



SECTION 1
Introduction



1.0 Introduction

Port of Townsville Limited (POTL) proposes an expansion of the Port of Townsville to accommodate future trade growth over the planning horizon to 2040. The Port Expansion Project (PEP, the Project) proposes channel deepening, widening, and development of a new outer harbour, wharves, reclamation, and associated infrastructure to support new berths.

The Additional Information to the Environmental Impact Statement (AEIS) has been prepared in response to submissions and the Commonwealth government and Coordinator-General's request to provide further clarification on specific matters raised following the public notification of the Environmental Impact Statement (EIS).

The Project is being assessed under separate Commonwealth and State approval processes. The EIS was prepared in accordance with regulatory requirements below.

- *Terms of Reference for an Environmental Impact Statement (ToR)* issued by the Coordinator-General under the *State Development and Public Works Organisation Act 1971* (CG, 2012) (refer Appendix A1 of the EIS).
- *Guidelines for an Environmental Impact Statement for the Port of Townsville Limited Port Expansion Project, Queensland* (EIS Guidelines) (DSEWPC, 2012) (refer Appendix A2 of the EIS) issued by:
 - Department of the Environment (DoE) (formerly Department of Sustainability, Environment, Water, Populations and Communities) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)
 - Great Barrier Reef Marine Park Authority under the *Great Barrier Reef Marine Park Act 1975*.

The AEIS for the PEP fulfils the requirements of both the ToR and the EIS Guidelines, and forms the basis for the two separate assessments under the *State Development and Public Works Organisation Act 1971* and the EPBC Act.

An invitation for public comment was issued on the 23 March 2013. A combined total of 435 submissions on the EIS were received by the Commonwealth and State governments under their respective processes. This AEIS responds to those submissions and Commonwealth government and Coordinator-General's request to provide further clarification on specific matters raised.

1.1 Purpose of the AEIS

The purpose of this report is to provide:

- a summary of submissions
- the proponent's response to the submissions
- an outline of amendments to the submitted EIS assessment and design in response to the submissions
- address changes to legislative instruments made since the release of the EIS.

The AEIS forms part of the overall environmental impact assessment process for the Project (refer Section 1.2 of the EIS).

The AEIS does not seek to duplicate the EIS but rather to complement the existing assessment by providing additional clarification on specific matters raised during the public consultation period, including project design refinements.

1.2 The EIS Process

An Initial Advice Statement for the PEP was lodged with the Coordinator-General on 13 April 2011 and on 23 May 2011, the Coordinator-General declared the Project a 'significant project' for which an EIS is required, under Section 26(1)(a) of the *State Development and Public Works Organisation Act 1971*. The Coordinator-General's final ToR was prepared in February 2012 following public consultation of the draft between 29 October 2011 and 25 November 2011.

On 26 May 2011, the Project was referred to the Commonwealth, Minister for Sustainability, Environment, Water, Population and Communities (now DoE) seeking a decision as to whether the Project will constitute a 'controlled action' under the EPBC Act.

The Project was deemed to be a controlled action (EPBC 2011/5979) by the Commonwealth on 1 July 2011. The controlling provisions under the EPBC Act are:

- World Heritage properties (Sections 12 and 15A)
- National Heritage places (Sections 15B and 15C)
- wetlands of international importance (Sections 16 and 17B)
- listed threatened species and communities (Sections 18 and 18A)
- listed migratory species (Sections 20 and 20A)

- Commonwealth marine areas (Sections 23 and 24A)
- Great Barrier Reef Marine Park (Sections 24B and 24C).

For the purposes of assessment against the EPBC Act, the Commonwealth decision (dated 21 July 2011) required a separate assessment process, being the preparation of an EIS under the EPBC Act. The Commonwealth EIS Guidelines under the EPBC Act was finalised in April 2012. This included assessment requirements for specified matters of national environmental significance and the provisions of the *Great Barrier Reef Marine Park Regulations 1983*.

The EIS formed the basis for the two separate assessments by the Coordinator-General, under the *State Development and Public Works Organisation Act 1971*, and both the Minister of Department of Environment and the Great Barrier Reef Marine Park Authority, under the EPBC Act and *Great Barrier Reef Marine Park Act 1975*.

The EIS public notification period for State submissions closed on 13 May 2013 and a total of 256 submissions were received. The EIS public notification period for Commonwealth submissions closed on 27 May 2013 and a total of 179 submissions were received. Submissions under both processes were received from government agencies, businesses, community groups, non-government organisations and private individuals.

The EIS processes are illustrated in Part A, Figure A.2.1 of the EIS. The AEIS responds to the stage marked *Preparation of Supplementary EIS* and provides a response to the submissions made, to facilitate the assessment of the EIS by the State and Commonwealth governments. This AEIS is the equivalent of a Supplementary EIS or a Supplementary Report to the EIS, as referred to in the EIS. This AEIS addresses the Coordinator-Generals request of 30 July 2013 to provide supplementary information to address specific matters raised during the public notification period, pursuant to Section 35(2) of the *State Development and Public Works Organisation Act 1971* as well as addressing the Commonwealth Environment Ministers requirements in finalising the EIS assessment under the Commonwealth EIS Guidelines.

Further details about the assessment of the Project after the EIS public notification stage and rights to appeal are detailed in Chapters A.2.1.4 and A.2.1.5 of the EIS.

1.3 Public Consultation Process

The consultation process for the EIS is described in Chapter A.2.1.3 of the EIS. The public notification period was undertaken in accordance with Section 33(1) of the *State Development and Public Works Organisation Act 1971* and Section 103(3) of the EPBC Act.

An invitation for public comment was issued on the 23 March 2013 and closed on the 13 May 2013 (State government) and 27 May 2013 (Commonwealth government). During this period, a range of consultation activities were undertaken by POTL. These included:

- advertisements in local, state and national newspapers describing the EIS and submission process and detailing where copies of the EIS could be obtained or viewed
- soft copies of the EIS were made available on the Queensland Government Department of State Development (formerly Department of State Development, Infrastructure and Planning (DSDIP)); Great Barrier Reef Marine Park Authority; Department of the Environment; and POTL websites
- staffed public information displays were located on Magnetic Island and in South Townsville in addition to advertisements in local media to promote information displays
- static displays at Townsville City Council local libraries and the Magnetic Island Country Club
- maintenance of the Project webpage on the POTL website and the Project hotline
- emailed updates to all registered stakeholders (including elected representatives, primary stakeholders, special interest groups and the community) and undertook a range of stakeholder and agency briefings.

In addition to public comment, a workshop with agency representatives was held on the 7 August 2013 to discuss key matters arising from the submission period. Since the receipt of submissions, one-on-one meetings have been undertaken with various regulatory and advisory government agencies during the development of responses to submissions on the EIS.

1.4 EIS Submissions

1.4.1 Summary of submissions

A total of 435 submissions were received by the Coordinator-General and Commonwealth Environment Minister. Each submitter is identified by a unique code and all submissions on the EIS are considered in this report.

Of the total submissions, 40 were duplicates submitted to both the State and Commonwealth government agencies by the same respondent. Submissions were sorted into four categories:

- government agency comprising local, State and Commonwealth government departments
- non-government comprising non-government organisations and private companies
- private individuals
- private individuals (form), to include separate categories for the purposes of analysis.

The breakdown by submitter type is provided in Table 1.1.

Table 1.1 Breakdown of EIS Submissions by Submitter Type

Category	Subcategory	Number of Submissions
Government agency		23
Non-government		39
<i>Non-Government Organisation</i>	27	
<i>Private company</i>	12	
Private individual		373
<i>Private Individual</i>	157	
<i>Private individual (form)</i>	216	
Total*		435

*Total number includes 40 submissions which were submitted both to the State and Commonwealth government.

A total of 23 submissions were received from government agencies, 39 submissions from non-government organisations, including private companies, 157 submissions from private submitters, and the majority 216 were online-facilitated submissions either fully or partially based on a form letter. These online-facilitated submissions generally raised the same matters and are therefore a common response that has been considered in this AEIS.

A full list of submissions is provided in Appendix C1, however, for privacy reasons individual submitters are denoted by "private submitter".

1.4.2 Government submitters

A total of 23 submissions were received from different government agencies. An alphabetical listing of the government agencies is provided in Table 1.2. The table also highlights whether the submission was submitted to the Commonwealth or State government.

Table 1.2 Breakdown of Government Submissions

Government Agency	Submitted To:
Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA)	State
Department of Agriculture and Fisheries	State
Department of Community Safety	State
Department of Education, Training and Employment	State
Department of Energy and Water Supply	State
Department of Environment and Heritage Protection	State
Department of Housing and Public Works	State
Department of Justice and Attorney-General - Hazardous Industries and Chemicals Branch, Work Health and Safety, QLD	State
Department of National Parks, Recreation, Sport and Racing	State
Department of Natural Resources and Mines	State
Department of Tourism, Major Events, Small Business and the Commonwealth Games	State
Department of Transport and Main Roads	State
Economic Development Queensland, DSDIP	State
Great Barrier Reef Marine Park Authority	Commonwealth
Major Projects Office and Government Land Asset Management (Department of State Development)	State
NQ Dry Tropics	State
Powerlink	State
Queensland Health	State
Queensland Police	State
Regional Services, DSDIP	State

Government Agency	Submitted To:
Skills Queensland	State
Strategy and Governance, DSDIP	State
Townsville City Council	State
Total	22 (State) 1 (Commonwealth)

1.4.3 Non-government submitters

A total of 39 submissions were received from different non-government agencies and private companies. An alphabetical listing of the non-government submitters is provided in Table 1.3. The table also highlights whether the submission was submitted to the Commonwealth or State government.

Table 1.3 Breakdown of Non-Government Submissions

Non-Government Submitters	Submitted To
Non-Government Organisations	
Alliance to Save Hinchinbrook Inc.	State
Australian Coral Reef Society	State
Australian Coral Reef Society	Commonwealth
BirdLife Townsville	State
BirdLife Townsville	Commonwealth
Greenpeace Australia	Commonwealth
Mackay Conservation Group	State
Magnetic Island Community Development Association	Commonwealth
Magnetic Island Community Development Association Heritage Infrastructure and Planning Group (MICDA)	State
Magnetic Island Nature Care Association Inc.	State
Magnetic Island Nature Care Association Inc.	Commonwealth
Mount Isa to Townsville Economic Development Zone Inc.	State
North Queensland Conservation Council	State
North Queensland Conservation Council	Commonwealth
North Queensland Wildlife Care	State
North Queensland Wildlife Care	Commonwealth
Picnic Bay Surf Life Saving Club	Commonwealth
Queensland Conservation Council	State
Queensland Conservation Council	Commonwealth
Queensland Tourism Industry Council	State
Townsville Local Marine Advisory Committee	Commonwealth
Townsville Local Marine Advisory Committee	State
Wildlife Preservation Society of Queensland	State
Wildlife Preservation Society of Queensland	Commonwealth
Wildlife Preservation Society of Queensland - NQ Branch	State
Wildlife Preservation Society of Queensland - Townsville Branch	Commonwealth
WWF Australia	State
Subtotal	15 (State) 12 (Commonwealth)
Private Company	
Aquascene Tours and Charters	Commonwealth
Blackwood Corporation Limited	Commonwealth
Butterfly House Graphic Design	Commonwealth
Environmental Defenders Office	Commonwealth
Foodworks	Commonwealth
Foodworks	State
IRC Pty Ltd	State
Legal Centre	State
Legal Centre	Commonwealth

Non-Government Submitters	Submitted To
Non-Government Organisations	
Townsville Chamber of Commerce	State
Townsville Chamber of Commerce	Commonwealth
Townsville Enterprise Limited	State
	Subtotal
	5 (State) 7 (Commonwealth)
	TOTAL
	20 (State) 19 (Commonwealth)

1.4.4 Response to submissions

All submissions received during the public comment period have been acknowledged and reviewed. The following process was adopted to effectively address the submissions received.

- All submissions received from the Coordinator-General and DoE were registered, categorised from where it was received (e.g. Commonwealth or State) and a unique identification code applied to every submitter.
- The matters raised within the submission were then identified and a sub-number (matter number) applied to the submission identification number.
- Each matter number was assigned to topics based on the chapters of the EIS (e.g. Marine Ecology, Terrestrial Ecology, Land, etc.).
- The key matters raised in the submissions under each chapter were identified and are summarised at the beginning of each section.
- Responses to submissions were documented in sections that relate to the topic area (chapter). The summarised response was cross-referenced with the AEIS sub-section and reported in the register.

Technical responses to specific matters raised in the submissions are provided in Sections 3.0 to 28.0 of the AEIS. Within each section, specific matters are categorised into broader, key matters to enable a coordinated approach to their response. Where relevant, the responses refer directly to information presented in the EIS to avoid repetition.

Submissions that provided general commentary on the Project or the EIS process / methodology or represented information provided for the proponents benefit but were not matters that required a response, were noted in the submissions database.

Submissions relating to typographical errors, incorrect cross-referencing and/or suggested amendments to the language used in the EIS are addressed in the errata list provided in Appendix C3 of this AEIS. This is provided in lieu of direct amendments to the EIS publicly exhibited.

1.4.5 Identification of key matters

The key matters identified across these submissions included:

- Project need
- Project options and alternatives including the dredger methodology and dredged material disposal options
- environmental and socio-economic impacts from the Project including:
 - impact to local ecosystems and resilience of marine habitats impacts to the Great Barrier Reef World Heritage Area including cumulative impacts to the Great Barrier Reef
 - impacts to amenity of Townsville and Magnetic Island and associated tourism activities
 - the adequacy of environmental offsets proposed.

1.5 Changes to Legislation and Policy

A significant number of changes to Commonwealth, State and local legislative and policy frameworks have occurred since the preparation of the EIS.

There have also been significant Commonwealth and State reforms affecting the future development of ports in Queensland. Amongst the more significant changes was the development of the joint Commonwealth and Queensland governments' *Great Barrier Reef Region Strategic Assessment Report* (Strategic Assessment) (DSDIP, 2013) in response to World Heritage Committee concerns regarding the Outstanding Universal Value (OUV) of the Great Barrier Reef World Heritage Area. The role of ports and associated dredging requirements has featured in this assessment, which has resulted in the preparation of a *Program Report* and *Reef 2050 Long-term Sustainability Plan* (Long Term Sustainability Plan) (DSEWPC, 2014).

The Strategic Assessment and the Long Term Sustainability Plan respectively further clarify matters of national environmental significance and OUV relevant to the Great Barrier Reef; recognising the States commitment towards better management of the reef and development that is likely to have an impact. The implementation of much of the Strategic Assessment outcomes is to be facilitated through State legislation and policy frameworks.

The *Sustainable Ports Development Act 2015* commenced on 20 November 2015. The purpose of the Act is to provide protection of the Great Barrier Reef World Heritage Area through managing port related development. The Act recognises the Port of Townsville as one of four Priority Ports along the Queensland Coast. The Act prevents approval being granted for capital dredging areas that are in the Great Barrier Reef World Heritage Area but outside the Great Barrier Reef Marine Park, unless:

- a) it is for a priority port and in accordance with that port's Master Plan
- b) if the development is the subject of an EIS process started before the Act came into effect.

The Port of Townsville is a priority port under the Act and the PEP is the subject of an eligible EIS process.

The PEP is identified in the Commonwealth Government *White Paper on Developing Northern Australia* as projected infrastructure to accommodate forecast growth in trade and to address current capacity constraints. The White Paper acknowledges that the prohibition of sea based disposal of capital dredge material from the proposed port expansion means that significant additional funding will be required to allow the expansion to progress. Key features of the Project listed include: new deep-water outer harbour, six additional berths in new harbour and deepening and widening of existing approach channels.

The *2016 Australian Defence White Paper* identifies investment in national defence infrastructure – including the Army, Navy and Air Force bases in northern Australia, including Townsville as a focus of the White Paper. The White Paper acknowledges the Defence fuel installations as critical enablers for the generation of Defence capability. The government will continue to improve Defence's fuel resilience and capacity to transport bulk fuel to support of bases and operations. This will include upgrades to existing Defence fuel infrastructure as well as improvements to Defence ability to utilise commercial fuel supplies. The Port of Townsville provides a fuel link (and other cargo) to Defence assets in Townsville, which include Lavarack Barracks, RAAF Base Townsville and the Townsville High Range Training Area.

The majority of the State reforms strengthen the focus on economic development potential for Queensland. This includes facilitation of greater opportunities through better planning for infrastructure. The rationalisation of approval and other administrative processes through legislation and policy changes is also intended to clarify the vision and outcomes sought by the State government for Queensland.

The approach that POTL has undertaken in developing the PEP in the design, staging and demand planning is consistent with the *Sustainable Ports Development Act 2015* and other key Commonwealth and State legislation and policy. The changed legislation and policy is summarised in Table 1.4. A full listing is provided in Appendix C2.

Table 1.4 Summary of legislation and policy changes relevant to PEP since 2012

Legislation/Policy
Commonwealth
2015 White Paper on Developing Northern Australia
2016 Australian Defence White Paper
<i>Clean Energy Act 2011 (Repealed)</i>
CS FP 001-1995 Fire emergency response
Great Barrier Reef Marine Park Regulation 1983
Handbook 203:3006 Environmental risk management – principles and processes (HB203:2012)
<i>Maritime Transport and Offshore Facilities Security Act 2003</i>
National Counter-Terrorism Plan (NCTC, 2005), Revised Edition
<i>National Greenhouse and Energy Reporting Act 2007</i>
National Ports Strategy
Joint Commonwealth/Queensland Government
Commonwealth Government Great Barrier Reef Region Strategic Assessment Report
Great Barrier Reef Region Strategic Assessment Program Report
Reef 2050 Long-Term Sustainability Plan
State of Queensland
Coastal Management Plan 2014
<i>Coastal Protection and Management Act 1995</i>
<i>Economic Development Act 2012</i>
<i>Environmental Offsets Act 2014</i>

Legislation/Policy
<i>Environmental Protection Regulation 2000</i>
<i>Forestry Act 1959</i>
Great Barrier Reef Coastal Zone Strategic Assessment
<i>Nature Conservation Act 1992</i>
Planning and Development Bill 2014
Queensland Counter-Terrorism Strategy 2013
Queensland Ports Strategy
<i>Road Traffic Noise Management Code of Practice 2008</i>
<i>State Development and Public Works Organisation Act 1971</i>
State Development Assessment Provisions
State Disaster Management Plan 2013-2014, prepared in accordance with Disaster Management Act 2003
State Planning Policy
State Planning Regulatory Provisions
<i>Sustainable Planning Act 2009</i>
<i>Sustainable Planning Regulation 2009</i>
<i>Sustainable Ports Development Act 2015</i>
Townsville State Development Area Development Opportunities Strategy
Local
Townsville City Economic Development Plan 2013-2017
Townsville City Plan 2014
Townsville City Waterfront Priority Development Area Development Scheme 2015

1.6 Design Response

The Project has undergone a design refinement process in direct response to submissions received during the consultation period and the changes that have occurred in government policy and legislation since the EIS was completed. This design refinement process is detailed in Section 2.0 of this AEIS.

1.7 Structure of the AEIS

The structure of the AEIS aligns with the topics and EIS chapter headings, where possible. This approach has been adopted to facilitate cross-referencing between the two documents and evaluation of the revised Project. Table 1.5 below provides a cross reference from sections of the EIS to the AEIS.

Table 1.5 Structure of the AEIS in comparison to EIS structure

EIS	AEIS
Part A (Introduction, EIS Process and Project Description)	Section 1.0 – 2.0
Part B (Technical Sections)	3.0 – 28.0
Part C (Management Plans)	Appendix B

The structure of each section in the AEIS has been formulated to provide the reader with a response to submissions and where relevant updates the impact assessment based on the refined design. Typically sections include the following:

- Introduction
- Response to submissions
- Consideration of relevant legislation and policy changes, and the design refinement
- Revised environmental impacts assessment, if required
- Summary, including updated mitigation measures, if required
- Conclusion.

Section 29.0 provides a summary of the AEIS. Supporting information to the AEIS, including updated Environmental Management Plans are included as Appendices.

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