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**Queensland
Government**

12 October 2005



Port of Brisbane Corporation
Locked Bag 1818
PORT OF BRISBANE QLD 4178

Attention: Dr Bill Tranberg

Planning Services

Department of
**Local Government, Planning,
Sport and Recreation**

RE: REFERRAL COORDINATION — INFORMATION REQUEST

Dear Sir

I refer to your letter dated 14 September 2005 and received in this office on 14 September 2005, requesting referral coordination under the *Integrated Planning Act 1997* (IPA) for the following application:

APPLICANT:	Port of Brisbane Corporation
APPLICATION TYPE:	Operational Works
REFERRAL COORDINATION TRIGGER:	3+ Concurrence Agencies
LOCATION:	Spitfire Channel MORETON BAY QLD

I wish to advise that after preliminary assessment of your application additional information is required to fully assess the proposal. Details of the information requested are contained in pages 3 – 5 attached to this letter.

The following agencies were consulted in the preparation of this information request:

- Environmental Protection Agency (Assessment Manager)
- Department of Primary Industries and Fisheries (Concurrence agency)
- Port of Brisbane Corporation (Concurrence agency)
- Queensland Transport (Maritime Safety) (Concurrence agency)

The Port of Brisbane Corporation and Queensland Transport (Maritime Safety), as concurrence agencies, require no further information.

The Act requires the applicant to provide a copy of the response to the information request to the Assessment Manager and any IDAS concurrence or advice agency. Please note, under section 3.3.8 (3) of the IPA you are not required to send a copy of your information response to this Department.

Please note, you have 12 months to respond to this information request. The response must be made in one of the following three ways —

- Provide all the information requested; or
- Provide part of the information requested together with a notice asking the assessment manager and each IDAS referral agency to proceed with the assessment of the application; or
- Provide a notice —
 - (i) Stating that the applicant does not intend to supply any of the information requested; and
 - (ii) Asking the assessment manager and each IDAS referral agency to proceed with the assessment of the application.

It should be noted that in the event of an appeal against a decision on a development application, costs may be awarded against an applicant if the court considers the applicant did not give all information reasonably requested in the information request (s4.1.23(2)(g) of the IPA).

Further information or assistance may be obtained by contacting the above contact officer by telephone or e-mail.

Yours sincerely



Meredith Sinclair
Principal Planner
SEQ-WBB Planning Division

CC:
Environmental Protection Agency
Department of Primary Industries and Fisheries
Ports Corporation of Queensland
Queensland Transport (Maritime Safety)

MATTERS OF INTEREST TO THE ASSESSMENT MANAGER

The Environmental Protection Agency, as assessment manager for the application, raises the following matters of concern and requests the following additional information:

INFORMATION REQUESTED

General Matters

1. Provide an amended Stakeholder Engagement Strategy to state it was the Port of Brisbane Corporation's decision to not pursue significant project status from the Coordinator-General.
2. Provide information confirming community consultation for the proposed Spitfire Channel and Sand Extraction project was carried out in accordance with the Stakeholder Engagement Strategy dated 27 September 2005.
3. Advise whether the proposed Spitfire Channel and Sand Extraction project activity is considered a controlled or non-controlled activity under *Environmental Protection and Biodiversity Conservation Act 1999*.

Concurrence Agency Matters

Coastal Management – *Coastal Protection and Management Act 1995*

4. Justify the works – Allocation of Quarry Material below high water mark – in relation to the State Coastal Management Plan, in particular policies:
 - a. 2.1.1 Areas of State Significance (Social and Economic);
 - b. 2.1.6/2.1.8 Extractive industry / Dredging;
 - c. 2.3.1 Future Need for access;
 - d. 2.4.1 Water Quality Management;
 - e. 2.4.5 Groundwater Quality;
 - f. 2.8.1 Areas of State Significance (Natural Resources);
 - g. 2.8.2 Coastal Wetlands; and
 - h. 2.8.3 Biodiversity.
5. Provide confirmation that the activities 'works – Allocation of Quarry Material below high water mark' are separate from the activities to be conducted under your application for a Dredge Management Plan.
6. Provide a copy of the Environmental Management Plan (EMP) for the vessel *Brisbane*, to demonstrate how the method of extraction will be conducted.
7. Detail in the EMP for the vessel *Brisbane* how the dredging plant and screening system is designed and installed to meet acceptable release to waters. The EMP must include a description of the processes and procedures (including performance verification) that are proposed to ensure that the release to waters meets acceptable criteria.
8. Provide justification, including a description and summary of existing turbidity and receiving water quality monitoring, sufficient to demonstrate the applicability and adequacy of the proposed criteria for turbidity. The supplied information should be specific to the proposed Spitfire Channel area and demonstrate that the proposed release

criteria are adequate for the maintenance of existing water quality.

9. Clarify and justify the frequency of proposed triennial turbidity monitoring for the proposed Spitfire Channel. Such justification must demonstrate that nil or negligible environmental benefits would be obtained from additional monitoring. This justification must link with the processes and procedures required for the Environmental Management Plan (EMP) for the vessel *Brisbane*.

MATTERS OF INTEREST TO DEPARTMENT OF PRIMARY INDUSTRIES AND FISHERIES

The Department of Primary Industries and Fisheries (DPI&F) as a concurrence agency for the application provides the following advice:

ADVICE

DPI&F is satisfied the technical information provided with the application to disturb marine plants is sufficient to allow completion of the assessment process.

It is noted that the Port of Brisbane Corporation will be undertaking a period of public consultation in relation to this dredging proposal. DPI&F's understanding of the agreed assessment process is that, the consultation is to be completed prior to the State Agencies finalising their respective legislative assessments. DPI&F would request a summary of the outcomes of the consultation.