



Commonwealth of Australia

Statement of reasons for granting an exemption under section 158 of the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*

I, Murray Watt, Minister for the Environment and Water, provide these reasons for my decision under section 158 of the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* (EPBC Act), to grant an exemption to the State of Queensland and those acting on behalf of the State of Queensland, from the application of all of the provisions of Part 3 and all of Parts 7 through 9 of Chapter 4 of the EPBC Act, in relation to the following action:

The taking of **emergency works**, prior to and during the 2025/2026 **Queensland summer storm season**, to address the immediate risks to maritime and public safety and infrastructure and property posed by breakthrough events and associated erosion at the northern end of Bribie Island.

Definitions:

Emergency works means urgent temporary works to stabilise sections of northern Bribie Island against further erosion and improve navigational passage, including:

- a. Works to close and stabilise **breakthroughs #2 and #3**.
- b. Works to buffer the Bribie Island segment between **breakthroughs #2 and #3**, and the tidal entrance to the Pumicestone Passage through construction of a temporary dune barrier, extension of the island segment and/or construction of a sand bank inside the Pumicestone Passage.
- c. Creation of a temporary channel between the northern end of Pumicestone Passage and the tidal entrance (to improve water circulation and enhance water quality and navigational access).

Queensland summer storm season means the period of 1 November to 30 April.

Breakthroughs #2 and #3 are the two southern most breakthroughs that have occurred since 2022 along the northern reach of Bribie Island.

Legislation

Section 158 of the EPBC Act provides:

158 Exemptions from Part 3 and this Chapter

- (1) A person proposing to take a controlled action, or the designated proponent of an

action, may apply in writing to the Minister for an exemption from a specified provision of Part 3 or of this Chapter.

- (2) The Minister must decide within 20 business days of receiving the application whether or not to grant the exemption.
- (3) The Minister may, by written notice, exempt a specified person from the application of a specified provision of Part 3 or of this Chapter in relation to a specified action.
- (4) The Minister may do so only if he or she is satisfied that it is in the national interest that the provision does not apply in relation to the person or the action.
- (5) In determining the national interest, the Minister may consider Australia's defence or security or a national emergency. This does not limit the matters the Minister may consider.
- (6) A provision specified in the notice does not apply in relation to the specified person or action on or after the day specified in the notice. The Minister must not specify a day earlier than the day the notice is made.
- (7) Within 10 business days after making the notice, the Minister must:
 - (a) publish a copy of the notice and his or her reasons for granting the exemption in accordance with the regulations; and
 - (b) give a copy of the notice to the person specified in the notice.

Background

1. On 29 July 2025, Mr Gerard Coggan, Coordinator-General for the Queensland Government wrote to me on behalf of the Queensland Government to seek an exemption under section 158 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) to undertake emergency works to address the Bribie Island breakthroughs and associated erosion ([Attachment A](#)).
2. The Queensland Government sought an exemption from the application of relevant provisions of Part 3 of the EPBC Act for the Queensland Government and those acting on behalf of the Queensland Government.
3. The action comprises urgent emergency works to reduce immediate risks posed by the breakthrough events and associated erosion at the northern end of Bribie Island and the Pumicestone Passage.

Evidence

4. The evidence or other material on which my findings are based is a brief from my department dated 7 August 2025, including its attachments (**the departmental brief**).

Findings

5. In their application for an exemption, the Queensland Government noted Bribie Island acts as a natural buffer between the Coral Sea and the mainland and that the recent

breakthroughs, arising from severe weather events in 2022 and 2025, have compromised the structural integrity of the northern spit and resulted in:

- a. the loss of natural buffer zones, elevated tidal levels and increased threats and damage to infrastructure and property in the Golden Beach area;
 - b. compromised maritime safety due to the closure of the Caloundra Bar and the resulting shifts in navigable channels within Pumicestone Passage restricting access of the Caloundra Coast Guard to the open ocean;
 - c. significant infrastructure damage to public recreation areas and the World War II coastal defence site 'Fort Bribie'; and
 - d. an escalating risk to the Moreton Bay Ramsar Site.
6. In their application for an exemption, the Queensland Government included:
- a. a map showing the current breakthroughs;
 - b. a map showing the proposed emergency works; and
 - c. a detailed description of the current, and modelled future, impacts of the Bribie Island breakthrough to infrastructure, property, public safety and the regional economy.

Reasons

7. I understand that under:
- a. subsection 158(4), I may grant an exemption if I am satisfied that it is in the national interest to do so;
 - b. subsection 158(5), in determining the national interest, I may consider Australia's defence or security or a national emergency, but I am not limited to these considerations.
8. I agree with the Queensland Government that in some circumstances the proposed emergency works may have a significant impact on nationally protected matters which would normally require approval under the EPBC Act. I consider that the proposed works pose potential significant impacts to the following matters of national environmental significance:
- a. Moreton Bay Ramsar Site (a wetland of international importance)
 - b. listed migratory species
 - c. listed threatened species and ecological communities.

9. I am aware that I can grant the exemption if I am satisfied that it is in the national interest that the specified provisions do not apply in relation to the person or the action; and that granting an exemption allows the person to take the action without it being assessed and approved under the EPBC Act.
10. I consider that the breakthrough events at the northern end of Bribie Island and the associated issues constitute an immediate risk to public and maritime safety, and to public and private property. I consider that these risks represent an emergency situation.
11. I consider that the risks to public and maritime safety and property have national economic implications given the Sunshine Coast is a significant tourism destination.
12. I consider that granting the exemption enables the Queensland Government to undertake interim works to reduce the immediate risks associated with breakthrough events (including erosion) before the upcoming 2025/2026 storm season. I consider that this would not be possible if the action were subject to the normal assessment and approval requirements of the EPBC Act.
13. I have decided to grant the exemption under subsection 158(3) because I am satisfied that given the emergency arising from Bribie Island breakthroughs, and the potential for this to escalate during the upcoming storm season, it is in the national interest that all provisions of Part 3 and Part 7 through 9 of Chapter 4 of the EPBC Act do not apply in relation to the action described above.



Minister for the Environment and Water

21 / 8 / 2025