

PLANNING AND ENVIRONMENT COMMITTEE**14 MARCH 2018****1****COORDINATOR GENERAL'S EVALUATION REPORT – CAIRNS SHIPPING DEVELOPMENT PROJECT**

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RECOMMENDATION:

That Council notes the Coordinator General's evaluation report on the environmental impact statement for the Cairns Shipping Development Project.

EXECUTIVE SUMMARY:

The State Government announced the final evaluation report for the Cairns Shipping Development Project on 28 February 2018.

The report evaluated the potential impacts of the Cairns Shipping Development Project and concluded that there are significant local and regional benefits to be derived from the project and that any adverse environmental impacts can be adequately avoided, minimised, mitigated and /or offset as required through the implementation of the measures and proponent commitments outlined in the EIS documentation.

Throughout the development of the final report, Council Officers have worked closely with the Office of the Coordinator General ("OCG"), Ports North, and Department of Environment and Science ("DES") to finalise a conditions package that provides project certainty to enable the project to proceed but also ensures strict monitoring and environmental protection requirements throughout the life of the project.

A review has been undertaken of the final report and Council Officers confirm that all of Council's required conditions and proponent commitments have been included in the final report.

This Approval is designed to provide project certainty for the proponent and the Cairns Region. The proponent is still required to obtain a number of subsequent approvals that provide a detailed assessment of components of the project.

The capital dredging is expected to commence in May 2019. Subsequent applications are likely to be received by assessment managers in the second half of the 2018 calendar year.

BACKGROUND:

The background of the proposal has been outlined in detail in previous Council reports.

A high level summary is as follows:-

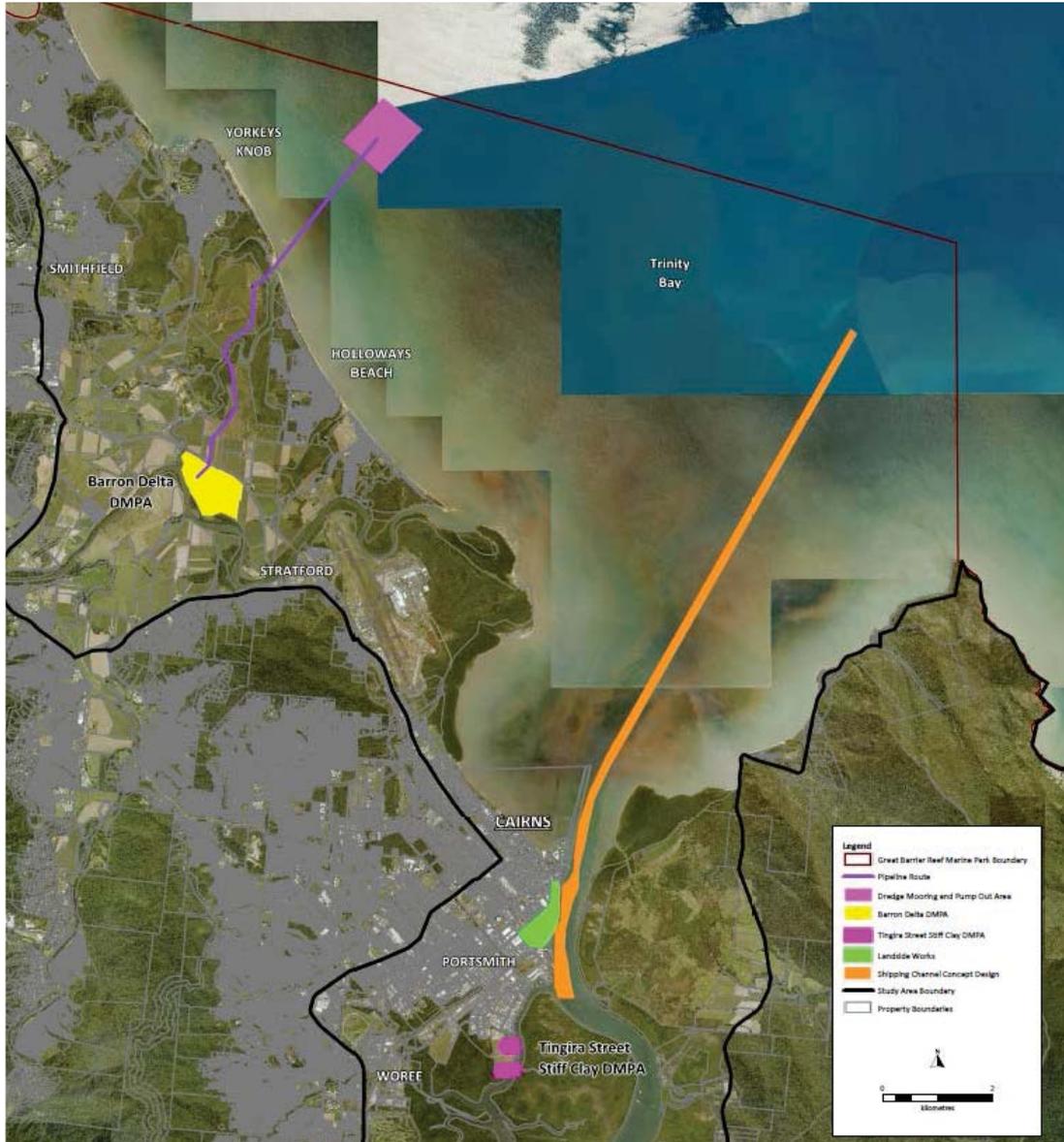
- The Cairns Shipping Development project commenced in 2012;
- A draft EIS was prepared for this project and public consultation was undertaken in 2015;
- Council made a submission in 2015 which generally supported the project for its economic potential but highlighted the need for the best available science to be applied and for an ongoing commitment to the protection of the reef to be made by all levels of Government;
- In 2015, legislative amendments precluded the sea based disposal of capital dredging projects;
- The proponent re-investigated land based disposal of dredged material. A revised draft EIS was prepared and public consultation was undertaken during July and August 2017;
- Council engaged relevant experts and prepared a submission requesting that the revised draft EIS not be accepted as the final EIS on the ground that additional information was required in order for Council to be satisfied the EIS sufficiently identified all potential impacts of the project;
- Further information was provided by Ports North during 2017/2018;
- Council, DES, OCG, and Ports North attended a number of meetings to review information and draft conditions throughout late 2017 and early 2018;
- Council provided a final proposed conditions package to the OCG in February 2018;
- Final report was announced 28 February 2018.

PROPOSAL

Specifically the project involves:

- The deepening of the existing declared depth of the channel from 8.3m to 8.8m;
- Widening of approximately 3km of the outer channel by 10m;
- Widening the channel bend from 150m to 180m;
- Widening the inner channel by 20m over approximately 1km;
- Deepening the existing Crystal swing basin;
- Creation of a new (relocated) swing basin at Smith's Creek;
- Structural upgrades to the existing wharves and provision and upgrade of services to the wharves.

The project can be broken down into three main parts, the marine based works, the works at the Northern Sands site and the works at the Port Authority land at Tingira Street and the wharves.



COMMENT:

Coordinator General's evaluation report on the environmental impact statement

Council Officers are generally satisfied and agree with the contents of the final report. It is a detailed and thorough assessment and the OCG has included the conditions and proponent commitments requested by Council and DES.

The proponent commitments and conditions are thorough and appropriate, and provide assurance to the community that any environmental impacts of the project have been considered and mitigated and will be monitored throughout the life of the project.

Considerations and conditions include:

- Maritime transport;
- Air quality and greenhouse gas emissions;
- Marine water quality and coastal processes;
- Noise and vibration;
- Traffic and transport;
- Groundwater;
- Flooding;
- Structural integrity;
- Acid sulphate soils; and
- Surface water quality.

The outcome of the report also provides certainty to Ports North that the project is able to proceed generally as proposed.

Subsequent Approvals

The proponent is still required to obtain a number of subsequent approvals that provide a detailed assessment of components of the project.

The subsequent approvals include but are not limited to:

- A Development permit for Material Change of Use ('MCU') for Dredging (Concurrence ERA 16) and Undefined use (assessable under CairnsPlan 2016);
- An Environmental Authority ('EA') for Environmentally Relevant Activity ('ERA') 16(1)(d); and
- An Operational Works for transportation, delivery and discharge pipeline (for the purposes of identifying a broad corridor).

There remains some uncertainty as to the assessment manager jurisdictions for some subsequent applications. The Coordinator General's report seeks to provide some clarity based on Council's submissions. This uncertainty will be clarified by the Planning Minister at the time the applications are due to be made.

Project Operations

This project will be completed over three stages:

- pre-construction;
- construction; and
- decommissioning.

Pre-construction

This stage of the project includes the following activities:

- obtaining all necessary approvals prior to construction commencement;
- removal of vegetation from project sites;
- establishing the pump-out facility;
- establishing the delivery pipeline from the pump-out facility to the Northern Sands;
- establishing material laydown areas adjacent to the delivery pipeline corridor;
- establishing the bund wall around the Northern Sands (approximately 4.0 km in length);
- installation of a discharge pipeline from the Northern Sands ;
- establishing site offices.

The Northern Sands bund wall will take approximately five months to construct.

The EIS documentation states that the pre-construction works for the pump-out facility, delivery pipeline and preparation of Northern Sands will be undertaken concurrently, during daylight hours (6.30 am to 6.30 pm) for up to six weeks.

Construction

Ports North proposes to undertake capital dredging 24 hours per day, seven days per week for up to 12 weeks during May to September 2019.

The capital dredging of soft clay is proposed to be undertaken over a duration of up to 12 weeks; while the capital dredging of stiff clay is proposed to be undertaken concurrently over a duration of up to five weeks.

The wharf construction for the upgrading of wharves one to six is proposed to begin prior to dredging to ensure that completion of wharf construction work coincides with the end of the capital dredging program.

The placement of dredge material at the Northern Sands and Tingira Street will be undertaken 24 hours per day, seven days per week for 12 weeks and six weeks respectively.

The pump-out facility and delivery pipeline will be in place no longer than six months.

Decommissioning

Decommissioning of the temporary dredge mooring, pump-out facility and delivery pipeline will be undertaken during daylight hours for an estimated four to six weeks after the placement of dredge material at Northern Sands is complete.

Subject to the settling characteristics of the dredge material, the discharge pipeline is proposed to be decommissioned in conjunction with the dredge delivery pipeline.

The EIS anticipates the bund wall at Northern Sands will be removed prior to the wet season in October/November 2020, subject to settlement and consolidation rates.

OPTIONS:

This report is for noting.

CONSIDERATIONS:

Risk Management:

The final report details substantive conditions regarding mitigation strategies for identified risks and real time monitoring to ensure the effectiveness of the proposed strategies.

Council Finance and the Local Economy:

The final report states that the project will result in increased expenditure, employment and economic efficiencies and is predicted to support up to 1535 direct FTE jobs per annum, 1202 indirect FTE jobs per annum and contribute \$848.6 million (net present value, 2016–17 dollars) to the regional economy. In addition, it will prevent the loss of cruise ship home porting worth \$492.2 million due to the increasing trend towards larger cruise ships unable to access the Port of Cairns.

Council engaged a team of experience experts to assist with the assessment process and advise Council and the community on impacts, conditions, and mitigation strategies. The current cost to council is \$280,000.

Council is considering the options available to it for cost recovery.

Community and Cultural Heritage:

The Report contains imposed conditions on community and stakeholder engagement and update of impact mitigation strategies at page 186.

Natural Environment:

The proposed works are within the Great Barrier Reef catchment area. The natural environment is the most significant attractor to the Cairns region and needs to be protected. Development that has the potential to compromise the regional natural environment should not be supported.

The purpose of undertaking an Environmental Impact Statement is to undertake a detailed assessment of all possible and likely environmental impacts. Additionally, the project has been identified as a prescribed action under the EPBC because of its potential impacts on the natural environment.

Statutory:

State Development and Public Works Organisation Act 1971

Planning Act 2016

Sustainable Ports Development Act 2015

Coastal Protection and Management Act 1995

Marine Parks Act 2004

Vegetation Management Act 1999

Environment Protection and Biodiversity Conservation Act 1999 (“EPBC”)

CONSULTATION:

Public consultation occurred twice through the EIS project. There will be no further public notification or consultation periods during the subsequent approvals process.

Council engaged a panel of experts to assist in reviewing the EIS and drafting its proposed conditions.

ATTACHMENTS:

A copy of the Cairns Shipping Development Project: Coordinator-General’s evaluation report on the environmental impact statement can be found at <https://www.statedevelopment.qld.gov.au/assessments-and-approvals/cairns-shipping-development-project.html>



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