

Preliminary Documentation (2021/9002)

Ross River Dam to Douglas Water Treatment Plant Pipeline Project

23-Dec-2021
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Glossary

Acronym	Description
ACH Act	<i>Aboriginal Cultural Heritage Act 2003</i>
AECOM	AECOM Australia Pty Ltd
CHMA	Cultural Heritage Management Agreement
Council	Townsville City Council
DAWE	Department of Agriculture, Water and Environment
DWTP	Douglas Water Treatment Plan
ECC	Environmental Clearance Certificate
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
MSTA	Mount Stuart Training Area
RRD	Ross River Dam
the Project	Ross River Dam to Douglas Water Treatment Plant Pipeline Project

Executive Summary

The following report includes the Preliminary Documentation in response to the Commonwealth Department of Agriculture, Water and Environment (DAWE) Request For Additional Information (2021/9002) for an assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for the Ross River Dam (RRD) to Douglas Water Treatment Plant (DWTP) Pipeline Project (the Project).

The purpose of this Report is to respond to DAWE's request for additional information. This Report, together with the technical documentation advances information as provided in the Referral (2021/9002) as the Project design has progressed since lodgement. Where the Referral information remains unchanged, it has not been reproduced in this Report.

The Project includes a new 1290mm OD MSCL pipe from RRD to DWTP through the Mount Stuart Training Area (MSTA). The pipeline is approximately 9.4 km in length. Since the lodgement of the Referral documentation, the Project has progressed into a detailed design phase. As a part of this detailed design phase a number of refinements have occurred.

The Project alignment has been developed in consultation with Department of Defence to ensure compatibility with their operations and to minimise interactions and impacts with more frequented areas of the Mount Stuart Training Area (MSTA). Council and the Department of Defence are negotiating an Access Agreement (Commercial in Confidence) which details the management requirements with regards to accessing the Project during construction and operation.

As a result of the design refinements undertaken during the detailed design phase, the Ecology Technical Report, including of Significant Impact Assessments, has been updated. The Ecology Technical Report provides a comprehensive impact assessment of the direct, indirect and consequential impacts as a result of the Project. The Ecology Technical Report concludes the Project will result in an impact of approximately 15.5 ha to potential habitat for the Black-throated Finch (southern) (*Poephila cincta cincta*).

Council have committed to approximately 30% of the disturbance footprint being rehabilitated with a diversity of native grasses that are known as foraging grasses for the black-throated finch in the ground layer. At a minimum, rehabilitation efforts will aim to restore the area to be suitable for foraging purposes. Council will be seeking a suitably qualified contractor to design, implement, manage and monitor the 30% rehabilitation commitment for the Project.

A financial environmental offset is proposed to compensate for the impact to approximately 15.5 ha of the Black-throated Finch. The Queensland Government *Financial Settlement Offset Calculator* under the *Queensland Environmental Offset Policy Version 1.11* has been used as a basis to determine an appropriate financial offset. Council intends to undertake a procurement process as per the requirements of the *Local Government Act 2009*. The procurement process will seek tender responses from suitably qualified entities to undertake a program relating to a benefit and conservation gain for the Black-throated finch.

Council remains committed to achieving best practice cultural heritage management for all stages of the Project, working in close collaboration with the two relevant Aboriginal Parties in their respective areas of interest. Detailed, transparent and inclusive consultation has been undertaken with the Traditional Owners for the Project. The consultation between Council, North QLD Cultural Heritage Pty Ltd, the Bindal People #2 and the Gurambilbarra Wulgurukaba People have culminated in the completion of Cultural Heritage Investigations, including comprehensive pedestrian cultural field surveys of the Project. As a result several Cultural Heritage Management Recommendations developed in close consultation with each Aboriginal Party.

1.0 Introduction

The following report has been prepared by AECOM Australia Pty Ltd (AECOM) on behalf of Townsville City Council (Council) for the Ross River Dam (RRD) to Douglas Water Treatment Plant (DWTP) Pipeline Project (the Project). This Report includes the Preliminary Documentation in response to the Commonwealth Department of Agriculture, Water and Environment (DAWE) request for additional information (2021/9002) for an assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

1.1 Project Overview

The Project includes the replacement of an existing DN1200 pipeline built in 1975. The existing pipeline currently transfers bulk raw water from RRD to DWTP under both gravity and pumped operation, depending on demands at DWTP and water levels in RRD. The existing pipeline is currently in poor condition at significant risk of failure.

The Townsville Local Government Area is a regional centre in Northern Queensland, which has a population of approximately 200,000 people. Approximately 85% of Townsville potable water supply is sourced through the existing pipeline. Council have recognised that the pipeline's deteriorated condition puts Townsville's water security at significant risk.

Several failures have occurred within the pipeline to date, which have threatened Townsville's water supply, imposing severe water restrictions whilst failures were repaired. It is critical that an alternative pipeline is constructed to secure Townsville's water supply now and in the future.

To address this critical risk, Council has proposed to replace this existing pipeline in an alternative location. The alternative location has been identified through an extensive options assessment and concept and detailed design processes.

1.2 EPBC Act Approval Context

A Referral under the EPBC Act was lodged, and subsequently validated by Department of Agriculture, Water and Environment (DAWE) in August 2021 (2021/9002). An Action Decision made under Section 75 and Section 87 of the EPBC Act was provided by DAWE on 16 September 2021, being a "Controlled Action" requiring assessment and a decision under the EPBC Act. It was determined that the Project may have a significant impact on the following controlling provisions under the EPBC Act:

- Listed threatened species and communities
- Commonwealth land.

The Decision on Assessment Approach determined the Project is to be assessed via Preliminary Documentation. A request for additional information for the Preliminary Documentation was provided by DAWE on 5 October 2021.

1.3 Purpose and Structure of this Report

The purpose of this Report is to respond to DAWE's Request For Additional Information. A detailed Cross Reference Table has been provided in Appendix A to demonstrate how this Report responds and meets the information requested by DAWE.

This report is supported by the following technical documentation provided in appendices.

- Revised Detailed Design Plans (Appendix B).
- Revised Ecology Technical Report (including Significant Impact Assessments) (Appendix C).

This Report, together with the technical documentation advances information as provided in the Referral (2021/9002) as the Project design has progressed since lodgement. Where the Referral information remains unchanged, it has not been reproduced in this Report.

2.0 Description of the Action

The Project is described in Section 1.2 of the Referral documentation. The Project includes a new 1290mm OD MSCL pipe from RRD to DWTP through the MSTA. The pipeline is approximately 9.4 km in length. The design of the Project is detailed in two sections, being the standard corridor sections and waterway crossing sections.

Since the lodgement of the Referral documentation, the Project has progressed into a detailed design phase. As a part of this detailed design phase a number of refinements have occurred, including:

- Further optimisation of the horizontal and vertical alignment based on detailed review of environmental, constructability and operational considerations as well as landowner requirements.
- Modifications to some of the creek crossing disturbance corridors to manage minimum constructability requirements.
- Detailed review of construction corridor activities in relation to the pipeline location within that corridor.

The revised Project alignment, cross sections and disturbance footprint is provided in Appendix B. Key components of the revised Project construction include.

- The required disturbance footprint to construct within the standard corridor sections and majority of the creek / drainage line crossings are 25m (maximum). This comprises 10m and 15m nominally west and east of the pipeline centreline respectively.
- There are select locations where the Project alignment crosses the Ross River and some creek / drainage lines where the required disturbance footprint to construct within the waterway crossing section is 30m (maximum) for safety purposes.
- The construction methodology for the Project will be open trenching. The ground levels will be progressively reinstated and stabilised post construction with suitable erosion and sediment control as required.
- Revegetation will be undertaken for areas not required for permanent infrastructure, access and maintenance activities.

The design life of the asset is 100 years. During that time, it is anticipated that a range of maintenance activities would be required at varying intervals. These may include the replacement of cathodic protection anode beds, maintenance of access tracks and fire trail, operation of valves, and general condition inspections. All operational and maintenance-based activities will be subject to a maintenance plan agreed between Council and Defence.

3.0 Impact Assessment

3.1 Additional Information Requested – Listed Threatened Species

No specific item was identified for Listed Threatened Species of the additional information requested, however the following is identified in Section 2.

The preliminary documentation must include an assessment of direct, indirect and consequential impacts as a result of the proposed action and must be assessed in accordance with relevant departmental policies and guidelines.

3.1.1 Response

As a result of the design refinements undertaken during the detailed design phase (refer Section 2.0), the Ecology Technical Report, including of Significant Impact Assessments, has been undertaken. The revised Ecology Technical Report is provided in Appendix C of this Report.

The Ecology Technical Report provides a comprehensive impact assessment of the direct, indirect and consequential impacts as a result of the Project. Full Significant Impact Assessments are provided in Appendix D of the Ecology Technical Report. The Project will result in an impact of approximately 15.5 ha of potential habitat loss of the Black-throated Finch (southern) (*Poephila cincta cincta*).

3.2 Additional Information Requested – Commonwealth Land – People and Communities

Section 2 of the request for additional information included the following:

An assessment of the potential impacts of the proposed action to the relevant stakeholders, including traditional owners, the local community and the Department of Defence, during construction and operational life of the proposal.

3.2.1 Response

The following has been undertaken by Council will respect to the local community stakeholders.

- Council has identified the land parcels which require access and or an easement agreement for the Project. All of these the identified stakeholders have all been contacted.
- Council has identified all of the private property where the Project may impact on access to the properties. Consultation with these private property owners will be undertaken in early 2022.

3.3 Additional Information Requested – Commonwealth Land – Cultural Heritage

Section 2 of the request for additional information included the following items.

An assessment of the potential tangible and intangible cultural heritage values of the proposal site and immediate area. The assessment must be undertaken in consultation with relevant traditional owners, including the Bindal people.

3.3.1 Response

Council confirms that an initial Heritage Assessment was completed by AECOM on behalf of Council in May 2021 identifying the need for further consultation with the relevant Aboriginal Parties (Attachment D of EPBC Referral). Council engaged North QLD Cultural Heritage Pty Ltd as a Cultural Heritage Technical Advisor to carry out a detailed, transparent and inclusive consultation process with traditional owners.

North QLD Cultural Heritage Pty Ltd has facilitated meetings between Council and the Bindal People #2 Native Title Applicants for the Project on the east side of the Ross River and the Gurambilbarra Wulgurukaba Native Title Applicants for the Project on the west side of the Ross River. It is noted that the boundary between the two Traditional Owner groups and their respective Native Title Application Areas is the mid-point of the Ross River.

The meetings and consultation between Council, North QLD Cultural Heritage Pty Ltd, the Bindal People #2 and the Gurambilbarra Wulgurukaba People have culminated in the completion of Cultural Heritage Investigations, including comprehensive pedestrian cultural field surveys of the proposed alignment. As a result several Cultural Heritage Management Recommendations developed in close consultation with each Aboriginal Party.

The Agreed Cultural Heritage Management Recommendations contain culturally sensitive information in relation to the location of significant Aboriginal cultural sites, finds and other values. The Aboriginal Parties have requested that the information is provided only to those persons or organisations who require the information for the specific purposes of cultural heritage management for the Project. Based upon this advice, Council is unable to provide these documents as part of the Preliminary Documentation.

Council confirms that North QLD Cultural Heritage Pty Ltd can be contacted to verify Council has fulfilled its duty of care and consultation obligations with the relevant Aboriginal parties in accordance with the *Aboriginal Cultural Heritage Act 2003* (ACH Act).

4.0 Avoidance, Mitigation and Management Measures

4.1 Additional Information Requested – Commonwealth Land – People and Communities

Section 3 of the request for additional information included the following items.

Details of proposed management actions to ensure relevant stakeholders continue to have access to the project area and surrounds to undertake essential maintenance and land management activities during construction and over the life of the proposal.

Proposed management actions should be developed in consultation with relevant stakeholders, including the Bindal People and the Department of Defence.

4.1.1 Response

The Project alignment has been developed in consultation with Department of Defence to ensure compatibility with their operations and to minimise interactions and impacts with more frequented areas of the Mount Stuart Training Area (MSTA).

Council and the Department of Defence are negotiating an Access Agreement (Commercial in Confidence) which details the management requirements with regards to accessing the Project during construction and operation. Key aspects include:

- Council and the successful Contractor shall be required to co-ordinate work activities once a week with Department of Defence's site manager at the MSTA.
- Department of Defence have clearly specified the environmental and land management requirements within the draft Environmental Clearance Certificate (ECC) which will be complied with during the construction of the Project.

4.2 Additional Information Requested – Commonwealth Land – Cultural Heritage

Section 3 of the request for additional information included the following items.

Details of the methodology proposed to be implemented in the event that Indigenous artefacts are found during pre-clearance, clearance and construction activities associated with the proposed action.

The proposed approach to the identification and management of Indigenous cultural heritage (intangible heritage, areas, places and objects) during construction and operation of the proposed action may be provided in a draft Cultural Heritage Management Plan for the department's consideration. The draft plan should be

developed in consultation with relevant stakeholders, including the Bindal People and the Department of Defence.

The Cultural Heritage Management Agreement between Townsville City Council and the Bindal People may be submitted if it addresses the matters raised in this information request.

4.2.1 Response

Council remains committed to achieving best practice cultural heritage management for all stages of the Project, working in close collaboration with the two relevant Aboriginal Parties in their respective areas of interest.

The detailed methodology for dealing with any identified Indigenous cultural heritage sites, finds or values over the life of the project are documented in an agreed and executed Cultural Heritage Management Agreement (CHMA) between Council and the Bindal People #2 Native Title Applicants, over the greater portion of the pipeline alignment (some 8 km on the eastern side of the Ross River). This CHMA has been developed, negotiated and agreed under Section 23 of the ACH Act.

Similarly, the detailed methodology for dealing with any identified Indigenous cultural sites, finds or values in the Gurambilbarra Wulgurukaba Peoples area of interest on the western side of Ross River, are outlined in a set of Agreed Cultural Heritage Management Recommendations. It is noted that a formal CHMA was not developed with the GW People for the short western sector of the pipeline alignment, given that it covers a distance of some 800m and is mostly located in a highly disturbed, modified and built-up urban environment (therefore assessed as a Category 2 or Category 3 development activity under the Duty of Care Guidelines in the ACH Act).

Council confirms that as part of the management recommendations from the Cultural Heritage Investigations (Field Surveys) the following may be required.

- Council may be advised of artefacts that require relocation, alignment changes (avoidance).
- Other measures such as Council providing to the relevant construction contractors, including the following.
 - Cultural Heritage Monitors to oversee ground disturbance works within identified high risk locations and activities including clearing and disturbance works.
 - Cultural Heritage Inductions and Cultural Awareness Training to be provided to Council and our prospective construction contractors by each of the Aboriginal Parties.

In the event that any Cultural Heritage sites, finds or materials not identified and recorded during the initial Cultural Heritage Investigations, are located during development activities within the Project Development Area, procedures will be adopted in accordance with relevant Project CHMA, Agreed Cultural Heritage Management Recommendations and the ACH Act.

Where an artefact or cultural find is encountered, works shall be suspended, contact made with on-site Cultural Heritage Monitors to inspect the potential artefacts, contact the Aboriginal Party Coordinators and Council's Cultural Heritage Technical Advisor to provide a recommended management action to Council which could range from avoidance, salvage or relocation.

The Parties shall endeavour to reach agreement on the recommended management measures within 48 hrs and may seek assistance from the Cultural Heritage Technical Advisor and or the Cultural Heritage Management Unit of the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships and Works will not recommence at the location of the Find until agreed management measures have been implemented.

Council confirms that the Aboriginal Parties consider any CHMA, Agreed Cultural Heritage Management Recommendations and Cultural Survey Reports for this Project to be Confidential documents. It is the express wish of the two relevant Aboriginal Parties that all information relating to the identification, location and significance of Indigenous cultural heritage sites, finds and other values remain confidential to the respective Aboriginal Parties and Council.

The Aboriginal Parties have requested that the information is provided only to those persons or organisations who require the information for the specific purposes of cultural heritage management for

the Project. There has been the specific request from the Aboriginal Parties that the cultural heritage information compiled for this Project is not released to the public in any format, that it is not included in any public consultation process and especially, that it is not uploaded to the world wide web in any format, abbreviated, redacted or otherwise. Based upon this advice, Council is unable to provide these documents as part of the Preliminary Documentation.

Council confirms the following people can be contacted to provide statutory declarations that Council and the Bindal People #2 and the Gurambilbarra Wulgurukaba (GW) People have negotiated and agreed a Cultural Heritage Management Agreement and/or Agreed Cultural Heritage Management Recommendations in accordance with the requirements of the ACH Act in relation to this Project. Relevant project contacts include:

- Blair Middleton (Townsville City Council)
- Michele Bird (North QLD Cultural Heritage)
- Eddie Smallwood (Bindal People #2 Native Title Applicant)
- Christina George (Gurambilbarra Wulgurukaba Native Title Applicant).

Council confirms that Defence have been consulted in relation to Council fulfilling its Cultural Heritage obligations in relation to the Project. Council proposes to provide Defence with the Cultural Heritage Management Recommendations and Cultural Heritage Report pertaining to the Project within the MSTA on a Commercial in Confidence basis to enable Defence to verify Councils compliance with the ACH Act and with Defence Cultural Heritage requirements and obligations for MSTA.

5.0 Rehabilitation Requirements

5.1 Additional Information Requested

Section 4 of the request for additional information included the following items.

The preliminary documentation must include details on the proposed rehabilitation activities for all disturbed areas associated with the proposed action. At a minimum, the preliminary documentation must include:

- *a description of the area to be rehabilitated;*
- *the species to be used in restoration and how these are expected to benefit impacted species;*
- *fire, weed and pest control measures;*
- *a monitoring program to determine the success of rehabilitation activities;*
- *completion criteria, including timeframes for the restoration of habitat for relevant listed threatened species; and*
- *a summary of the procedures, including contingency measures, that will be undertaken to achieve the rehabilitation completion criteria.*

5.1.1 Response

Council have committed to approximately 30% of the disturbance footprint being rehabilitated with a diversity of native grasses that are known as foraging grasses for the black-throated finch in the ground layer. At a minimum, rehabilitation efforts will aim to restore the area to be suitable for foraging purposes.

Council will be seeking a suitably qualified contractor to design, implement, manage and monitor the 30% rehabilitation commitment for the Project. It is requested the requirement for a Rehabilitation Plan be conditioned as a part of the approval.

6.0 Offsets

6.1 Additional Information Requested

Section 5 of the request for additional information included the following items.

*Based on the referral information, the department considers the proposed action is likely to have a residual significant impact on Black-throated Finch (*Poephila cincta cincta*) as a result of the unavoidable clearance of 12.42 ha of habitat for the species. Noting this, an environmental offset should be proposed to compensate for this loss. The proposed offset must meet the principles of the Department's EPBC Act Environmental Offsets Policy (2012).*

6.1.1 Response

A financial environmental offset is proposed to compensate for the impact to approximately 15.5 ha of the Black-throated Finch. The Queensland Government *Financial Settlement Offset Calculator* under the *Queensland Environmental Offset Policy Version 1.11* has been used as a basis to determine an appropriate financial offset contribution. The calculator output has been included in Appendix D.

Council intends on undertaking a procurement process in line with the Council procurement policy (Appendix E) as per the requirements of the *Local Government Act 2009*. The procurement process will seek tender responses from suitably qualified entities to undertake a program relating to a benefit and conservation gain for the Black-throated finch.

Council request DAWE conditions the approval to demonstrate payment of the financial offset by 30 June 2022 to the successful organisation(s) from the above procurement process.

7.0 Ecologically Sustainable Development

7.1 Additional Information Requested

Section 6 of the request for additional information included the following items.

The preliminary documentation must provide a description of how the proposed action meets the principles of ESD, as defined in section 3A of the EPBC Act. More information on ESD is available at www.environment.gov.au/about-us/esd/publications/national-esd-strategy.

7.1.1 Response

Section 3 of the EPBC Act details the objective of the Act is "...to promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources..." (amongst others). Section 3A of the EPBC Act details the principals of ecologically sustainable development (ESD), including:

- (a) decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations;*
- (b) if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;*
- (c) the principle of inter-generational equity—that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations;*
- (d) the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making;*
- (e) improved valuation, pricing and incentive mechanisms should be promoted.*

The Project responds to the principles of ESD through the incorporation of relevant planning, design, construction and operational measures to avoid, manage and offset potential impacts in both the short and long term.

The Townsville Local Government Area is a regional centre in Northern Queensland, which has a population of approximately 200,000 people. Approximately 85% of Townsville potable water supply is sourced through the existing pipeline. Several failures have occurred within the pipeline to date, which have threatened Townsville's water supply, imposing severe water restrictions whilst failures were repaired. It is critical that an alternative pipeline is constructed to secure Townsville's water supply now and in the future.

To address this critical risk, Council has proposed to replace this existing pipeline in an alternative location. The alternative location has been identified through an extensive options assessment and concept and detailed design processes. A multi-criteria analysis has been conducted for several options based on economic, environmental and design considerations.

The Project alignment was chosen as it had the highest potential for avoiding, and minimising impacts on ecology and heritage values, through the adoption of existing cleared routes in the alignment. Council have considered the environmental impacts of the Project throughout Project development. Where possible and practical Council have sought to avoid impacts to listed threatened species and the environmental values on Commonwealth land. Where avoidance cannot be achieved mitigate and management of impacts has been proposed.

Suitable construction methodologies and mitigation measures to reduce potential impacts on the environment will be incorporated into a Construction Environmental Management Plan (EMP(C)). Approximately 30% of the disturbance footprint will be rehabilitated post construction phase.

Impacts to the environment that cannot be appropriately mitigated will be managed through the provision of environmental offsets detailed in Section 6.0.

8.0 Economic and Social Matters

8.1 Additional Information Requested

Section 7 of the request for additional information included the following items.

The economic and social impacts of the proposed action, both positive and negative, must be analysed. Matters of interest may include:

- *details of any public consultation activities undertaken and their outcomes;*
- *details of consultation with Indigenous stakeholders, including with reference to the department's Guidance for proponents on best practice Indigenous engagement for environmental assessments under the EPBC Act (2016);*
- *projected economic costs and benefits of the proposed action, including the basis for their estimate through cost/benefit analysis or similar studies; and*
- *employment opportunities expected to be generated by the proposed action (including construction and operational phases).*

Economic and social impacts must be considered at the local and regional level.

8.1.1 Response

Council has confirmed the investment of 45 million dollars into the Project as critical and priority infrastructure to ensure a resilient and enhanced raw water supply to the Douglas Water Treatment Plant (DWTP) which produces 85% of Townsville's potable water.

The existing pipeline to the DWTP unexpectedly failed in December 2020 which caused a significant reduction and disruption to Townsville's potable water supply. Subsequently Council has expedited its

plans to design and construct the Project in recognition of the deteriorating condition of the existing pipeline and its reduced asset life.

Council has developed a procurement strategy for the Project with the intent of maximising local contractor engagement. The strategy includes executing smaller tender packages rather than one large supply and construct tender. This strategy intends to maximise opportunities for local contractors, subcontractors, businesses, suppliers and service providers.

Council has identified the potential to generate up to 150 jobs locally through the various phases of the Project and the importance through our Corporate Plan to provide a sustainable destination that embraces and participates in the arts, sports and events and recreational activities. Council has also included specialised training and inductions to develop local technical capabilities and elevate cultural heritage awareness within the construction industry.

Council completed a project briefing in September 2021 where major stakeholders and interested parties (predominantly potential industry participants) received a briefing of the Project. Over 100 RSVP's were registered and approximately 90 different email addresses were recorded in the online briefing. Additionally, Council has advertised the Project on our Current Projects website to boost awareness of the project within the local community.

9.0 Environmental Record of the Person Proposing the Action

9.1 Additional Information Requested

Section 8 of the request for additional information included the following items.

The preliminary documentation must include details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against:

- *the person proposing to take the action;*
- *for an action for which a person has applied for a permit, the person making the application;*
- *if the person is a body corporate—the history of its executive officers in relation to environmental matters;*
- *if the person is a body corporate that is a subsidiary of another body or company (the parent body)—the history in relation to environmental matters of the parent body and its executive officers; and*
- *If the person proposing to take the action is a corporation, details of the corporation's environmental policy and planning framework must also be included.*

9.1.1 Response

Townsville City Council recognises environmental sustainability as a guiding principle in its Corporate Plan and is committed to minimising the environmental impacts associated with its operations. Council seeks opportunities to continually improve its environmental performance and encourage a culture of environmental sustainability among its workers and the community.

This is achieved through managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety by adhering to guiding principles.

There are no past or present proceedings against Townsville City Council under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources.

The Project will be undertaken in accordance with Townsville City Council's Environmental Policy. Council's principles driving the Environmental Policy are as follows.

- Demonstrated environmental leadership and encouraging its workers and the community to adopt more sustainable lifestyles.
- Effective management and protection of the natural and built environment through sustainable growth and development.
- Carrying out its operations in an environmentally sustainable manner and integrating sustainability into its processes and decision making.

The policy applies to all council workers and all Council operations. The policy can be found on Council's website and Attachment G of the Referral Documentation.

10.0 Conclusion

This report presents Preliminary Documentation as requested in DAWEs Request For Additional Information (2021/9002). In summary, the Project has addressed this request through the following key points.

- The Project alignment has been developed in consultation with Department of Defence to ensure compatibility with their operations and to minimise interactions and impacts with more frequented areas of the MSTA. Council and the Department of Defence are negotiating an Access Agreement (Commercial in Confidence) which details the management requirements with regards to accessing the Project during construction and operation.
- As a result of the design refinements undertaken during the detailed design phase, the Ecology Technical Report, including of Significant Impact Assessments, has been updated. The Ecology Technical Report concludes the Project will result in an impact of approximately 15.5 ha to potential habitat for the Black-throated Finch (southern) (*Poephila cincta cincta*).
- Council have committed to approximately 30% of the disturbance footprint being rehabilitated with a diversity of native grasses that are known as foraging grasses for the black-throated finch in the ground layer. At a minimum, rehabilitation efforts will aim to restore the area to be suitable for foraging purposes. Council will be seeking a suitably qualified contractor to design, implement, manage and monitor the 30% rehabilitation commitment for the Project.
- A financial environmental offset is proposed to compensate for the impact to approximately 15.5 ha of the Black-throated Finch. The Queensland Government *Financial Settlement Offset Calculator* under the *Queensland Environmental Offset Policy Version 1.11* has been used as a basis to determine an appropriate financial offset. Council intends to undertake a procurement process as per the requirements of the *Local Government Act 2009*. The procurement process will seek tender responses from suitably qualified entities to undertake a program relating to a benefit and conservation gain for the Black-throated finch.
- Council remains committed to achieving best practice cultural heritage management for all stages of the Project, working in close collaboration with the two relevant Aboriginal Parties in their respective areas of interest. Detailed, transparent and inclusive consultation has been undertaken with the Traditional Owners for the Project. The consultation between Council, North QLD Cultural Heritage Pty Ltd, the Bindal People #2 and the Gurambilbarra Wulgurukaba People have culminated in the completion of Cultural Heritage Investigations, including comprehensive pedestrian cultural field surveys of the Project. As a result several Cultural Heritage Management Recommendations developed in close consultation with each Aboriginal Party.