

Rio Tinto
123 Albert Street
Brisbane
Queensland
Australia 4000

Mr Barry Broe
Coordinator General
Office of the Coordinator General
PO Box 15517 City East
Queensland 4002

15 September 2015

Dear Mr Broe

South of Embley Project – Change Request

RTA Weipa Pty Ltd (RTA) applies to you to evaluate, under Division 3A of Part 4 of the *State Development and Public Works Organisation Act 1971*, the effects of several proposed changes to the South of Embley (SoE) Project and the conditions of the Project. This application is the third application for a project change and is lodged in accordance with section 35C and 35E, Subdivision 1, Division 3A Changes to project of the *State Development and Public Works Organisation Act 1971*.

1. Change to river facilities and dredging

More detailed engineering work on the design of certain river facilities has resulted in the dredging volume for Humbug barge terminal being revised from 15,600 to 19,480 cubic metres and the Hornibrook ferry terminal volume being revised from 18,700 to 21,390m cubic metres. The aggregate capital dredging volume for the river facilities shall remain within the volume approved under the Commonwealth Sea Dumping Permit.

Currently the Conditions of approval for dredging off the mining leases refer to trailing suction hopper dredges, cutter suction dredges and grab dredges. RTA seeks to be able to have the option of also using a backhoe if dredging contractors propose such equipment. Regardless of the equipment type, all dredging shall be conducted in accordance with an approved Dredge Management Plan. A River Facilities Dredge Management Plan has been approved by the Department of Environment and Heritage Protection and a River Facilities Dredge Management Plan has been submitted to the Commonwealth Department of Environment for approval.

The dredged spoil from the river facilities dredging shall be disposed of at the existing Albatross Bay spoil ground. This spoil ground is within the coastal waters of the State, although this was unclear at the time the Environmental Impact Statement was written. The relevant current Condition of approval currently states the "*dredged spoil must not be disposed of into Queensland waters that are within the limits of the State, or are coastal waters of the State unless otherwise authorised*". RTA seeks to have this restriction lifted so that the existing Albatross Bay spoil ground can be used.

Recent engineering studies indicate that locating a ferry terminal adjacent to the existing Humbug wharf would be more optimal than the Hornibrook ferry terminal. The combined vehicle and passenger vessel would be operated out of the proposed Humbug barge terminal. A Humbug ferry terminal would also be likely to require no, or limited, dredging and hence no, or less, disturbance of seagrass. RTA seeks to have the relevant Conditions of approval changed to allow the option of pursuing either the Humbug ferry terminal alternative or the Hornibrook ferry terminal.

RTA believes that certain amendments to Part A Schedule 1 and Schedule 2 would facilitate the changes related to river facilities and dredging. These are presented in Attachment 1.

2. Commonwealth Approvals

None of the proposed project changes required any modification to RTA's existing approvals under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC 2010/5642) or the *Environmental Protection (Sea Dumping) Act 1981* (SD2010/1762).

3. Stakeholder Consultation

A development application pre-lodgement meeting was held on 22 June 2015 with North Queensland Bulk Ports (assessment manager), the Department of Infrastructure, Local Government and Planning (State Assessment and Referral Agency), the Department of Agriculture & Fisheries (concurrence agency), the Department of Environment & Heritage Protection (concurrence agency) and Maritime Safety Queensland (concurrence agency). The proposal to build a ferry terminal at Humbug instead of Hornibrook was presented, along with information about the Humbug barge terminal and proposed dredging. The questions from regulators related mainly to impact on seagrass and mangroves of the Humbug barge terminal. There was no objection to the Humbug ferry terminal alternative.

4. Fees

Please could you contact Julia Wilkins (telephone 0407 086 627) to discuss the fees in relation to this application.

Yours sincerely



Marcia Hanrahan

General Manager – South of Embley Project

cc. Julia Wilkins, Manager - Government Relations, Queensland, Rio Tinto

Attachment 1 Change relating to river facilities and dredging

Proposed changes to CG Evaluation Report **Part A, Schedule 1 Condition G2** to allow option of a Humbug ferry terminal, amend dredge spoil volumes and remove prevention of use of Albatross Bay spoil ground.

Revised **G2. Limit of dredging approved G2**

G2 (a) the maximum quantity of material to be removed during the capital dredge activities at Humbug barge terminal is ~~45,600~~ **19,480** cubic metres, Hornibrook ferry terminal is ~~48,700~~ **21,390** cubic metres, and tug berths up to 71,300 cubic metres.

Where required, a Humbug ferry terminal may be constructed instead of the Hornibrook ferry Terminal, in which case the maximum quantity of material to be removed during the capital dredge activities at Humbug ferry terminal is 21,390 cubic metres.

Operations must meet the following restrictions:

(i) the removal of dredge material is confined to the locations shown on the approved plan attached to the permit.

~~(ii) dredged spoil must not be disposed of into Queensland waters that are within the limits of the State, or are coastal waters of the State unless otherwise authorised~~

Proposed change to CG Evaluation Report **Part A Schedule 1 Condition G5** and **Part A Schedule 2 Condition G5** to add the ability to use a backhoe to dredge:

Revised **Equipment**

G5. Any dredging activities must be conducted using equipment that is in survey and registered and, in relation to environmental performance, is equal to or better than the following equipment:

New (d) Backhoe Dredge that is equipped, as a minimum, with:

(i) Electronic positioning system for defining the location and depth of dredging activities.