



Coordinator-General's Change Report

Hinze Dam Stage 3 project— compensatory habitat land tenure arrangements

April 2010

Under part 4 of the *State Development and Public Works Organisation Act 1971*



Coordinator-General's Change Report

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Synopsis

Construction of the Hinze Dam Stage 3 project (the project), involving the raising of the existing Hinze Dam, is currently underway. The dam's embankment is being raised by 15 metres from 93.5 metres to 108.5 metres.

The project's proponent, the Queensland Bulk Water Supply Authority, trading as Seqwater, has made a request for a change to the terms of an approval condition. The condition was imposed on the project by me in the Coordinator-General's Report on the Environmental Impact Statement (EIS) for the Hinze Dam Stage 3 project, finalised in October 2007.

The requested change relates to the entity that may own and manage land acquired as an offset for the project's environmental impacts. As approximately 318 hectares (ha) of remnant vegetation will be impacted as a result of the increased inundation level of the dam post-project completion, the original project proponent, the Gold Coast City Council (GCCC), proposed a compensatory habitat strategy to account for the project's environmental impacts.

Conditions imposed by me relating to the compensatory habitat strategy required, in part, the acquisition and management of freehold land with good environmental values. A further requirement was made that transfer of the acquired freehold land to state tenure with local government management or to local government tenure and management must occur.

As a result of institutional reform of water asset ownership instigated by the State government, Seqwater became the project proponent and owner of the Hinze Dam in July 2008. Seqwater has now requested to be the entity able to own and manage any land acquired as an environmental offset for the project. As Seqwater is a statutory authority and not a state or local government entity, it does not meet the original condition's criteria for tenure.

This change report has been prepared pursuant to section 35I of the *State Development and Public Works Organisation Act 1971* (SDPWO Act) and provides an evaluation of the effects of a proposed change to the terms of a condition made of the Hinze Dam Stage 3 project. Previously this has been the subject of evaluations in the Coordinator-General's report on the EIS in October 2007, an amendment to the Coordinator-General's Report made in March 2008 (regarding an extension of blasting times) and the Coordinator-General's Change Report of July 2008 (regarding construction hours).

In consideration of all information provided by Seqwater to support the request, **I have determined** that the condition may be modified to allow Seqwater to own and manage land acquired as part of the project's compensatory habitat strategy. Appendix 1 provides the amended condition which states the terms of tenure.

In the making of my decision, **I have also considered** submissions on the matter as made by the Department of Environment and Resource Management (DERM) and the Commonwealth Department of the Environment, Water, Heritage and the Arts (DEWHA).

In accordance with section 35J of the SDPWO Act, a copy of this report will be provided to the project's proponent. It can also be viewed on the Department of Infrastructure and Planning (DIP)'s website, at www.dip.qld.gov.au

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Colin Jensen
Coordinator-General
Date: 22 April 2010



1. Introduction

1.1 Purpose

This report has been prepared in accordance with section 35I of the *State Development and Public Works Organisation Act 1971* (SDPWO Act).

The purpose of this report is to provide the Coordinator-General's evaluation of a request for a proposed change to a condition of approval made on the project.

The currently approved details for the project are described in:

- the Coordinator-General's Report on the EIS (October 2007)
- an amendment to the Coordinator-General's Report (March 2008)
- the Coordinator-General's Change Report (July 2008).

These documents are available from the DIP website www.dip.qld.gov.au

1.2 The proponent

The project's proponent is the state-owned Queensland Bulk Water Supply Authority (QBWSA) trading as Seqwater.

On 16 November 2007, the *South East Queensland (Water Restructuring) Act 2007* (the water restructuring act) came into effect and delivered major reform to the management of water services for South East Queensland (SEQ).

Seqwater was established on the same day as the enabling of the water restructuring act and was charged with providing bulk water storage and treatment services to the SEQ water grid. Seqwater is a statutory authority owned by the state.

As per the terms of the water restructuring act, ownership of Hinze Dam and the project was transferred from the Gold Coast City Council (GCCC) to Seqwater on 1 July 2008.

Seqwater has responsibility for managing 25 dams and 47 weirs across SEQ, including the Wivenhoe, Somerset and North Pine dams (the Wivenhoe system) and the Baroon Pocket Dam on the Sunshine Coast. In addition, Seqwater operates 46 water treatment plants and 14 groundwater bore fields.

Seqwater is also charged with delivery of water infrastructure projects including construction of an advanced water treatment plant at Ewen Maddock Dam on the Sunshine Coast and the Hinze Dam raising.

In terms of the project's delivery, in September 2006, GCCC appointed the Hinze Dam Alliance (HDA) to design and construct the Hinze Dam Stage 3. The HDA is a consortium of private sector entities, being Sinclair Knight Merz, Thiess Pty Ltd, and URS Corporation. Seqwater is also a partner in the HDA.

GCCC has continued involvement in the project through the provision of project management services for the construction phase.



1.3 Project background

Construction of the project involves the raising of the existing dam's embankment by 15 metres from 93.5 metres to 108.5 metres, increasing the dam's capacity to over 309 700 million litres (ML).

The upgrade will provide an additional 79 000 ML of flood storage capacity and increase the dam's yield by at least an additional 16 ML a day. The project will also provide greater flood mitigation for properties downstream of the dam and will make the structure compliant with current dam safety design guidelines and standards.

Construction commenced in early 2008 and is due to be completed by 31 December 2010. Seqwater continues to operate the Hinze Dam during construction of the project.

In acknowledgement of the project's significance in contributing to the adequacy of water supply for the South East Queensland region, the project was one of a number of water infrastructure and new projects declared to be an 'emergency measure' under the *Water Amendment Regulation (No.6) 2006*. This regulation mandated the project's completion date and its increase in yield.

1.4 Project approvals

On 20 October 2006, pursuant to section 26 of the SDPWO Act, the Coordinator-General declared the project to be a 'significant project' for which an EIS was required.

On 22 December 2006, the proponent referred the project to the Commonwealth Minister for the Environment and Heritage for a decision on whether the project constituted a controlled action under the federal *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

On 16 January 2007, the Commonwealth Minister determined that the project (reference 2006/3211) was a controlled action due to potential impacts on listed threatened species and communities (sections 18 and 18A, EPBC Act). Therefore approval under part 9 of the EPBC Act was required before the project could proceed.

The EIS for the project, which addressed state and commonwealth matters, was released for public comment from 9 June to 9 July 2007. Submissions on the EIS were invited from the public and local, state and commonwealth agencies.

To address matters raised in the 37 submissions that were made on the EIS, the proponent prepared a supplementary report on the EIS (SEIS) which provided further project information. The SEIS was provided to the 37 submitters and further comment was invited. In the case of advisory agencies, I requested agencies provide conditions for my consideration to place on the project in order to manage construction and operation phase activities.

On 22 October 2007, as per section 35 of the SDPWO Act, in finalising the Coordinator-General's Report on the EIS for the project I **determined** that the project could proceed, subject to its adherence to a number of conditions. This decision, and the conditions, were made after consideration of matters including the EIS, the SEIS, and submissions made on the documents by members of the public and advisory agencies.

On 20 December 2007, in accordance with section 133 of the EPBC Act, the Commonwealth Minister for the Environment, Heritage and the Arts approved the project, subject to its adherence with various conditions.



In February 2008, HDA requested the Coordinator-General amend a project condition to allow an extension of time for the undertaking of blasting events by 30 minutes, to allow blasting in the project's quarry to occur between 5.30pm and 6.00pm, Monday to Saturday.

Following consultation on the matter, **I approved** this request, and on 27 March 2008, the Environmental Protection Agency (EPA) granted the application for a change to the condition of the project's development approval reflecting the new blasting times.

In April 2008, HDA made a further request for evaluation by the Coordinator-General of a proposed change to a condition, relating to an extension of working hours in which drilling, blasting, extraction and crushing of extracted material for construction works associated with the dam's cut-off wall could be undertaken. On 31 July 2008, following receipt of further information from the proponent at my request and consultation with relevant agencies and members of the community, I approved the project change, subject to conditions.

The change request that is the subject of this report was made by the proponent by letter to the Coordinator-General dated 30 July 2009. Following further information from the proponent made in a letter dated 20 November 2009 and consultation with relevant agencies, **I have stated** that the change be approved, subject to the amended condition described in Appendix 1 of this report.

2. Overview of the proposed change

2.1 Project change request—statutory process

Division 3A of part 4 of the SDPWO Act describes the statutory process for the consideration of changes to a declared significant project for which a Coordinator-General's report has been prepared under section 35(5) of that Act.

On 30 July 2009, in accordance with section 35C of the SDPWO Act, the proponent requested in writing that the Coordinator-General consider changes to a condition imposed on the project.

This report has been prepared in accordance with section 35I of the SDPWO Act and provides an evaluation of a request for a proposed change to the terms of a condition made on the project.

2.2 Description of the proposed change

Schedule D, Condition 1a of the Coordinator-General's Report on the EIS for the Hinze Dam Stage 3 project (issued in October 2007) requires the proponent to implement and undertake a compensatory habitat strategy to offset the loss of approximately 318ha of remnant vegetation that will occur as a result of the project works. In part, the condition required the proponent to acquire suitable land to provide an offset for the environmental impacts.

In relation to land acquired as an offset, in part the existing condition requires:

Transfer of the acquired freehold land to state tenure with local government management or to local government tenure and management.

A copy of the original condition 1a is included at Appendix 2.



In its letter to the Coordinator-General dated 30 July 2009, Seqwater has requested this part of the condition be changed to reflect '*the acquired land must be owned by the state or a statutory authority and must be managed by the state or a statutory authority*'.

The requested change therefore relates solely to the entity that may own and manage land acquired as an offset for the project's environmental impacts.

Seqwater, as project proponent and owner of the Hinze Dam since July 2008, has requested to be the entity able to own and manage any land acquired as an environmental offset. As Seqwater is a statutory authority and not a state or local government entity, it does not meet the original condition's criteria for tenure.

2.3 Justification for the proposed change

Seqwater has advised that the change to the condition is required to reflect the change of the project proponent from a local government to a statutory authority which occurred subsequent to the making of the condition. The following are additional reasons to justify the change:

- as GCCC is no longer the project proponent, it has no responsibility for the completion of the compensatory habitat strategy
- GCCC's core business does not involve the management of state-owned land
- the current condition does not allow for the land to be owned and/or managed by the present project proponent, as it is a statutory authority.

While under processes of the SDPWO Act conditions made on a project are automatically transportable to any new entity that assumes ownership of the project subsequent to its obtaining of approvals, this does not apply in this instance given that the condition relates to the type of ownership and management of land for the compensatory habitat strategy.

Additionally, advice has been provided that, while Seqwater is a state-owned statutory authority, the *South East Queensland (Water Restructuring) Act 2007* does not contemplate Seqwater representing the state.

Also, such considerations do not address the condition's additional requirement that regardless of ownership of the land, local government management of the land is required. In discussion with DIP, representatives of GCCC have advised that council does not wish to own or manage any land acquired as part of the compensatory habitat strategy.

Following receipt of the request for a change to the project's condition relating to land tenure arrangements, I requested further information from Seqwater to inform my considerations. Seqwater's response is included at Appendix 3 and is discussed further in section 3 of this report.

2.4 Invitation to comment

The existing terms of the condition regarding the type of ownership and management of land for the compensatory habitat strategy was provided as advice to me from the then EPA in September 2007 as part of the EIS process for the project.

The advice provided by EPA was then made into a condition within the Coordinator-General's Report on the project. Therefore, as per section 35F of the SDPWO Act, comment on the change that is the subject of this report was sought from DERM¹.

¹ EPA became a part of DERM in March 2009 following machinery of government changes.



As the project was a controlled action under the EPBC Act and required Commonwealth assessment and approval, the proposed change was also provided to the Commonwealth Department of the Environment, Water, Heritage and the Arts (DEWHA) for comment.

As there were no public submissions received during the EIS process that raised issues or concerns regarding ownership and management of land acquired to offset the loss of remnant vegetation, I **decided** that I **did not require** the proponent to publicly notify the proposed change or seek public comments about the proposed change.

3. Evaluation of change request

3.1 Information considered

The following details key information considered in the making of this report. Other information, such as discussions between the proponent and agencies and legal advice, was also considered.

3.1.1 Information from the proponent

Following receipt of Seqwater's request that the existing condition regarding tenure ownership be amended to provide that 'the acquired land must be owned by the State or a statutory authority and must be managed by the State or a statutory authority', further information from Seqwater was requested by me.

Seqwater's response, dated 20 November 2009, is included at Appendix 3. As discussed, it was provided to DERM and DEWHA to inform their consideration of the proposed condition change.

My requests for information, and a summary of Seqwater's responses, are discussed below.

1. **Is the transfer of the acquired freehold land to state tenure with Seqwater as trustee a feasible option?**

Summary of response

Seqwater acknowledges that state tenure with Seqwater as trustee of any land is feasible, with Seqwater committed to ensuring the preservation and management of the conservation values of the land in such an arrangement.

Seqwater's preference, in line with its catchment management strategic goal of improving the performance of catchments in order to deliver good quality water, is to own and manage any land acquired as part of the compensatory habitat strategy.

Seqwater has identified freehold land in the Hinze Dam catchment area that would be a suitable offset to satisfy the majority of the compensatory habitat strategy.

Seqwater states that as owner of land acquired, ongoing funding would be allocated for the management of the land as part of its business operations, which will offer best environmental outcomes for the land into the future.

2. **What are the proposed on-site environmental management regimes required for the continuing health and function of ecosystems on the proposed land to be acquired?**

Summary of response

Seqwater advises it applies a whole of catchment approach to its land management practices.



This involves the following principles, which would inform its ongoing management regime of the offsets land:

- actively improving the biodiversity of the catchment
- working towards more sustainable land use from farming and recreation and through input to council's forward planning
- forging partnerships with landowners, community groups, councils and research organisations as essential to delivering healthier catchments
- ongoing revegetation, erosion, fire, weed and pest management.

Seqwater further advises that it uses catchment management research to work closely with neighbouring land owners to improve management practices and water quality. Examples of current projects working towards this aim include:

- natural sequence farming—altering land use to modify the water quality of catchment run-off
- fire management—identifying a pasture burning regime to increase soil health and maintain weed control
- weed control—investigating potential treatments to restrict weed expansion and reduce impacts to water quality
- managing grazing—investigating methods for moving stock away from waterways while not disadvantaging farming requirements.

For the offsets land to be acquired, Seqwater states that following its acquisition a property management plan would be prepared. The plan would detail the current ecological health of the land and would determine the measures to be taken for its ongoing management.

The property management plan, prepared in consultation with independent experts and local stakeholders such as GCCC, would take into account vegetation management, biodiversity enhancement, weed and pest management and fire planning. Seqwater provides that the intent of the management plan will be to 'make the property exemplar in terms of environmental management'.

3. Advise whether Seqwater would solely be undertaking such management or whether GCCC or another organisation would be engaged to assist.

Summary of response

In terms of management of the land, Seqwater advises it employs highly trained staff with expertise in vegetation and weed management, pest animal control, recreation access and fire management. Seqwater states it has a strong regional presence in the Gold Coast area to work on the ground with catchment management.

Seqwater advises that it has a strong relationship with GCCC through the compensatory habitat strategy and council's ongoing work with the project. Seqwater states that GCCC's expertise regarding vegetation management in the catchment is respected and ongoing input from council will be sought.

Seqwater further provides that as well as its own research team, Seqwater has relationships with the state's key universities and national and international research organisations, with these networks utilised to ensure the best knowledge continues to guide its catchment management practices.



4. In light of Seqwater’s advice that it has nature refuges over land it owns in the catchment of other water storages it manages, provide information on the mechanisms used by Seqwater, and the outcome of their implementation, to preserve the land’s environmental values and habitat.

Summary of response

Seqwater states that its strategic plan acknowledges that it is the custodian of large and valuable areas of ecological significance and addresses the importance of catchment management activities in achieving good water quality. Seqwater further states that it spends more than \$11 million per annum on catchment management initiatives.

Seqwater advises management practices applied to its existing nature refuge² would be used as the basis for land acquired as part of the Hinze Dam Stage 3 compensatory habitat strategy.

The existing nature refuge applies to more than 8 800ha of land surrounding the Wivenhoe, Somerset and North Pine dams. It was officially gazetted as a nature refuge in 2007 under the *Nature Conservation Act 1992* (NCA).

The nature refuge was declared as part of Seqwater’s D’Aguilar Range Regional Biodiversity Corridors (DRRBC) project, aimed at establishing vegetated corridors between remnant regional ecosystems and, particular for Seqwater’s interests, improving the water quality flowing into the Wivenhoe system dams.

Management activities for the nature refuge have targeted enhancing the ecological values of the area, including weed and pest control and vegetation enhancement.

Seqwater has advised that as part of the DRRBC project, for which the authority has secured federal and state funding for its support, agreements have been made with landowners in the area for easements to be created over their properties to preclude certain activities that would degrade the environmental values of the land.

Seqwater is currently in negotiation with DERM to develop a cooperative conservation agreement for the nature refuge, which borders the national park in the D’Aguilar Range. Seqwater advises this will ensure consistency between management of the national park by the state and Seqwater’s management of the refuge.

5. Advise how the conservation values of any land acquired by Seqwater will be preserved and managed over the long term and provide details of Seqwater’s options for an environmental protection mechanism to be placed over the land acquired (e.g. through a covenant or legally secured agreement) to achieve the outcomes of the compensatory habitat strategy.

Summary of response

Seqwater acknowledges that the terms of the current condition 1a, the subject of this report, does not require a covenant or other legally secured agreement to preserve and manage the conservation values of the land.

However, Seqwater stated it may also consider more formal protection of the whole or part of any land acquired, via a covenant or other legally secured agreement.

² A nature refuge is a voluntary agreement between a landholder and the Queensland Government that acknowledges a commitment to manage and preserve land with significant conservation values.



3.1.2 Submissions received—DERM

As discussed, the existing terms of the condition regarding the type of ownership and management of land for the compensatory habitat strategy was provided as advice to me from the then EPA in September 2007 as part of the EIS process for the project.

At the time, the advice provided by the EPA was made into a condition within the Coordinator-General's report on the EIS for the project. Therefore, as per section 35F of the SDPWO Act, comment on the change that is the subject of this report was sought from DERM.

In considering Seqwater's request for the condition to be amended, DERM has taken into account matters including Seqwater's performance to date in managing environmental values of its catchment land.

DERM has provided its agreement that the condition's terms be modified to allow Seqwater to own and manage land acquired as part of the project's compensatory habitat strategy. In acknowledgement of the process underway for Seqwater's land in the vicinity of the Wivenhoe system to be made into a nature refuge, DERM requires that any land acquired by Seqwater relevant to this matter is to be made as a nature refuge under the provisions of the *Nature Conservation Act 1992* within one year of its acquisition.

DERM has also stated that as part of establishing a nature refuge, Seqwater would be required to implement actions for the protection of ecological values, wildlife corridors and natural resources on the acquired land. A property management plan would also need to be developed in consultation with DERM. As with its work with the Wivenhoe system catchment, Seqwater would also be required to discuss with adjacent landholders fire, pest and weed management to ensure the environmental values of its land are enhanced.

As part of finalising a conservation agreement for the making of a nature refuge over any newly acquired land, DERM has also expressed an interest in discussing with Seqwater that the land tenure arrangements for the land be reviewed within five years from the date of purchase. DERM may seek Seqwater's consideration of transferring the land, or part of the land, to a tenured protected area such as a conservation park or national park.

3.1.3 Submissions received—DEWHA

As discussed, as a controlled action pursuant to the EPBC Act, the project's EIS was also assessed with regard to Commonwealth matters. On 20 December 2007, in accordance with section 133 of the EPBC Act, the Commonwealth Minister for the Environment, Heritage and the Arts approved the project, subject to its adherence with various conditions.

Therefore Seqwater's request for the condition amendment, while not directly pertaining to matters of national environmental significance (MNES), was provided to DEWHA for its consideration and comment.

In further information provided by Seqwater, it has confirmed that at this time, the offsets land to be acquired to satisfy the requirements of the compensatory habitat strategy is not intended to be used for works associated with MNES.

While as part of other conditions placed on the project the proponent is required to undertake a translocation and propagation program to account for threatened species that will be affected, Seqwater advises it is intended that this will be undertaken on other land in the catchment owned by GCCC. As part of conditioned requirements for the long term management of propagation and translocation sites, Seqwater will report regularly to DEWHA on how these matters are being managed by the project. DEWHA has acknowledged that its interest in the long term management of MNES matters is not affected by the subject of this change report.



DEWHA, in correspondence made to DIP, acknowledged that the land tenure arrangements of the offsets land that is the subject of this report is not relevant to DEWHA as it does not pertain to MNES. However it advised that if MNES matters were involved in the land to be acquired, the tenure terms as suggested by DERM would satisfy DEWHA.

4. Conclusion

While Seqwater has advised it is currently in negotiation with a landholder for a parcel of land in the Gold Coast catchment that would largely satisfy requirements of the compensatory habitat strategy, the acquisition has not been finalised.

This is a commercial arrangement between the landholder and Seqwater and not a direct matter of interest for the purposes of this report, given that the condition in question pertains to any land acquired by the proponent in relation to the compensatory habitat strategy for the project.

DERM has advised that on acquisition of any offsets land by Seqwater and subsequently in the establishment of a conservation agreement for a nature refuge over the land, DERM may have requirements to include in the nature refuge agreement. I find that such matters, including any future review of land tenure arrangements, are at the discretion of Seqwater and DERM to determine.

In addition to acquiring a significant parcel of land to achieve the 318ha offset requirements, Seqwater has advised that it is working with GCCC on an agreement to undertake a translocation and propagation program on approximately 50 hectares of Council land. This program will account for the loss of threatened flora species that will be affected by the additional inundation of the dam. This action complies with the requirements of existing conditions relating to the project's compensatory habitat strategy.

I am satisfied that there will be no adverse ecological impacts as a result of the condition amendment and that the intention of the relevant part of the original condition is being upheld—that is, that a publicly owned entity with a track record of environmental responsiveness be responsible for the ownership and management of the offsets land. Furthermore, by requiring a nature refuge be made over the land, its environmental values will be ensured within an enshrined agreement.

In consideration of information provided by Seqwater and government agencies as a part of the request for an amendment to an existing condition, **I state** that the relevant section of the condition be amended, from the existing requirement of:

Transfer of the acquired freehold land to state tenure with local government management or to local government tenure and management.

To the following:

Ownership and management of the acquired land by the state or a statutory authority, subject to, in the case of a statutory authority, the statutory authority making application to the relevant authority for the declaration of a nature refuge over the land under the provisions of the *Nature Conservation Act 1992* within 12 months of the purchase date.

The rest of condition 1a remains unaltered. The proponent must implement the condition contained in Appendix 1 of this change report as the project's current condition 1a.



Pursuant to section 35K of the SDPWO Act, the terms of the condition within this Coordinator-General's change report prevail should there be any inconsistency with existing conditions placed on the project.

Having regard to the documentation and information provided during this change process, including submissions and other information, **I am satisfied** that the requirements of part 4 division 3A of the SDPWO Act have been satisfactorily fulfilled. Sufficient information has been provided to me to finalise the required evaluation of the requested project condition change. **I consider** that the change is required to ensure best realisation of the requirements of the initial condition.

A copy of this report will be given to the proponent, pursuant to s35J(a) of the SDPWO Act.

A copy of this report will be also provided to DEWHA, DERM and GCCC for information and will be made publicly available, pursuant to section 35J(b), on DIP's website at:
www.dip.qld.gov.au



Appendix 1—amended condition

With the release of this report, the below takes effect as Condition 1a for the project. The amended part of the condition is included at dot point 2 (highlighted).

Condition 1a: Compensatory Habitat Strategy

The Proponent will implement and undertake a Compensatory Habitat Strategy to offset the loss of approximately 318ha of mapped remnant vegetation that will occur as a result of the project works.

The Compensatory Habitat Strategy must involve the following actions in relation to at least 318 ha:

- the acquisition (and management) of freehold land containing advanced regrowth or remnant vegetation (or the potential to support remnant vegetation), ideally within the Gold Coast area;
- Ownership and management of the acquired land by the state or a statutory authority, subject to, in the case of a statutory authority, the statutory authority making application to the relevant authority for the declaration of a nature refuge over the land under the provisions of the *Nature Conservation Act 1992* within 12 months of the purchase date.
- translocation and propagation of affected NES species within parts of the above areas and/or Lot 4 SP164198 so that there is no net loss of these NES species (noting that any land used within Lot 4 SP164198 for these actions is not to be accounted as part of the 318 ha that must be acquired to satisfy the wider Strategy outcomes);
- revegetation and rehabilitation of existing cleared or disturbed areas within non-privately owned land within and adjacent to the study area.

If the proponent identifies, and demonstrates to the satisfaction of the Coordinator-General, practical difficulties in achieving the above actions in relation to at least 318 hectares of land, it may propose a suitable contribution of funds into the Queensland Trust for Nature Fund (administered by the EPA) or other green invest broker, to secure a proportion of the necessary offset outcome.

The Compensatory Habitat Strategy is to target no net loss to flora species, and no net loss of habitat for fauna species, listed as endangered, vulnerable or rare (EVR) under the EPBC Act or endangered under the NCA, taking account of the positive and negative impacts of the dam construction and operation and the implementation of the offset actions.

If detailed analysis and/or practice shows this is unavoidable for a particular species, then compensatory activities to enhance outcomes for other EVR species, as an alternative, should be proposed for approval by the Coordinator-General. This particular requirement expires at 31 December 2012.

The Compensatory Habitat Strategy is to provide offsets for project impacts to riverine habitat that equate over time to no net loss of habitat.

The Compensatory Habitat Strategy will be developed and implemented over a twelve month period from the date of the Commonwealth's decision on the controlling provisions for the project.

The details of this Strategy will be completed, in consultation with the EPA, by December 2010 and submitted to the Coordinator-General for approval.



Appendix 2—original condition 1a

Source: Schedule D of the Coordinator-General's Report on the Environmental Impact Statement for the Hinze Dam Stage 3 project (October 2007). The part of the condition that is the subject of this report is at dot point 2 (highlighted).

Condition 1a: Compensatory Habitat Strategy

The Proponent will implement and undertake a Compensatory Habitat Strategy to offset the loss of approximately 318ha of mapped remnant vegetation that will occur as a result of the project works.

The Compensatory Habitat Strategy must involve the following actions in relation to at least 318 ha:

- the acquisition (and management) of freehold land containing advanced regrowth or remnant vegetation (or the potential to support remnant vegetation), ideally within the Gold Coast area;
- transfer of the acquired freehold land to State tenure with local government management or to local government tenure and management;
- translocation and propagation of affected NES species within parts of the above areas and/or Lot 4 SP164198 so that there is no net loss of these NES species (noting that any land used within Lot 4 SP164198 for these actions is not to be accounted as part of the 318 ha that must be acquired to satisfy the wider Strategy outcomes);
- revegetation and rehabilitation of existing cleared or disturbed areas within non-privately owned land within and adjacent to the study area.

If the proponent identifies, and demonstrates to the satisfaction of the Coordinator-General, practical difficulties in achieving the above actions in relation to at least 318 hectares of land, it may propose a suitable contribution of funds into the Queensland Trust for Nature Fund (administered by the EPA) or other green invest broker, to secure a proportion of the necessary offset outcome.

The Compensatory Habitat Strategy is to target no net loss to flora species, and no net loss of habitat for fauna species, listed as endangered, vulnerable or rare (EVR) under the EPBC Act or endangered under the NCA, taking account of the positive and negative impacts of the dam construction and operation and the implementation of the offset actions.

If detailed analysis and/or practice shows this is unavoidable for a particular species, then compensatory activities to enhance outcomes for other EVR species, as an alternative, should be proposed for approval by the Coordinator-General. This particular requirement expires at 31 December 2012.

The Compensatory Habitat Strategy is to provide offsets for project impacts to riverine habitat that equate over time to no net loss of habitat.

The Compensatory Habitat Strategy will be developed and implemented over a twelve month period from the date of the Commonwealth's decision on the controlling provisions for the project.

The details of this Strategy will be completed, in consultation with the EPA, by December 2010 and submitted to the Coordinator-General for approval.



Appendix 3—further information

For further information from proponent regarding condition change request visit <http://www.dip.qld.gov.au/projects/water/dams/hinze-dam-stage-3-project.html>



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