

30 September 2014

Mr Barry Broe
Coordinator-General
Office of the Coordinator-General
Department of State Development, Infrastructure and Planning
PO Box 15517
City East QLD 4002

Attention Peter Silvester – Director

Dear Mr Broe

Application for Proposed Change - Hinze Dam Stage 3 project

Pursuant to Part 4, Division 3A, Subdivision 1 of the *State Development and Public Works Organisation Act 1971* (Qld), Seqwater requests a change to condition 1a of Schedule D of the Coordinator-General's report for the Hinze Dam Stage 3 project (as amended in April 2010), as shown in **Table 1**, in relation to compensatory habitat land tenure arrangements.

The proposed change will have no effect on the operation of the Hinze Dam Stage 3 project. The proposed change is requested to allow Seqwater to continue with the offset delivery approach approved by the Technical Advisory Group for the project.

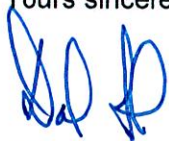
Seqwater are delivering the required offset through freehold land acquisition (264 ha) and a propagation and translocation program (80 ha) on land owned by the Council of the City of Gold Coast (GCCC). All of the land will be protected by way of nature refuges. Further details are provided in **Attachment A**.

The proposed change to condition 1a will recognise the propagation and translocation program being undertaken on land owned by a local government, rather than land owned by the state or a statutory authority. The reference to the 12 month timeframe in the existing condition is requested to be removed as the land will not be purchased by Seqwater, but will continue to be owned by GCCC. The declaration of a nature refuge over the land owned by GCCC is expected by 31 December 2014.

Given the nature of the proposed change relates to land tenure arrangements and is therefore of an administrative nature, Seqwater requests your consideration that change report fees be waived on this occasion.

Should your office require any further information please contact George Fitzgibbon on (07) 5656 3316 or at george.fitzgibbon@seqwater.com.au.

Yours sincerely



Daniel Spiller
General Manager - Asset Portfolio Development and Delive

**Table 1: Proposed change to condition 1a
Hinze Dam Stage 3 project**

Existing condition

Coordinator-General's Change Report April 2010

Proposed amendment (shown in red)

**Appendix 1, Schedule D,
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.

**Amend dot point 2 of Appendix 1, Schedule D,
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 land by the state, a local government or a statutory authority, subject to, in the case of a statutory authority or local government, application to the relevant authority for the declaration of a nature refuge over the land under the provisions of the *Nature Conservation Act 1992*;**
- 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.

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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.

Attachment A – further information in relation to compensatory habitat for the Hinze Dam Stage 3 project

Seqwater has achieved the following in relation to compensatory habitat for the Hinze Dam Stage 3 project:

- Seqwater acquired 264 ha of freehold land containing advanced regrowth or remnant vegetation within the Hinze Dam Catchment in the Numinbah Valley in 2012
- A nature refuge was declared over the acquired land in 2013 (Hinze Dam Numinbah Nature Refuge). The land over which the nature refuge is declared is described as Lot 1 on RP51846, lot 1 on SP236287, and lot 3 on SP236289
- Seqwater has been successfully implementing a propagation and translocation program on over 74 hectares of land within the Hinze Catchment since 2010. Successes of the project include:
 - Council of the City of Gold Coast (GCCC) and Seqwater have entered into an agreement for GCCC to manage the propagation and translocation program (PTP) on GCCC owned land for the following four (4) Nationally Environmentally Significant (NES) species:
 - *Randia moorei*
 - *Macadamia tetraphylla*
 - *Plectranthus nitidus*
 - *Owenia cepiodora*
 - pursuant to the agreement, GCCC has agreed to apply for declaration of a nature refuge over the PTP site, which will be called the Numinbah Conservation Area Nature Refuge
 - the Deed of Agreement to establish the Numinbah Conservation Area Nature Refuge has been prepared by the Department of Environment and Heritage Protection (EHP), in consultation with the City of Gold Coast and Seqwater. It is expected that the Numinbah Conservation Area Nature Refuge will be declared by 31 December 2014
 - Seqwater have propagated and translocated the following remaining NES species on Seqwater owned land within the Hinze Dam catchment:
 - *Macadamia integrifolia*
 - As detailed in the Propagation and Translocation Annual Reports recently submitted to the Coordinator General (August 2014), the count of surviving plants of all five species satisfy the requirements set for replacements of the individuals lost to the inundation from Hinze Dam Satge 3 Upgrade. Current plant survival rates of all five (5) NES species as at June 2014 are:

Species	Numbers Lost	Minimum Replacement Number (for first 18 months)	Minimum Replacement Number (after first 18 months)	Current Survival Number as at June 2014
<i>Randia moorei</i>	250-300	600	480	582
<i>Macadamia tetraphylla</i>	Up to 64	128	102	144
<i>Plectranthus nitidus</i>	Up to 50	100	80	133
<i>Owenia cepiodora</i>	Up to 30-40	80	64	104
<i>Macadamia integrifolia</i>	Up to 10	20	16	27

- A revegetation program was undertaken in partnership with the Numinbah Valley Environmental Education Centre along 1.5km of State owned land within the Hinze Catchment at Pocket Road Bridge between March 2010 and June 2011.

Further Details on Offset Sites

Land acquired by Seqwater

Description	Lots 1SP236287, 3SP236289 and 1RP51846
Area	264.0973 ha
Owner	Seqwater
Tenure	Freehold
Protection Mechanism	Nature refuge – Hinze Dam Numinbah Nature Refuge declared in 2013
Management Arrangements	<p>Land is owned and managed by Seqwater in accordance with the Conservation Agreement to establish the Hinze Dam Numinbah Nature Refuge.</p> <p>Declaration of the nature refuge protects the land in perpetuity, because a conservation agreement to establish a nature refuge is recorded on the land title and is binding on:</p> <p>(a) the successors in title to the landholder who entered into the agreement; and</p> <p>(b) persons who have an interest in the land.</p>

NES Species Propagation and Translocation Program Site

Description	Part of Lot 122 on CP WD456, part of Lot 120 on CP WD 869, part of Lot 126 on CP WD3515, part of Lot 127 on CP WD3516 and part of Lot 1 on RP800209
Area	Approx 73 ha
Owner	Council of the City of Gold Coast (GCCC)
Tenure	Freehold
Protection Mechanism	Nature refuge – It is expected that the Numinbah Conservation Area Nature Refuge will be declared by 31 December 2014
Management Arrangements	<p>GCCC and Seqwater entered into an agreement which requires GCCC to manage Seqwater's propagation and translocation program and to apply for declaration of a nature refuge over the site.</p> <p>Declaration of a nature refuge over the land will protect the land in perpetuity, because a conservation agreement to establish a nature refuge is recorded on the land title and is binding on:</p> <p>(a) the successors in title to the landholder who entered into the agreement; and</p> <p>(b) persons who have an interest in the land.</p>