

Clinton Vessel Interaction Project

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

April 2023

For the attention of: Department of Climate Change, Energy,
Environment and Water

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Cover photo: Back Hoe Dredge Woomera

Table of Contents

1.	Introduction.....	4
2.	Objective.....	5
3.	Compliance Summary.....	6

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 m³ 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 third report (for the currency period April 2022 to March 2023) 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 2023: All capital dredging including material placement, management, and navigational aids works under this project approval has been completed. Fine Sediment Offset Plan has been submitted and being revised to address comments from the Department of Climate Change, Energy Environment and Water. Compliance with conditions for 2021 and 2022 are referenced in the following Annual Compliance Reports:

- [CVIP-Annual-Compliance-Report-April-2021.pdf](#)
- [Env CVIP EPBC 2017-7976 Annual Compliance Report April 2022.pdf](#)

Compliance Rating Y: Compliant; NA: Not applicable to the current Reporting Period

Condition No.	Requirement	Compliance Comments-(2022-2023)	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;	Not applicable to the current reporting period as dredging was completed in August 2020.	NA
1b	No more than 800,000 cubic metres of capital dredge material is removed;	Not applicable to the current reporting period as dredging was completed in August 2020.	NA
1c	Capital dredge material is only disposed of within the Western Basin Reclamation Area shown at Attachment A	Not applicable to the current reporting period as dredging was completed in August 2020.	NA
1d	There is no uncontrolled release from the Western Basin Reclamation Area of placed capital dredge material; and	Not applicable to the current reporting period as dredging was completed in August 2020.	NA

Condition No.	Requirement	Compliance Comments-(2022-2023)	Compliance Rating
1e	Ensure that dredging activities do not result in the Benthic Photosynthetically Active Radiation level being less than 6 mol photons m ⁻² day ⁻¹ 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.	Not applicable to the current reporting period as dredging was completed in August 2020.	NA
2	The approval holder must:		
2a	implement the approved Fine-grained Sediment Validation Monitoring Plan; and	Not applicable to the current reporting period. An approved fine sediment monitoring plan was implemented during dredging	NA
2b	Publish the Fine-grained Sediment Validation Monitoring Plan on the website within 20 business days of the date of this approval decision.	Not applicable to the current reporting period.	NA
3	If the approval holder revises the Dredge Management Plan approved under the approval holder's state Environmental Authority EA000168:		
3a	Any revision must not result in a new or increased impact; and	Not applicable to the current reporting period. The Dredge Management Plan (DMP) was revised twice during the activity. None of the amendments led to increased Impacts.	NA
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	Not applicable to the current reporting period.	NA

Condition No.	Requirement	Compliance Comments-(2022-2023)	Compliance Rating
	plan will not result in a new or increased impact.		
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.	Not applicable to the current reporting period.	NA
5	The approval holder must submit a Dredging Completion Report (DCR) to the Department within six (6) months of the completion of capital dredging . The OCR must include, but is not limited to:	Not relevant to the current reporting period.	NA
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;	Not relevant to the current reporting period	NA
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	Not relevant to the current reporting period	NA
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.	Not relevant to the current reporting period	NA

Condition No.	Requirement	Compliance Comments-(2022-2023)	Compliance Rating
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 commencement of the dredging activities, calculated in accordance with the Fine-grained Sediment Validation Monitoring Plan	A Fine-grained Sediment Offset Plan was submitted to DCCEEW for approval on 24 January 2022.	Y
7	The approval holder must submit an Offset Plan (OP) to the Minister for approval by 31 January 2022. If the Minister 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:	<ul style="list-style-type: none"> • The Fine-grained Sediment Offset Plan was submitted to DCCEEW for approval on 24 January 2022. • Review comments were received from DCCEEW on 16 March 2022. • The review comments required some additional field work to be conducted. A revised Offset Plan was submitted to DCCEEW on 24 October 2022. • Further technical comments were received from DCCEEW on 16 March 2023. • GPC is currently preparing response to the technical comments and plan to resubmit the document by mid-April 2023. 	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;	Section 4 of the Offset Plan describes details of bank stabilisation works and other management measures that will lead to the estimated sediment saving.	Y
7b	timeframes for delivery and completion of the offset(s);	Section 9 of the report provides details on timelines that will be needed to deliver the proposed fine sediment offset	Y

Condition No.	Requirement	Compliance Comments-(2022-2023)	Compliance Rating
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;	Table 1 of the report outlines how the project will align with the broader Strategies.	Y
7d	a description of the management measures (including timing, frequency and longevity) that will be implemented to deliver the offset(s);	Section 4 of the Report outlines the management measures that will be implemented to deliver the fine sediment offset.	Y
7e	performance and completion criteria for evaluating the success of the management measures and criteria for triggering remedial action (if necessary);	Table 9 of the plan outlines the key success factors for delivering the offset including proposed remedial measures for any disturbances.	Y
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	Section 6 of the report discusses the monitoring and reporting requirements	Y
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.	Section 8 of the report identifies the risks, mitigation measures and corrective actions proposed for the project.	Y
	Part B: Standard Administrative Conditions		
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.	Not relevant to the current reporting period	NA
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

Condition No.	Requirement	Compliance Comments-(2022-2023)	Compliance Rating
11	The approval holder must:		
11a	submit the OP required under condition 7 electronically to the Department for approval by the Minister;	<ul style="list-style-type: none"> • The Fine-grained Sediment Offset Plan was submitted to DCCEW for approval on 24 January 2022. • Review comments were received from DCCEW on 16 March 2022. • The review comments required some additional field work to be conducted. A revised Offset Plan was submitted to DCCEW on 24 October 2022. • Further technical comments were received from DCCEW on 16 March 2023. • GPC is currently preparing response to the technical comments and plan to resubmit the document by Mid-April 2023. 	Y
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

Condition No.	Requirement	Compliance Comments-(2022-2023)	Compliance Rating
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 third 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 for 2022 was published on GPC's website on 4 April 2022.	Y
13b	notify the Department by email that a compliance report has been published on the website within five (5) business days of the date of publication	An email was sent to PostApproval@environment.gov.au on 04 April 2022 that the compliance report was published on GPC's website on 04 April 2022.	Y
13c	keep all compliance reports publicly available on the website until this approval expires;	The 2021 and 2022 Compliance Reports are published and available on GPC's website.	Y
13d	exclude or redact sensitive ecological data from compliance reports published on the website; and	No sensitive information has been excluded from the 2021, 2022 or 2023 Annual Compliance Reports 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.	No sensitive information has been excluded from the 2021, 2022 or 2023 Annual Compliance Reports 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	No reportable incidents or non-compliance with any of the conditions or commitments made in the plans have occurred.	NA

Condition No.	Requirement	Compliance Comments-(2022-2023)	Compliance Rating
	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:		
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 noncompliance 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 in the immediate future;	Not Applicable	NA
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.	An independent compliance audit has not been requested by the Minister.	NA
17	For each independent audit, the approval holder must:		
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	Not Applicable	NA

Condition No.	Requirement	Compliance Comments-(2022-2023)	Compliance Rating
	audit criteria have been approved in writing by the Department; and		
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.	An independent compliance audit has not been requested by the Minister.	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