



Hon Jeff Seeney MP

Deputy Premier

Minister for State Development, Infrastructure and Planning

Our ref: MBN13/1232

10 OCT 2013

Mr Jon Black
Director-General
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001

Dear Mr Black

On 26 September 2013, I exercised my call in powers under section 425 of the *Sustainable Planning Act 2009* (SPA) and called in a development application for the expansion of the Barro Group Pty Ltd quarry at Mount Cotton Road and Gramzow Road, Mount Cotton. In making this decision, I decided to undertake a re-assessment of the development application against the assessment and decision provisions of SPA.

During Redland City Council's assessment of the development application, the Department of Environment and Heritage Protection (DEHP) was triggered under the *Sustainable Planning Regulation 2009* as a concurrence and advice agency for matters relating to:

- Environmentally Relevant Activities (ERA) under schedule 7, table 2, item 1
- Contaminated land under schedule 7, table 2, item 23
- Land in or near wetlands under schedule 7, table 3, item 21

Council referred the development application to me on 11 July 2013, noting that it has significant concerns about the inadequacy of the conditions proposed by the state, and the competing state interests that affect the subject land.

I note that on 29 August 2013, your department wrote to me to advise that should I decide to call in the development application, I should consider including DEHP's previous concurrence agency conditions in my re-assessment. I note your correspondence also advises that the concurrence response was developed after negotiation with Barro Group and includes conditions for the operation of proposed ERAs and associated management of identified environmental impacts. It has been advised the conditions are considered by DEHP to be adequate to protect environmental values.

To assist in re-assessing the development application, advice is sought from DEHP about the relevance of the response made in relation to the above trigger, and whether any amendments need to be made to ensure DEHP's interests are addressed appropriately in my re-assessment of the application. In view of the letter received from council, I also seek confirmation from DEHP that the conditions imposed are sufficient and that the decision has been reached following a robust and comprehensive assessment.

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Additionally, a number of submissions were received which raised concerns around the impact of noise and air quality pollution as a result of the proposed development. DEHP are specifically requested to comment on the conditions imposed in the ERA permits and how these conditions will mitigate adverse impacts resulting from the development. My re-assessment will also investigate these matters.

DEHP are further requested to provide advice about the site designation as a Priority Koala Assessable Development Area under the *South East Queensland Koala Conservation State Planning Regulatory Provision 2010*. Please provide advice about the potential impact on the existing koala habitats and koala populations in the area, and comment about the suitability of the proposed Koala Offset Strategy as outlined in the *Integrated Koala and Koala Habitat Report 2010*, prepared by Biodiversity Assessment and Management Pty Ltd for the applicant.

I am due to make a decision by 22 November 2013. Accordingly, your response is requested by 10.00am 18 October 2013 to ensure your response can be given the necessary consideration.

If you require any further information, Melissa Hector, Principal Planner, Planning Services, Department of State Development, Infrastructure and Planning, will assist and can be contacted on 3225 8023.

Yours sincerely

Section 78B(2) RTI Act

JEFF SEENEY MP
DEPUTY PREMIER
Minister for State Development, Infrastructure and Planning

George Catherine

From: Mullens Andrew
Sent: Monday, 14 October 2013 11:44 AM
To: Manning Brett
Subject: FW: Barro Quarry - Request for third party advice
Attachments: Attachment 3 - Third Party Advice Request Letter - EHP - Mr Jon BLACK.PDF

Hi Brett

I know that it is not clear if this sits in your area or not, but since you know the SPRP extremely well I think it is best to get you involved in it and we'll get it knocked over. I don't think we've got any supporting material about the proposal so I'll chase that up.

Regards

Andrew Mullens
Manager, Koala Conservation Operations
Department of Environment and Heritage Protection
Floor 5, 400 George Street
GPO Box 2454
BRISBANE Qld 4001
Phone 07 3330 6172

Mobile (6) Personal information

Fax 07 3330 5515

www.ehp.qld.gov.au

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From: DeHaan Rebecca
Sent: Friday, 11 October 2013 3:58 PM
To: Mullens Andrew
Subject: FW: Barro Quarry - Request for third party advice

Hi Andrew,

Please find attached a letter from DSDIP concerning a request for 3rd party technical advice in relation to the Barro Quarry development application in Redlands. The letter requests advice from EHP regarding potential impacts to koala habitats and populations from the proposed development.

Kind regards,

Rebecca DeHaan

*Senior Environmental Officer (Brisbane North)
Southern Region - Environmental Services and Regulation
Department of Environment and Heritage Protection*

Level 8, 400 George St, Brisbane

07 3330 6112

From: Melissa Hector [<mailto:Melissa.Hector@dlgp.qld.gov.au>]
Sent: Friday, 11 October 2013 2:44 PM
To: DeHaan Rebecca
Cc: Amy Marsden; Tamara Cavallaro
Subject: Barro Quarry - Request for third party advice

Hi Rebecca,

Please find attached the letter that was sent to your DG today for the Barro Quarry call in.

Kind regards,

Melissa

Melissa Hector
Principal Planner
Planning Services Division
Department of State Development, Infrastructure and Planning
Queensland Government

tel +61 7 3225 8023 or ext 58023

post PO Box 15009 City East QLD 4002

visit Level 6, 63 George Street, Brisbane

melissa.hector@dsdip.qld.gov.au

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Great state. Great opportunity.

RTI DL RELEASE - EHP

George Catherine

From: Mooney Chris
Sent: Thursday, 22 August 2013 12:25 PM
To: Manning Brett
Subject: FW: Barro Quarry Mount Cotton - Proposed Call In Notice

Hi Brett,

Please see below email I sent to Andrew this morning, as he is away today could you please give me a call (3330 5839) to discuss.

Cheers

Chris

From: Mooney Chris
Sent: Thursday, 22 August 2013 9:39 AM
To: Mullens Andrew
Subject: RE: Barro Quarry Mount Cotton - Proposed Call In Notice

Hi Andrew,

Please see below points that I propose to put in the briefing note to the DG. Could you please confirm if this is correct/appropriate:

5. In addition to these statutory interests, the existing and proposed quarry areas are located within the Priority Koala Assessable Development Area of the South East Queensland Koala Conservation State Planning Regulatory Provisions (Koala SPRP). The Koala SPRP seeks to achieve a net benefit of koala habitat in South East Queensland through the protection of existing habitat and where practicable, the offset of the loss of habitat through rehabilitation.

And

11. On 8 August 2013, Minister Seeney sought advice as to whether the proposed development involves a state interest to inform his consideration to exercise his call in powers. EHP has two state interests: the proposal to conduct ERAs and identification of the site as being within the Priority Koala Assessable Development Area under the Koala SPRP. As previously noted, the proposal to conduct ERAs was subject to negotiation with the Barro Group and an agreed position is reflected in the amended RAR. In terms of the Koala SPRP related considerations, the Koala Conservation Operations unit is able to provide relevant technical advice should Minister Seeney wish to consider this state interest as part of any determination of the proposal.

I am trying to send this up for approval asap.

Cheers

Chris Mooney | Principal Environmental Officer |
Brisbane North | Southern Region | Environmental Services and Regulation |
Department of Environment and Heritage Protection | 3339 5839 | chris.mooney@ehp.qld.gov.au

From: Mullens Andrew
Sent: Tuesday, 20 August 2013 1:43 PM

To: Mooney Chris
Subject: RE: Barro Quarry Mount Cotton - Proposed Call In Notice

Hi Chris. Further to this. We have no specific input we need to tender at this point to SDIP, other than that we are happy for them to approach us for technical information, or assistance with interpretation of the SPRP as they see fit.

Regards

Andrew Mullens
Manager, Koala Conservation Operations
Department of Environment and Heritage Protection
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From: Rayner Carole
Sent: Tuesday, 20 August 2013 12:41 PM
To: Mooney Chris
Cc: Mullens Andrew; Stirrat Simon
Subject: RE: Barro Quarry Mount Cotton - Proposed Call In Notice

Hi Chris,

I have spoken to Andrew Mullens and Simon Stirrat. As discussed with you the EHP interests are Koalas and the concurrence role for the EA. As our Planning and Biodiversity group has no State interest in this matter, I suggest that Andrew Mullens' Koala group is best placed to offer advice relating to the application of the SPRP Koalas for DSDIP's deliberation into your Brief.

Andrew has indicated that he will provide advice directly to you for inclusion in the BN to our minister.

Carole Rayner

Acting Manager
State Interest Assessments
Environmental Standards & Compliance Branch
Southern Region
Dept Environment and Heritage Protection
400 George Street, Brisbane
(07)3330 5048
carole.rayner@ehp.qld.gov.au
www.ehp.qld.gov.au

From: Stirrat Simon
Sent: Tuesday, 20 August 2013 10:59 AM
To: Rayner Carole
Subject: FW: Barro Quarry Mount Cotton - Proposed Call In Notice

From: Mooney Chris
Sent: Monday, 19 August 2013 2:53 PM

To: Stirrat Simon
Subject: FW: Barro Quarry Mount Cotton - Proposed Call In Notice

Hi Simon,

As discussed, please find attached the notice proposing to call in the quarry DA. We are preparing a BN for our Minister and a submission for DSDIP. We have a very tight timeframe as the submission is due by 30 August. Could you take a quick look and let me know if you think there will be anything to add to the BN and submission, even if you need more time to prepare it, so that we can update Bryce with the progress.

Cheers

Chris Mooney | Principal Environmental Officer |
Brisbane North | Southern Region | Environmental Services and Regulation |
Department of Environment and Heritage Protection | 3339 5839 | chris.mooney@ehp.qld.gov.au

From: DeHaan Rebecca
Sent: Monday, 19 August 2013 9:29 AM
To: Mooney Chris
Subject: FW: Barro Quarry Mount Cotton - Proposed Call In Notice

From: DeHaan Rebecca
Sent: Friday, 16 August 2013 12:12 PM
To: Fitzgibbon Pauline
Subject: Barro Quarry Mount Cotton - Proposed Call In Notice

Hi Pauline,

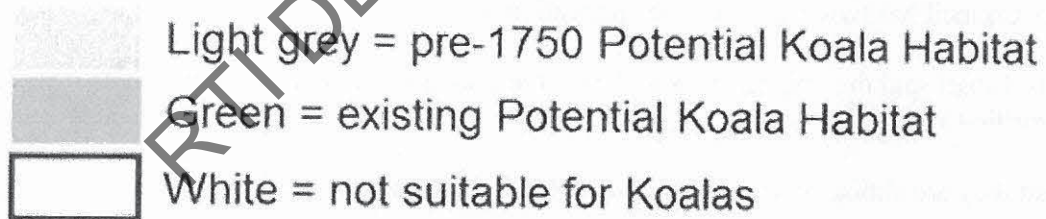
Please find attached the proposed call in notice for the Barro Quarry as discussed. Please let us know whether your section would like to provide a written representation or perhaps provide a joint response with us.

Thanks and kind regards,

REBECCA DEHAAN
Senior Environmental Officer (Brisbane North)
Southern Region Environmental Services and Regulation
Department of Environment and Heritage Protection

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✉️ GPO Box 2454, Brisbane Q 4001
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🌐 Visit us online at www.ehp.qld.gov.au

The Department of Environment and Heritage Protection (the department) has released its new regulatory strategy which sets out how it will carry out its role as Queensland's environment and heritage regulator. More information on the changes in departmental approaches that this will result in can be found at:
<http://www.ehp.qld.gov.au/management/planning-guidelines/policies/regulatory-strategy.html>



Electoral Boundaries © Commonwealth of Australia (Australian Electoral Commission)
Vegetation Data © Commonwealth of Australia (Department of Sustainability, Environment, Water, Population and Communities) 2012.

This map shows potential Koala habitat in units of one hectare.

The Bowman koala statistics from Deborah Tabart's Australian Koala Foundation. Where light-grey is pre-1750 koala habitat, green is existing potential habitat and white is unsuitable for koalas.

Environment Minister Andrew Powell is remaining tight-lipped on whether he will increase the level of protection for koalas from "vulnerable" to "endangered".

He did not comment on whether he, or his department, had received a recommendation to raise the level of protection for koalas in south-east Queensland since a May 2012 departmental report into threatened species.

Australia Koala Foundation's chief executive Deborah Tabart said Mr Powell was "sitting on" a recommendation to his department to increase the status.

This week, Mr Powell did not respond to Ms Tabart's accusation.

A 2012 Environment Department report, Threatened Species Scientific Committee, showed koala mortality rates were "unsustainable" in south-east Queensland.

It fingered Redland City, Ipswich and Pine Rivers as three areas with the highest koala deaths in the South-East.

The report also showed 15,644 koalas died in the South-East between 1997 and 2011, while the Labor Party was in office.

Of those deaths, 1144 were killed by dogs, 4055 hit by cars, 3516 died from disease, 5757 died from a combination of factors and 1172 from other causes.

Ms Tabart said it was important the Minister revealed if there had been a recommendation to increase the koala's status before Deputy Premier Jeff Seeney rules on whether a Mount Cotton quarry can extend operations.

Mr Seeney is expected to rule on Barro Group's \$25million quarry development application, which includes extending its quarry licence in to koala habitat at Mount Cotton for 50 years.

Barro plans to "move" koala populations around the quarry site, suggesting koalas will shift into a 130-hectare conservation area around the quarry.

Redland City Council has twice rejected the application.

However, Ms Tabart said the "bigger question" was the state government's response to its own Threatened Species Scientific Committee.

"I believe that they are sitting on that nomination," Ms Tabart said.

"We understand the recommendation means either 'critically endangered' or 'endangered'," she said.

"The point is that it has been with Minister Powell for a year, that is the real issue," Ms Tabart said.

"And in the meantime the Barro Quarry has just kept on."

Ms Tabart said the facts were revealed in the state government's own koala figures.

"The science is all there. As of 2010, koalas had declined by nearly 70 per cent in the Koala Coast, and 40 per cent in Pine Rivers in little more than a decade," she said.

"This isn't just the AKF saying this - these figures come from the Minister's own department."

Labor's Koala Coast Koala Protection Report in January 2012 estimated there were just 2000 koalas in the Redlands area in 2010, a 65 per cent decline since 1999.

In Pine Rivers, the population of koalas has dropped 40 per cent from 4600 to 2700, although these are five-year-old, figures from 2008.

Mr Powell said since the LNP had won office, they had invested \$22.5 million between 2012 and 2015 to strategically acquire koala habitat for their preservation.

It has also set aside \$3.2 million in research grants to investigate koala diseases and other preventable causes of death, injury and illness.

There are approximately 200,000 koalas outside south-east Queensland, where they are relatively common and classed as, "of least concern".

RTI DL RELEASE - EHP

George Catherine

From: Mullens Andrew
Sent: Monday, 19 August 2013 1:17 PM
To: Fitzgibbon Pauline; DeHaan Rebecca
Cc: Manning Brett
Subject: RE: Barro Quarry Mount Cotton - Proposed Call In Notice

I don't think we have anything to add to this process. DSDIP will be aware of the SPRP and their obligation to apply it, and we have not previously formed a view on how the SPRP ought to be applied to this development.

Thanks for the heads up though.

Regards

Andrew Mullens
Manager, Koala Conservation Operations
Department of Environment and Heritage Protection
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From: Fitzgibbon Pauline
Sent: Friday, 16 August 2013 12:53 PM
To: Mullens Andrew
Cc: Manning Brett
Subject: FW: Barro Quarry Mount Cotton - Proposed Call In Notice

Hi Andrew

There has been a fair bit of history on this application, including under the Koala Plan and I believe under the SPRP. I wasn't sure if we were interested in identifying if we had a state interest.

Thanks

Pauline

Pauline Fitzgibbon
Senior Project Officer
Koala Operations, Koala Conservation Unit
Department of Environment and Heritage Protection
ph: 3330 5121
fax: 3330 5515

Available Wed, Thurs & Fri

From: DeHaan Rebecca
Sent: Friday, 16 August 2013 12:12 PM
To: Fitzgibbon Pauline
Subject: Barro Quarry Mount Cotton - Proposed Call In Notice

Hi Pauline,

Please find attached the proposed call in notice for the Barro Quarry as discussed. Please let us know whether your section would like to provide a written representation or perhaps provide a joint response with us.

Thanks and kind regards,

REBECCA DEHAAN

Senior Environmental Officer (Brisbane North)
Southern Region Environmental Services and Regulation
Department of Environment and Heritage Protection

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<http://www.ehp.qld.gov.au/management/planning-guidelines/policies/regulatory-strategy.html>

RTI DL RELEASE - EHP

Memorandum

Enquiries
Telephone
Email
Our reference

Brett Manning
3330 5491
Brett.manning@ehp.qld.gov.au

15 October 2013

To: Rebecca DeHaan, Environmental Services and Regulation, EHP

Through: Wade Oestreich, Director, Business Reform, Nature Conservation Services, EHP

From: Brett Manning, Principal Biodiversity Planning Officer, Business Reform, Nature Conservation Services, EHP

Subject: **SEQ Koala Conservation SPRP: Advice regarding expansion of the Barro Group Pty Ltd quarry at Mount Cotton and Gramzow Road, Mount Cotton.**

The Department of State Development, Infrastructure and Planning has requested advice in relation to the above quarry expansion's potential impact on the existing koala habitats and populations in the area, as well as the suitability of the proposed Koala Offset Strategy as outlined in the *Integrated Koala and Koala Habitat Report 2010*, prepared by Biodiversity Assessment and Management Pty Ltd.

The Business Reform Unit of the Nature Conservation Services Branch, EHP has conducted an initial assessment of the above application and provides the following advice:

- The proposed development site is located within a Priority Koala Assessable Development Area (PKADA) of the *South East Queensland Koala Conservation State Planning Regulatory Provisions* (Koala SPRP). The PKADA covers areas of the highest priority for koala conservation action in SEQ, including the Koala Coast (Redlands) region, in response to evidence showing a rapid decline in koala populations in these areas.
- The proposed development will impact on medium and high value koala bushland habitat and high value rehabilitation habitat. Therefore, the loss of this mature habitat is likely to impact on the local koala population, particularly individual animals that may have home ranges overlapping the proposed quarry expansion zone.
- The Koala SPRP requires site design to provide for koala safe movement and habitat connectivity. Given the low level of threats associated with quarrying activities in comparison to urban development (i.e. higher traffic and dog mortality), and that the surrounding landscape contains large areas of intact koala bushland habitat, the



proposed quarry expansion will have minimal impact on koala safe movement opportunities and habitat connectivity.

- The Koala SPRP requires that site design restricts clearing of koala habitat to the extent necessary for quarrying activities, and that any unavoidable clearing is minimised and offset in accordance with the Offsets for Net Gain of Koala Habitat in South East Queensland Policy (Offset Policy). The proposed Koala Offset Strategy meets the requirements of the Offset Policy through:
 - providing a 5:1 replanting ratio of koala habitat trees removed;
 - providing an on-site net gain in koala habitat; and
 - protecting the offset site for conservation purposes.

Please do not hesitate to contact me on 3330 5491 if you require any further information.

Brett Manning
Principal Biodiversity Planning Officer
Business Reform, Nature Conservation Services

RTI DL RELEASE - EHP