



Hon Vicky Darling MP
Member for Sandgate



Minister for Environment

Ref: CTS 18488/11

11 NOV 2011

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I refer to your letters of 19 and 27 October 2011 enclosing copies of Petition No. 1742-11 and Petition No. 1797-11 lodged in the Queensland Legislative Assembly.

The Petitions draw to the attention of the House that with the construction of new coal loading facilities at Dudgeon Point, the rights of Queenslanders to navigate recreational and professional fishing vessels will be curtailed for the residents of McEwan's Beach, Dunrock, Louisa Creek and other local areas, effectively closing a large area of coast to traditional use. Concern is also raised about the potential for increased erosion at McEwan's Beach and the potential for air contamination from coal loading activities to the Conservation Park of Mt Hector.

The Petitioners therefore request the House to ensure that the rights of Queenslanders to free access to open waters will be maintained and that erosion concerns at the aforementioned beaches is addressed and studies are undertaken which look into the effect of polluted air on natural rock formations, flora and fauna in Mt Hector Conservation Park.

The Dudgeon Point area is included within the Port of Hay Point Land Use Plan, to allow for future port expansion and development at Dudgeon Point. Development of Dudgeon Point is to be guided by a Port Development Master Plan (Master Plan) that is currently being developed by North Queensland Bulk Ports (NQBP). The issues raised in the petition fall within the portfolio responsibilities of both myself and The Honourable Craig Wallace MP, Minister for Main Roads, Fisheries and Marine Infrastructure. As the Minister for Environment, I can advise that the Department of Environment and Resource Management (DERM) has been informed by NQBP, that the draft Master Plan is expected to be completed by December 2011. NQBP has also committed to presenting the concept plan to the community ahead of the Master Planning completion date later this year.

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NQBP has further advised DERM that an Environmental Impact Assessment process is scheduled to commence in mid 2012. This process will investigate and address environmental issues associated with the development of the Dudgeon Point area. DERM is responsible for appropriately conditioning industrial and coastal activities located in port land, to ensure that any potential environmental harm is minimised. This includes conditioning Environmentally Relevant Activities under the *Environmental Protection Act 1994* to minimise impacts on air, noise, waste and water. Any assessment undertaken in relation to the future activities at Dudgeon Point will take into account potential impacts on the Mt Hector Conservation Park.

In relation to access for recreational fishing which is outside of my portfolio responsibilities, I have been advised by the Department of Transport and Main Roads (DTMR) that NQBP has developed a solution that will ensure continued access to waters around the proposed new infrastructure at Dudgeon Point. NQBP is locating the jetties away from the Dudgeon Point headland so this area will continue to have unimpeded access for recreational and professional fishermen offshore. To allow continued access to Dalrymple Bay (offshore from the Louisa Creek area), in the master planning studies underway at present, consultants are investigating designs for the proposed offshore jetty structures to allow safe access under them at a specified point.

DTMR has also advised this transit point would be specifically marked and would have an overhead solid floor to prevent any objects falling from the overhead conveyors and roadway onto vessels passing underneath. There would be one transit point under each of the new jetties. The transit point would have an estimated clearance of 16 metres at low tide and 10 metres at high tide, which would allow practically all recreational fishing craft to pass beneath.

NQBP has discussed with DTMR the possibility of allowing access between the wharves as well as under the jetties with the Regional Harbour Master. The Regional Harbour Master has advised that this will not be routinely allowed for safety reasons, however some vessels such as yachts that may not fit under the jetties could seek special permission to go between the wharves, but this would be by special exception only and would require close monitoring by Vessel Tracking System for the full duration of the transit.

In relation to erosion at McEwan's Beach, NQBP have advised DTMR that there is no link between the construction of these facilities and erosion in this area. It is due to the natural movement of the coastline which occurs along the Queensland coast. The Hay Point Departure Path Environmental Impact Statement 2006 has already studied this issue. However, hydrodynamic modelling is being carried out for the current project and will be presented in the Environment Impact Statement in mid-2012. This will be a special focus of the study.

In relation to air pollution at Mt Hector Conservation Park, DTMR advises that the only significant emission expected from coal terminals is coal dust, however because coal is a naturally occurring organic compound, it would not be expected to harm the natural values of Mt Hector Conservation Park. Mt Hector has been adjacent to existing coal loading facilities in the port for 40 years and there is no indication of harm to the natural values of the area. No impacts from the proposed Dudgeon Point development are expected or likely.

On 27 October 2011, the Deputy Premier, Treasurer and Minister for State Development and Trade, the Honourable Andrew Fraser MP, announced that the Coordinator-General had declared the proposed Dudgeon Point Coal Terminal a significant project.

The declaration does not mean the project is approved but rather recognises the size, scale and economic impact the project could potentially have. The declaration marks the start of a thorough assessment and community engagement process, including an Environmental Impact Statement process, to consider the project's environmental, economic and social impacts to determine whether it is acceptable.

Should you have any further enquiries, regarding DERM's interests including the *Environmental Protection Act 1994* please do not hesitate to contact Mr Darren Moor, acting Regional Services Director, Central West Region of the department on telephone 4837 3451.

Yours sincerely



Vicky Darling MP
Minister for Environment