on 2 December 2020.  The report was reviewed by DAWE. The revised report (following discussions with DAWE) was submitted on 2 February 2021.	Y
5a	the amount of fine-grained sediment returned to the marine environment that was not available for resuspension before commencement of the action, calculated and validated in accordance with the Fine-grained Sediment Validation Monitoring Plan;	Section 11 the Fine-grained Sediment Report addressed this condition: 2010 tonnes of fine grained sediment (<15.6micron) was released to the environment because of the dredging activities.	Y
5b	the amount of fine-grained sediment returned to the marine environment that was available for resuspension before commencement of the action, calculated and validated in accordance with the Fine-grained Sediment Validation Monitoring Plan; and	Section 11 the Fine-grained Sediment Report addressed this condition: 3570 tonnes of fine grained sediment (<15.6micron) was previously available for resuspension before commencement of dredging activities.	Y
5c	an assessment of the effectiveness of the methods specified in the Fine-grained Sediment Validation Monitoring Plan for monitoring and measuring fine-grained sediment during dredging activities for validating the fine-grained sediment release modelling.	Table 10-1 of the Fine-grained Sediment Report discusses the effectiveness of the various methods used for monitoring and measuring fine-grained sediment during dredging (eg ADCP measurements, Optical Sensor measurements, Water sampling, Numerical Hindcast modelling).	Y
6	To compensate for residual significant impacts of the action and to achieve a net benefit to the outstanding universal value of the Great Barrier Reef World Heritage Area, the approval holder must provide offsets for the amount of fine-grained sediment returned to the marine environment that was not previously available for resuspension before	A Fine-grained Sediment Offset Plan was submitted to DAWE for approval on 24 January 2022, that provides offsets for the 2010 tonnes of fine-grained sediment returned to the marine environment that was not previously available for resuspension before commencement of the dredging activities, calculated in accordance with the Fine-grained Sediment Validation Monitoring Plan	Y

Condition No.	Requirement	Compliance Comments-(2021-2022)	Compliance Rating
	commencement of the dredging activities, calculated in accordance with the Fine-grained Sediment Validation Monitoring Plan		
7	The approval holder must submit an Offset Plan (OP) to the Minister for approval by 31 January 2022. If the <b>Minister</b> approves the OP, the approved OP must be implemented within six (6) months of approval of the OP. The OP must include, but is not limited to:	<p>The Fine-grained Sediment Offset Plan was submitted to DAWE for approval on 24 January 2022.</p> <p>GPC has received review comments from DAWE on 16 March 2022.</p> <p>GPC is currently revising the Fine-grained Sediment Offset Plan to address comments by DAWE.</p>	Y
7a	details of offset(s) to compensate for impacts of the amount of fine-grained sediment returned to the marine environment that was not previously available for resuspension before commencement of the dredging activities, calculated and validated in accordance with the Fine-grained Sediment Validation Monitoring Plan;	<p>GPC has received review comments from DAWE on 16 March 2022.</p> <p>GPC is currently revising the Fine-grained Sediment Offset Plan to address comments by DAWE.</p>	NA
7b	timeframes for delivery and completion of the offset(s);	<p>GPC has received review comments from DAWE on 16 March 2022.</p> <p>GPC is currently revising the Fine-grained Sediment Offset Plan to address comments by DAWE.</p>	NA
7c	details of how the offset(s) align with the broader strategies and programs for the Great Barrier Reef, including but not limited to the Reef 2050 Long-Term Sustainability Plan;	<p>GPC has received review comments from DAWE on 16 March 2022.</p> <p>GPC is currently revising the Fine-grained Sediment Offset Plan to address comments by DAWE.</p>	NA
7d	a description of the management measures (including timing, frequency and longevity) that will be implemented to deliver the offset(s);	<p>GPC has received review comments from DAWE on 16 March 2022.</p> <p>GPC is currently revising the Fine-grained Sediment Offset Plan to address</p>	NA

Condition No.	Requirement	Compliance Comments-(2021-2022)	Compliance Rating
		comments by DAWE.	
7e	performance and completion criteria for evaluating the success of the management measures and criteria for triggering remedial action (if necessary);	GPC has received review comments from DAWE on 16 March 2022. GPC is currently revising the Fine-grained Sediment Offset Plan to address comments by DAWE.	NA
7f	a program, including timelines to monitor and report on the effectiveness of the management measures, and progress against the performance and completion criteria; and	GPC has received review comments from DAWE on 16 March 2022. GPC is currently revising the Fine-grained Sediment Offset Plan to address comments by DAWE.	NA
7g	a description of potential risks to the successful implementation of the management measures and a description of the contingency measures that would be implemented to mitigate against these risks and residual risk ratings.	GPC has received review comments from DAWE on 16 March 2022. GPC is currently revising the Fine-grained Sediment Offset Plan to address comments by DAWE.	NA
	<b>Part B: Standard Administrative Conditions</b>		
8	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	DAWE was informed of the commencement of action: Removal of navigational aids on the 23 January 2020.	Y
9	The approval holder must maintain accurate and complete compliance records.	Compliance records are maintained in GPC's Electronic Document Management System.	Y
10	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.	All documents will be provided to the Department as requested.	Y
11	The approval holder must:		Y
11a	submit the OP required under condition 7 electronically to the Department for approval by the	The Fine-grained Sediment Offset Plan was submitted to DAWE on 24 January 2022.	Y

Condition No.	Requirement	Compliance Comments-(2021-2022)	Compliance Rating
	Minister;		
11b	publish the OP on the website within 20 business days of the date the OP is approved by the Minister, or of the date a revised OP is submitted to the Minister, unless otherwise agreed to in writing by the Minister;	Not applicable for the current reporting period.	NA
11c	exclude or redact sensitive ecological data from the OP published on the website or provided to a member of the public; and	Not applicable for the current reporting period.	NA
11d	keep the OP published on the website until the end date of this approval.	Not applicable for the current reporting period.	NA
12	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps and other spatial and metadata required under condition 7 of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically in accordance with the requirements of the OMP.	Not applicable for the current reporting period.	NA
13	The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, until completion of the action, or as otherwise agreed to in writing by the Minister. The approval holder must:	The current Compliance Report is being prepared to address this condition. This is the second Compliance Report under this approval.	Y
13a	publish each compliance report on the website within 60 business days following the relevant 12 month period;	The Annual Compliance Report will be published on GPC's website by 19 April 2022	Y
13b	notify the Department by email that a compliance	An email was sent to post approvals on 16 April 2021 that the compliance	Y

Condition No.	Requirement	Compliance Comments-(2021-2022)	Compliance Rating
	report has been published on the website within five (5) business days of the date of publication	report was published on GPC's website on 16 April 2021.	
13c	keep all compliance reports publicly available on the website until this approval expires;	The 2021 Compliance Report is published and available on GPC's website.	Y
13d	exclude or redact sensitive ecological data from compliance reports published on the website; and	There was no sensitive information excluded from the 2021 Annual Compliance Report prior to publication.	NA
13e	where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within five (5) business days of publication.	There was no sensitive information excluded from the 2021 Annual Compliance Report prior to publication.	NA
14	The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two (2) business days after becoming aware of the incident or non-compliance. The notification must specify:	No incidents or non-compliance with the conditions or commitments made in the plans has occurred.	NA
14a	the condition which is or may be in breach; and	Not Applicable	NA
14b	a short description of the incident and/or non-compliance	Not Applicable	NA
15	The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:	No incidents or non-compliance with the conditions or commitments made in the plans	NA
15a	any corrective action or investigation which the approval holder has already taken or intends to take	Not Applicable	NA

Condition No.	Requirement	Compliance Comments-(2021-2022)	Compliance Rating
	in the immediate future;		
15b	the potential impacts of the incident or non-compliance; and	Not Applicable	NA
15c	the method and timing of any remedial action that will be undertaken by the approval holder.	Not Applicable	NA
16	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.	The Minister has not requested an independent compliance audit.	NA
17	For each independent audit, the approval holder must:	The Minister has not requested an independent compliance audit.	NA
17a	provide the name and qualifications of the independent auditor and the draft audit criteria to the Department	Not Applicable	NA
17b	only commence the independent audit once the audit criteria have been approved in writing by the Department; and	Not Applicable	NA
17c	submit an audit report to the Department within the timeframe	Not Applicable	NA
18	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.	The Minister has not requested an independent compliance audit.	NA
19	Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.	Notification of completion of capital dredging was submitted to post approvals on 8 September 2020. Conditions 7, 13 and 19 are currently open for this approval.	Y