

Date : 19/11/2020 3:00:28 PM
From : "ROBSON Geoff"
To : "HINRICHSEN Lyall"
Cc : "SULTMANN Sel" , "YOUNG Liz"
Subject : RE: Workshop regarding Gold Coast Seawall Tenure Issues
Attachment : image001.png;image005.png;image006.jpg;

Thanks Lyall

I'm planning to be back on deck no later than Monday 11 Jan, will probably start back halfway through the first full week of Jan. sch4p4(6) Personal information but should generally be around.

Cheers

Geoff



Geoff Robson

Executive Director

Environment Policy and Planning Branch | Environmental Policy and Programs Division
Department of Environment and Science

P 07 3330 5040 sch4p4(6) Personal information

Level 10, 400 George St, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001



Proudly working with White Ribbon to create a safer workplace
Australia's campaign to stop violence against women

From: HINRICHSEN Lyall <Lyall.Hinrichsen@dnrme.qld.gov.au>

Sent: Thursday, 19 November 2020 2:54 PM

To: ROBSON Geoff

Cc: SULTMANN Sel; YOUNG Liz

Subject: Re: Workshop regarding Gold Coast Seawall Tenure Issues

Thanks Geoff - that all sounds reasonable.

I'll see what I can do in finding a suitable time. I'm thinking sometime in the new year. What's your availability post NYD?

Lyall

Sent from my iPhone

On 19 Nov 2020, at 2:44 pm, ROBSON Geoff <Geoff.Robson@des.qld.gov.au> wrote:

Hi Lyall

Yes, Sel and I are the relevant DES contacts, although we will need engage others across the department.

Re the agenda, I note GCCC's proposal for 'Endorsement of the proposed amendments to Section 123 of the Coastal Management Act 2015' is obviously something we can't commit to. However, not unreasonable to hear from GCCC on what they think is a viable solution the agenda will need to reflect it's a chance for them to inform us of their views but the state will need to take that away to consider. I assume Planning Group would have the same view on agenda item 6?

Also do you think there's any chance GCCC can wait for a workshop on this until after budget/estimates?

Cheers

Geoff

<image001.png>

Geoff Robson

Executive Director

Environment Policy and Planning Branch | Environmental Policy and Programs Division

Department of Environment and Science

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<image002.jpg>

From: HINRICHSEN Lyall <Lyall.Hinrichsen@dnrme.qld.gov.au>

Sent: Wednesday, 18 November 2020 3:39 PM

To: ROBSON Geoff

Subject: FW: Workshop regarding Gold Coast Seawall Tenure Issues

Hi Geoff,

Are you and Sel still the go to people for this?

Any comment on the GCCC's draft Agenda

Lyall Hinrichsen

Acting Deputy Director-General, Policy

Telephone: 07 31997383 Mobile: sch4p4(6) Personal information

Email: lyall.hinrichsen@dnrme.qld.gov.au

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Department of Natural Resources, Mines and Energy

Level 36, 1 William Street, Brisbane Q 4000

PO Box 15216 City East Q 4001

From: PRENZLER Paul <PPRENZLER@goldcoast.qld.gov.au>

Sent: Wednesday, 18 November 2020 2:42 PM

To: HINRICHSSEN Lyall

Cc: HUNT Shannon; HAMILTON Daniel

Subject: Workshop regarding Gold Coast Seawall Tenure Issues

Hello Lyall

Shannon Hunt has asked me to progress a workshop with yourself and other Qld Government stakeholders regarding a way forward to resolve land tenure issues associated with the buried seawall (i.e. A-Line seawall) along the Gold Coast.

Given the local and State elections are now completed and COVID has settled down we would like to progress the resolution of the tenure issues. If possible could we have a quick teleconference with yourself to discuss the attached draft agenda and appropriate State government stakeholder who should be invited to attend.

Please email or call to discuss if needed

Paul Prenzler

<image008.gif>

Coordinator Beaches

City Assets

Stormwater, Beaches & Waterways

City of Gold Coast

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PO Box 5042 Gold Coast Mail Centre Qld 9726

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<image009.gif>

<image010.png>

<TRACKS-#73027486-v4-MEETING_AGENDA_-_PRIVATE_SEAWALL_AND_LAND_TENURE_WOR....docx>

Published on Resources Disclosure Log
RTI Act 2009

Date : 18/11/2020 3:38:57 PM

From : "HINRICHSSEN Lyall"

To : "ROBSON Geoff"

Subject : FW: Workshop regarding Gold Coast Seawall Tenure Issues

Attachment : TRACKS-#73027486-v4-MEETING_AGENDA_-_PRIVATE_SEAWALL_AND_LAND_TENURE_WOR....docx;image001.gif;image002.gif;image003.png;

Hi Geoff,

Are you and Sel still the go to people for this?

Any comment on the GCCC's draft Agenda

Lyall Hinrichsen

Acting Deputy Director-General, Policy

Telephone: 07 31997383 Mobile: sch4p4(6) Personal info

Email: lyall.hinrichsen@dnrme.qld.gov.au

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Cc: HUNT Shannon; HAMILTON Daniel

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Paul Prenzler

Coordinator Beaches

City Assets

Stormwater, Beaches & Waterways

City of Gold Coast

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CITY OF
GOLD COAST.

Agenda

Name of Meeting: Workshop Regarding Private Seawalls Located in Public Land along the Gold Coast and Amendments to Queensland Legislation

Date: TBA **Time:** TBA

Venue: Brisbane (NRME to host)

Participants: **City of Gold Coast:**

Alton Twine (Director Transport and Infrastructure)
Jeremy Wagner (Manager City Assets),
Shannon Hunt (Executive Coordinator Stormwater, Beaches and Waterways),
Paul Prenzler (Coordinator Beaches)
Donna Pistol (Senior Lawyer)

Department of Natural Resources, Mines and Energy:

Lyall Hinrichsen (A/Deputy Director-General Policy)

Department of Environment and Science:

Karen Hussey (Deputy Director-General Environmental Policy and Programs),
Sel Sultmann (Principal Coastal Scientist)

Queensland Treasury:

Kerry Doss (State Planner),

Attachment 1: Gold Coast Standard Drawing 04-001 Foreshore Seawall Type 1 (Clay and Shale) and 04-002 Foreshore Seawall Type 2 (Geotextile)

Attachment 2: Letter from City of Gold Coast (c/o Clayton Utz) to Department of Natural Resources and Mines. Dated 31 August 2017

Attachment 3: Letter from Department of Natural Resources, Mines and Energy to City of Gold Coast (c/o Clayton Utz). Dated 30 May 2018

Attachment 4: Letter from Mayor Tom Tate to Minister for Natural Resources, Mining and Energy. Dated 19 September 2019

Attachment 5: Letter from Minister for Natural Resources, Mining and Energy. Dated 28 October 2019

Item	Duration	Details	Outcomes	To lead discussion
1	2 mins	Welcome and Introduction Discuss a safety and integrity message		NRME
2	10 mins	Gold Coast Seawall History and Responsibilities - Seawall design and alignment (A-Line) (<i>Refer Attachment 1 and 2</i>) - Origin of the public and private	Summarise the history of the standard seawall design and A-Line alignment. Summarise the City's	Paul Prenzler

		seawall breakdown - Summary of historic and current policies on seawall responsibility, construction and certification - Current seawall statistics (certified/uncertified)	methodology to define public and private seawalls. Description of the City's policy relating to private seawalls Current seawall certification statistics for the Gold Coast.	
3	10 mins	Future Seawall Requirements - Need for continuous certified public and private seawall - Maintenance and certification renewal of seawalls following exposure from beach erosion	Clear understanding of the City's objectives and need for a continuous certified seawall. Clear understanding of the City's investigations into options to enforce seawall maintenance and certification	Shannon Hunt
4	10 mins	Summary of Land Tenure and Private Seawall Matters Summary of current private seawall situation	Discussion of the current issues of private seawalls and land tenure	Donna Pistol
5	25 mins	Options to address land tenure matters - Summary of options to address land tenure - Preferred City solution (Amendments to <i>Coastal Planning and Management Act 1995</i>) - Implementation path for preferred solution - Impacts if preferred solution is not endorsed <i>Refer Attachment 3, 4 and 5</i>	Discussion of the City's preferred solution. Endorsement of the proposed amendments to Section 123 of the Coastal Management Act 2015 Clear understanding and endorsement of the implementation path for the preferred solution. Discussion of viable alternatives	All
6	10 mins	Streamlining of Approval Processes - Current approval requirements (tidal works / prescribed tidal works) - Options to simplify the approval process for applicants - Consistency of approvals (i.e. excluding beach access stairs, infrastructure, etc.)	Options to simplify the development approval process for seawalls that are constructed to the Standard Design and are located along the A-Line.	All

NOTE: Send all attachments with the agenda and list attachments with the relevant item

Date : 6/02/2020 5:37:42 PM
From : "ROBSON Geoff"
To : "HINRICHSSEN Lyall"
Cc : "Christopher Aston"
Subject : RE: Corro from Mayor, City of Gold Coast City
Attachment : image001.png;image002.png;image003.jpg;

No problem at all – I thought that's what you meant but just wanted to confirm.

Cheers

Geoff



Geoff Robson

Executive Director

Environment Policy and Planning Branch | Environmental Policy and Programs Division
Department of Environment and Science

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Proudly working with White Ribbon to create a safer workplace
Australia's campaign to stop violence against women

From: HINRICHSSEN Lyall

Sent: Thursday, 6 February 2020 5:36 PM

To: ROBSON Geoff

Cc: Christopher Aston

Subject: Re: Corro from Mayor, City of Gold Coast City

Thanks Geoff - yes, sorry, I totally agree. It would be great to have Sel involved in the discussion. Apologies if my earlier response implied otherwise.

Lyall

Sent from my iPhone

On 6 Feb 2020, at 2:50 pm, ROBSON Geoff <Geoff.Robson@des.qld.gov.au> wrote:

Thanks Lyall that sounds good.

I'm thinking that even if we have EDs or higher, it would be good to have Sel along, but I agree we can settle that once we see the agenda.

Regards

Geoff

<image002.png>

Geoff Robson

Executive Director

Environment Policy and Planning Branch | Environmental Policy and Programs Division
Department of Environment and Science

P 07 3330 5040 [sch4p4\(6\) f](#)

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<image003.jpg>

From: HINRICHSSEN Lyall

Sent: Thursday, 6 February 2020 11:04 AM

To: ROBSON Geoff

Cc: Christopher Aston

Subject: Re: Corro from Mayor, City of Gold Coast City

Thanks Geoff

I've spoken to Shannon from the GCCC - he's in the process of arranging an agenda, which he will send to us in the next week or so.

Once we see the agenda and find out who will be representing the GCCC, we'll probably be in a better position to decide on who should represent respective agencies (e.g. if the Mayor or CEO is going to participate, we probably do need EDs or better).

Lyall

Sent from my iPhone

On 6 Feb 2020, at 10:39 am, ROBSON Geoff <Geoff.Robson@des.qld.gov.au> wrote:

Hi Lyall

I've discussed with Sel Sultmann and he is happy to attend. I think it will be important for Sel to attend given his existing contacts with GCCC officers and his expertise.

If you think I need to attend as well (given the Mayor's request for seniority) please let me know. Otherwise I'm happy for Sel to be the DES rep.

Regards

Geoff

<image007.png>

Geoff Robson

Executive Director

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Department of Environment and Science

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Level 10, 400 George St, Brisbane QLD 4000

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<image008.jpg>

From: HINRICHSEN Lyall

Sent: Monday, 3 February 2020 2:28 PM

To: ROBSON Geoff; Christopher Aston

Subject: RE: Corro from Mayor, City of Gold Coast City

Chris and Geoff,

Attached is new incoming corro from Mayor Tate on the A-line issue.

The Mayor has asked for a high-level meeting between departmental and GCCC officers. Would you (or someone from your team) like to be involved in the discussions with GCCC?

Lyall

Lyall Hinrichsen

Executive Director, Land Policy

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Department of Natural Resources, Mines and Energy

Level 5, 1 William Street, Brisbane Q 4000

PO Box 15216 City East Q 4001

From: ROBSON Geoff <Geoff.Robson@des.qld.gov.au>

Sent: Thursday, 23 January 2020 8:22 AM

To: HINRICHSEN Lyall; Christopher Aston

Subject: RE: Corro from Mayor, City of Gold Coast City

Thanks Lyall, yes that should suit – to confirm Thursday 30 Jan 10am at 1 WS?

<image019.png>

Geoff Robson

Executive Director

Environment Policy and Planning Branch | Environmental Policy and Programs Division

Department of Environment and Science

P 07 3330 5040 [sch4p4\(6\)](#)

Level 10, 400 George St, Brisbane QLD 4000

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<image021.jpg>

From: HINRICHSEN Lyall

Sent: Thursday, 23 January 2020 7:51 AM

To: Christopher Aston

Cc: ROBSON Geoff

Subject: RE: Corro from Mayor, City of Gold Coast City

Thanks Chris

How would next Thurs suit you for a discussion between DES/DSDMIP/DNRME? You and I already have some time marked in our calendars for our regular catch-up at 10.00 next Thurs morning, so perhaps we could use that time.

Geoff – how would that suit you?

Lyall Hinrichsen

Executive Director, Land Policy

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Department of Natural Resources, Mines and Energy

Level 5, 1 William Street, Brisbane Q 4000

PO Box 15216 City East Q 4001

From: Christopher Aston <Christopher.Aston@dsdmip.qld.gov.au>

Sent: Wednesday, 22 January 2020 6:20 PM

To: HINRICHSEN Lyall

Cc: ROBSON Geoff

Subject: FW: Corro from Mayor, City of Gold Coast City

Hi Lyall,

Thank you for sending through the information about the Gold Coast City's A-Line and seawall matters we spoke about last Wednesday.

I understand that there are a number of historic matters that relate to the seawalls being constructed on both private and public land along the A-Line. I note council's position is that the onus of delivering the seawall along the A-Line be placed on the landowners who they consider have a first, and direct benefit from the construction and maintenance of the seawall.

We have reviewed the DNRME advice provided to council on the matter of private landowners constructing a seawall

on public land and the response from council's legal representatives on possible ways to address council's position through proposed legislative amendments.

In the interest of determining a whole of government approach to this matter, I agree that a meeting would allow all parties to better understand each department's position and limits of approvals or otherwise. It would appear the State has approved the location of the A-line and the approach taken by the planning scheme to give effect to this position previously. Whilst I do not disagree with the need to determine what is a private use right verses one that serves a wider public benefit, I would like to further understand the change in departmental position on this matter. I note that Geoff has responded to the possibility of amending section 123 of the *Coastal Protection and Management Act 1995* to provide a right to occupy and use State land for the purpose of private landholders constructing a seawall. Should the State support this approach it is noted, on initial review, that owners consent under the *Planning Act 2016* would likely not be required and no amendments would be necessary, however the specific amendments would need detailed review and consideration to confirm. Any agreed state position will need to be looked at in relation to potential implications for the council's planning scheme and related planning scheme policies.

My team has raised some questions about matters raised by council regarding the construction of the seawall and potential impost to council budget should they be required to deliver the infrastructure. I suggest the state may need to request further information to better understand the extent and potential implications for the state, council and private landowners prior to determining any proposed amendments to legislation is the best path forward. The information requested may include (including mapping of):

- the number of properties with currently approved and constructed seawalls on private land
- the number of properties with currently approved and constructed seawalls on public land
- the number of properties with approvals for seawalls on public and private land not yet constructed
- the extent of the seawall constructed by council on public land.

There are a number of other elements raised in council's correspondence about the construction of seawalls by a private landowner on public land, in particular council's advice about the application of Local Law No. 17. Council's advice identifies they are wanting to apply this local law to pass on legal and financial risk to benefitted landowners for the seawall construction and maintenance. This will need to be a consideration of equity by the state in understanding potential implications of possible legislative amendments.

The review of the issues raised by council and their approach to protection of coastal lands may result in state-wide implications for other local governments currently undertaking their coastal adaptation strategies – as you're aware this issue is not limited to the Gold Coast area. I note that council is currently at Phase 3 of their project to identify areas exposed to current and future coastal hazards. I would expect the A-line would be a significant element of Council's adaptation strategy for the Council area.

As such I think a broader discussion and consideration is also required for application across the state, as more local governments develop strategies to ensure their communities are managed from the risks from coastal hazards.

I am happy to discuss these matters further to reach an agreed approach to the matters at hand.

Thanks

Chris

<image023.png>Christopher Aston

Executive Director, Policy and Statutory Planning
Planning Group
Department of State Development,
Manufacturing, Infrastructure and Planning

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LET'S CONNECT

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<image027.jpg>

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<image030.jpg>

<image031.jpg>

From: HINRICHSSEN Lyall <Lyall.Hinrichsen@dnrme.qld.gov.au>

Sent: Thursday, 16 January 2020 7:29 AM

To: Christopher Aston <Christopher.Aston@dsdmip.qld.gov.au>

Cc: ROBSON Geoff <Geoff.Robson@des.qld.gov.au>

Subject: FW: Corro from Mayor, City of Gold Coast City

Chris,

As I mentioned in our chat yesterday, I've been liaising with Geoff Robson from DES regarding an issue that has arisen on the Gold Coast in relation to the foreshore seawall along what is known as the A-Line. The issue relates particularly to parts of the seawall that are on, or would be on, various areas of State Land. The attached letter from Mayor Tate outlines the issue and some of the history.

Geoff and I have been discussing potential solutions to the issue - particularly whether an amendment to s123 of the Coastal Management and Protection Act might be appropriate to provide a right to occupy and use State land to facilitate seawall construction and maintenance.

We both think there is a way forward on this, but Geoff's team has identified some manageable, but not insignificant, issues that we would need to work through – some relating to interaction with the Planning Act & Regulation. These issues are outlined in Geoff's email to me as below.

As I mentioned, Geoff and I would be keen to meet up with you to discuss a way forward. Could you give this some thought and let us know when would be a good time to discuss?

Don't hesitate to give me a call if there is anything that you'd like to discuss in the meantime.

Regards,

Lyall Hinrichsen

Executive Director, Land Policy

Telephone: 07 31997383 **Mobile:** sch4p4(6) Pe

Email: lyall.hinrichsen@dnrme.qld.gov.au

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Department of Natural Resources, Mines and Energy

Level 5, 1 William Street, Brisbane Q 4000

PO Box 15216 City East Q 4001

From: ROBSON Geoff <Geoff.Robson@des.qld.gov.au>

Sent: Thursday, 9 January 2020 1:43 PM

To: HINRICHSEN Lyall

Subject: RE: Corro from Mayor, City of Gold Coast City

Hello Lyall

Apologies for the slow response in following up our discussions on this. My team has done some analysis of the council proposal, including on the possible use of s123 of the Coastal Management and Protection Act (in current or amended form) to provide a right to occupy and use State land for seawall construction. While this provision may provide a means to resolve the issue (or resolve in part), there are a number of complex matters to be considered and addressed:

- Should the State give its consent to the proposed use of State land for tidal works, as any development approval will also include the granting of a right to occupy. DES understand that the *Planning Act 2016* under s.51 Making Development Applications, requires the owner's (the State) written consent for making a development application for works on premises (land) that are below the high water mark. The Planning Act does not specify 'Tidal Works' which is problematic as it means the requirement does not extend to tidal works on land.
- Should the relevant local government have the opportunity to consent to the private use of State land it currently has responsibility for? The local government may not have this opportunity directly under the Planning framework as the State is the coastal assessment manager for seawalls on land (a tidal work as opposed to a prescribed tidal work, and council is not a referral agency).
- For SL under the responsibility of a local government should the private use right be subordinate to the council rights over the land and council must be the decision maker for any use of the land and local laws must always apply (so a non-tenure solution)
- The tidal works on SL must always be the sole responsibility of the benefited lot, irrespective of ownership changes, for all costs, safety, maintenance, reconstruction, alteration or removal of the seawall).
- Note that terms and definitions related to this matter are now spread across the Planning Act and Planning Regulation and the Coastal Act and Coastal Regulation so this is potentially a complex task.

There is also a question on whether or not some current tidal works approvals for the Gold Coast seawall would have a valid right to occupy State land and this needs to be resolved:

- Does a private right to use and occupy of SL for previously approve seawalls need to be validated?
- The extension of s.123 to unapproved seawalls as requested by council is problematic in terms of whether the walls are fit for purpose and can ownership of a seawall which could be 50 years old be made the responsibility of a lot owner (under s124(2) solely due to proximity to their lot.
- We need to consider the implications of applying this concept in all local government areas for example Amity Point is emerging as a similarly problematic area.

The State is assessment manager for seawalls on land whereas council is assessment manager for seawalls in tidal water anywhere in the local government area (Prescribed Tidal Works). There is benefit in consideration of council assessment manager for seawalls on land. There will be a range of technical and administrative matters to also sort out including:

- an agreed location of the A-line between State and council
- an agreed footprint of the seawall (prescribed tidal land)
- how old and apparently unapproved seawalls are dealt with.

Given the complexity of the above, it would be good to discuss the process forward, including DSDMIP's potential role, and the need for legal advice. I'll try and catch you by phone soon (off to meetings again at the moment).

Thanks

Geoff

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Geoff Robson

Executive Director

Environment Policy and Planning Branch | Environmental Policy and Programs Division

Department of Environment and Science

[<image033.jpg>](#)

s.73 Irrelevant information

Published on Resources Disclosure Log
RTI Act 2009

Date : 6/02/2020 11:43:25 AM

From : "Christopher Aston"

To : "HINRICHSSEN Lyall" , "ROBSON Geoff"

Subject : RE: Corro from Mayor, City of Gold Coast City

Attachment :

image001.png;image002.png;image003.jpg;image004.jpg;image005.jpg;image006.jpg;image007.jpg;image008.jpg;image009.jpg;image010.jpg;

Hi Lyall,

At this stage I think we'll stay out of it.

If following the agenda being received there is a matter you feel needs DSDMIP representation, or your minister would like to show a coordinated approach between the departments as per our conversation happy to attend

Regards

Chris



Christopher Aston
Executive Director, Policy and Statutory Planning
Planning Group
Department of State Development,
Manufacturing, Infrastructure and Planning

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LET'S CONNECT



From: HINRICHSSEN Lyall <Lyall.Hinrichsen@dnrme.qld.gov.au>

Sent: Thursday, 6 February 2020 11:04 AM

To: ROBSON Geoff <Geoff.Robson@des.qld.gov.au>

Cc: Christopher Aston <Christopher.Aston@dsdmip.qld.gov.au>

Subject: Re: Corro from Mayor, City of Gold Coast City

Thanks Geoff

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Sent from my iPhone

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Regards

Geoff

<image007.png>

Geoff Robson

Executive Director

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Department of Environment and Science

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Level 10, 400 George St, Brisbane QLD 4000
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<image008.jpg>

From: HINRICHSSEN Lyall

Sent: Monday, 3 February 2020 2:28 PM

To: ROBSON Geoff; Christopher Aston

Subject: RE: Corro from Mayor, City of Gold Coast City

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Lyall

Lyall Hinrichsen

Executive Director, Land Policy

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Department of Natural Resources, Mines and Energy

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From: ROBSON Geoff <Geoff.Robson@des.qld.gov.au>

Sent: Thursday, 23 January 2020 8:22 AM

To: HINRICHSSEN Lyall; Christopher Aston

Subject: RE: Corro from Mayor, City of Gold Coast City

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<image019.png>

Geoff Robson

Executive Director

Environment Policy and Planning Branch | Environmental Policy and Programs Division
Department of Environment and Science

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Level 10, 400 George St, Brisbane QLD 4000
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<image021.jpg>

From: HINRICHSSEN Lyall

Sent: Thursday, 23 January 2020 7:51 AM

To: Christopher Aston

Cc: ROBSON Geoff

Subject: RE: Corro from Mayor, City of Gold Coast City

Thanks Chris

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Geoff – how would that suit you?

Lyall Hinrichsen

Executive Director, Land Policy

Telephone: 07 31997383 **Mobile:** [sch4p4\(6\) Pg](#)

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Department of Natural Resources, Mines and Energy

Level 5, 1 William Street, Brisbane Q 4000

PO Box 15216 City East Q 4001

From: Christopher Aston <Christopher.Aston@dsdmip.qld.gov.au>

Sent: Wednesday, 22 January 2020 6:20 PM

To: HINRICHSSEN Lyall

Cc: ROBSON Geoff

Subject: FW: Corro from Mayor, City of Gold Coast City

Hi Lyall,

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I am happy to discuss these matters further to reach an agreed approach to the matters at hand.

Thanks

Chris

<image023.png>Christopher Aston

Executive Director, Policy and Statutory Planning
Planning Group
Department of State Development,
Manufacturing, Infrastructure and Planning
P 07 3452 6822 M [sch4p4\(6\)](tel:0734526822)
Level 13, 1 William Street, Brisbane QLD 4000
PO Box 15009, City East QLD 4002
www.dsdmip.qld.gov.au
LET'S CONNECT

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<image025.jpg>

<image026.jpg>

<image027.jpg>

<image028.jpg>

<image029.jpg>

<image030.jpg>

<image031.jpg>

From: HINRICHSSEN Lyall <Lyall.Hinrichsen@dnrme.qld.gov.au>

Sent: Thursday, 16 January 2020 7:29 AM

To: Christopher Aston <Christopher.Aston@dsdmip.qld.gov.au>

Cc: ROBSON Geoff <Geoff.Robson@des.qld.gov.au>

Subject: FW: Corro from Mayor, City of Gold Coast City

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Geoff and I have been discussing potential solutions to the issue - particularly whether an amendment to s123 of the Coastal Management and Protection Act might be appropriate to provide a right to occupy and use State land to facilitate seawall construction and maintenance.

We both think there is a way forward on this, but Geoff's team has identified some manageable, but not insignificant, issues that we would need to work through – some relating to interaction with the Planning Act & Regulation. These issues are outlined in Geoff's email to me as below.

As I mentioned, Geoff and I would be keen to meet up with you to discuss a way forward. Could you give this some thought and let us know when would be a good time to discuss?

Don't hesitate to give me a call if there is anything that you'd like to discuss in the meantime.

Regards,

Lyall Hinrichsen

Executive Director, Land Policy

Telephone: 07 31997383 **Mobile:** [sch4p4\(6\)](tel:0731997383) Pers

Email: lyall.hinrichsen@dnrme.qld.gov.au

www.dnrme.qld.gov.au

Department of Natural Resources, Mines and Energy

Level 5, 1 William Street, Brisbane Q 4000

PO Box 15216 City East Q 4001

From: ROBSON Geoff <Geoff.Robson@des.qld.gov.au>

Sent: Thursday, 9 January 2020 1:43 PM

To: HINRICHSSEN Lyall

Subject: RE: Corro from Mayor, City of Gold Coast City

Hello Lyall

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Geoff

<image032.png>

Geoff Robson

Executive Director

Environment Policy and Planning Branch | Environmental Policy and Programs Division

Department of Environment and Science

P 07 3330 5040 [sch4p4\(6\). P](#)

Level 10, 400 George St, Brisbane QLD 4000

GPO Box 2454, Brisbane QLD 4001

<image033.jpg>

s.73 Irrelevant information

Published on Resources Disclosure Log
RTI Act 2009

Date : 3/02/2020 2:28:23 PM

From : "HINRICHSSEN Lyall"

To : "ROBSON Geoff", "Christopher Aston"

Subject : RE: Corro from Mayor, City of Gold Coast City

Attachment : DMView_1580689257356_01889-

20_1662109_CTS_0188920_Incoming.pdf;image001.png;image002.png;image003.jpg;image004.png;image005.png;image006.jpg;image009.jpg;image010.jpg;image011.jpg;image012.jpg;image013.jpg;image014.jpg;in

Chris and Geoff,

Attached is new incoming corro from Mayor Tate on the A-line issue.

The Mayor has asked for a high-level meeting between departmental and GCCC officers. Would you (or someone from your team) like to be involved in the discussions with GCCC?

Lyall

Lyall Hinrichsen

Executive Director, Land Policy

Telephone: 07 31997383 Mobile: [sch4p4f 6](tel:0731997383)

Email: lyall.hinrichsen@dnrme.qld.gov.au

www.dnrme.qld.gov.au

Department of Natural Resources, Mines and Energy

Level 5, 1 William Street, Brisbane Q 4000

PO Box 15216 City East Q 4001

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Sent: Thursday, 23 January 2020 8:22 AM

To: HINRICHSSEN Lyall; Christopher Aston

Subject: RE: Corro from Mayor, City of Gold Coast City

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Geoff Robson

Executive Director

Environment Policy and Planning Branch | Environmental Policy and Programs Division

Department of Environment and Science

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Proudly working with White Ribbon to create a safer workplace
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To: Christopher Aston

Cc: ROBSON Geoff

Subject: RE: Corro from Mayor, City of Gold Coast City

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Geoff – how would that suit you?

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Planning Group

Department of State Development,

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LET'S CONNECT



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Sent: Thursday, 16 January 2020 7:29 AM

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Geoff Robson
Executive Director
Environment Policy and Planning Branch | Environmental Policy and Programs Division
Department of Environment and Science
P 07 3330 5040 geoff.robson@des.qld.gov.au
Level 10, 400 George St, Brisbane QLD 4000
GPO Box 2454, Brisbane QLD 4001



s.73 Irrelevant information



**Minister for Natural Resources, Mines and Energy
EXECUTIVE CORRESPONDENCE ACTION SHEET**

CTS01889120

MO REF MO/20/ 6674	☐ Consult Other:	
DATE RECEIVED MO 23/1/2020		
RESPONSE/ACTION REQUIRED		
☐ For reply under Minister's signature		
☐ For reply under Chief of Staff's signature	☐ For referral by DLO network ☐ Minister/department	
☐ For departmental response under: ☐ Deputy Director-General's signature ☐ Director-General's signature	☐ For Caucus Liaison Response ☐ For GOC to respond directly	
CONTACT PROVIDED IN LETTER		
☐ Departmental Rep (Default)	☐ Chief of Staff	☐ Policy Advisor
RESPONSE TIMING		COPY (Internal action within Minister's Office)
☐ Urgent (5 business days) ☐ Routine (15 business days) ☐ Specified Date ☐ Complaint (20 business days)		☐ Minister ☐ SPA ☐ APA ☐ Executive Assistant/ Office Manager ☐ Director-General
☐ Briefing note - Noting/Decision ☐ Briefing note - Meeting ☐ Dot Point brief (DLO template)		☐ Chief of Staff ☐ PA ☐ Caucus Liaison ☐ Other
☒ Department to contact and resolve ☒ Dot points to actioning Advisor		
☐ No Response Required / FYI Only		
MINISTER'S OFFICE COMMENTS: * I understand we are close to a resolution? * If dept. can't resolve, please let me know. ie. want to speak to MO.		
Advisor / Chief of Staff: sch4p4(6) Personal info		Date: 28/1/20
DEPARTMENTAL ALLOCATION (Departmental Liaison Officer to complete)		
☐ Director-General ☐ POL ☐ GEORESOURCES ☐ RSH ☒ NR South		DLO COMMENTS:
☐ LANDS ☐ BCP ☐ ENERGY		



City of Gold Coast

Office of the Mayor

21 January 2020

Our ref: MS#75456110

Hon Dr Anthony Lynham MP
Minister for Natural Resources, Mines and Energy
PO Box 15126
CITY EAST QLD 4002

PO Box 5042
Gold Coast MC QLD 9729
Australia

Telephone +61 7 5581 5283
Facsimile +61 7 5581 6054
Email mayor@goldcoast.qld.gov.au
cityofgoldcoast.com.au

Dear Minister

I just wanted to confirm that we are eager to continue direct liaison with your office and relevant department staff to assist however we may be able to address the complex issues around foreshore seawall works.

I am grateful for your advice of 28 October 2019 (Ref: MO/19/5573, CTS 24775/19) and I very much appreciate your acknowledgement of the vital importance of coastal protection works in protecting infrastructure from beach erosion. I am confident we can work together constructively to achieve a beneficial outcome for the City and Queensland.

In this regard, the City's coastal engineers and planners are available to assist with the development of policy options to allow for privately constructed sections of seawall along the alignment previously endorsed by the Queensland Government. As an initial step in the process we propose a high-level workshop between department and City officers to develop a collaborative response to this issue.

Mr Shannon Hunt, Executive Coordinator Stormwater, Beaches and Waterways will make contact with Simon Zanetta to progress matters. Shannon's contact number is (07) 5667 3770.

Sincerely

sch4p4(6) Personal information

TOM TATE
MAYOR

Date : 23/01/2020 9:20:38 AM

From : "ROBSON Geoff"

To : "HINRICHSSEN Lyall", "Christopher Aston", "ROBSON Geoff"

Cc : "ROBSON Geoff"

Subject : RE: Corro from Mayor, City of Gold Coast City

Attachment :

image002.png;image003.png;image004.png;image005.png;image007.jpg;image008.jpg;image009.jpg;image010.jpg;image011.jpg;image012.jpg;image013.jpg;image014.jpg;image015.png;image016.jpg;image017.png;image018.png

Hello Lyall and Chris

Geoff Robson (ED, EPPB) is available to meet with you 11am, Thursday 30 January 2020 at 1WS.

Geoff is happy to fit in with you.

Thanks greatly



Judy Van Den Broek

A/Executive Assistant to Geoff Robson

Environmental Policy and Programs

Environmental Policy and Planning Branch

Department of Environment and Science

Ph: 07 3330 5629 | Em:

judy.vandenbroek@des.qld.gov.au

Floor 10 | 400 George Street | Brisbane Q 4000

PO Box 15187 | City East Q 4002

From: HINRICHSSEN Lyall <Lyall.Hinrichsen@dnrme.qld.gov.au>

Sent: Thursday, 23 January 2020 9:10 AM

To: Christopher Aston; ROBSON Geoff

Subject: RE: Corro from Mayor, City of Gold Coast City

That would work for me Chris.

Geoff?

Lyall Hinrichsen

Executive Director, Land Policy

Telephone: 07 31997383 Mobile: [sch4n4\(6\)](tel:0731997383)

Email: lyall.hinrichsen@dnrme.qld.gov.au

www.dnrme.qld.gov.au

Department of Natural Resources, Mines and Energy

Level 5, 1 William Street, Brisbane Q 4000

PO Box 15216 City East Q 4001

From: Christopher Aston <Christopher.Aston@dsdmip.qld.gov.au>

Sent: Thursday, 23 January 2020 9:06 AM

To: ROBSON Geoff; HINRICHSSEN Lyall

Subject: RE: Corro from Mayor, City of Gold Coast City

Thanks Lyall,

I was needing to move that catch up as I am speaking at a UDIA event that morning that doesn't finish until 10am

Can we do a bit later - 11am?

Thanks,

Chris



Christopher Aston

Executive Director, Policy and Statutory Planning

Planning Group

Department of State Development,

Manufacturing, Infrastructure and Planning

P 07 3452 6822 M

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LET'S CONNECT



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My team has raised some questions about matters raised by council regarding the construction of the seawall and potential impost to council budget should they be required to deliver the infrastructure. I suggest the state may need to request further information to better understand the extent and potential implications for the state, council and private landowners prior to determining any proposed amendments to legislation is the best path forward.

The information requested may include (including mapping of):

- the number of properties with currently approved and constructed seawalls on private land
- the number of properties with currently approved and constructed seawalls on public land
- the number of properties with approvals for seawalls on public and private land not yet constructed
- the extent of the seawall constructed by council on public land.

There are a number of other elements raised in council's correspondence about the construction of seawalls by a private landowner on public land, in particular council's advice about the application of Local Law No. 17. Council's advice identifies they are wanting to apply this local law to pass on legal and financial risk to benefitted landowners for the seawall construction and maintenance. This will need to be a consideration of equity by the state in understanding potential implications of possible legislative amendments.

The review of the issues raised by council and their approach to protection of coastal lands may result in state-wide implications for other local governments currently undertaking their coastal adaptation strategies – as you're

aware this issue is not limited to the Gold Coast area. I note that council is currently at Phase 3 of their project to identify areas exposed to current and future coastal hazards. I would expect the A-line would be a significant element of Council's adaptation strategy for the Council area.

As such I think a broader discussion and consideration is also required for application across the state, as more local governments develop strategies to ensure their communities are managed from the risks from coastal hazards. I am happy to discuss these matters further to reach an agreed approach to the matters at hand.

Thanks
Chris



Christopher Aston
Executive Director, Policy and Statutory Planning
Planning Group
Department of State Development,
Manufacturing, Infrastructure and Planning
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From: HINRICHSSEN Lyall <Lyall.Hinrichsen@dnrme.qld.gov.au>

Sent: Thursday, 16 January 2020 7:29 AM

To: Christopher Aston <Christopher.Aston@dsdmip.qld.gov.au>

Cc: ROBSON Geoff <Geoff.Robson@des.qld.gov.au>

Subject: FW: Corro from Mayor, City of Gold Coast City

Chris,

As I mentioned in our chat yesterday, I've been liaising with Geoff Robson from DES regarding an issue that has arisen on the Gold Coast in relation to the foreshore seawall along what is known as the A-Line. The issue relates particularly to parts of the seawall that are on, or would be on, various areas of State Land. The attached letter from Mayor Tate outlines the issue and some of the history.

Geoff and I have been discussing potential solutions to the issue - particularly whether an amendment to s123 of the Coastal Management and Protection Act might be appropriate to provide a right to occupy and use State land to facilitate seawall construction and maintenance.

We both think there is a way forward on this, but Geoff's team has identified some manageable, but not insignificant, issues that we would need to work through - some relating to interaction with the Planning Act & Regulation. These issues are outlined in Geoff's email to me as below.

As I mentioned, Geoff and I would be keen to meet up with you to discuss a way forward. Could you give this some thought and let us know when would be a good time to discuss?

Don't hesitate to give me a call if there is anything that you'd like to discuss in the meantime.

Regards,

Lyall Hinrichsen

Executive Director, Land Policy

Telephone: 07 31997383 Mobile: [Sch4p4\(6\)](tel:0731997383)

Email: lyall.hinrichsen@dnrme.qld.gov.au

www.dnrme.qld.gov.au

Department of Natural Resources, Mines and Energy

Level 5, 1 William Street, Brisbane Q 4000

PO Box 15216 City East Q 4001

From: ROBSON Geoff <Geoff.Robson@des.qld.gov.au>

Sent: Thursday, 9 January 2020 1:43 PM

To: HINRICHSSEN Lyall

Subject: RE: Corro from Mayor, City of Gold Coast City

Hello Lyall

Apologies for the slow response in following up our discussions on this. My team has done some analysis of the council proposal, including on the possible use of s123 of the Coastal Management and Protection Act (in current or amended form) to provide a right to occupy and use State land for seawall construction. While this provision may provide a means to resolve the issue (or resolve in part), there are a number of complex matters to be considered and addressed:

- Should the State give its consent to the proposed use of State land for tidal works, as any development approval will also include the granting of a right to occupy. DES understand that the *Planning Act 2016* under s.51 Making Development Applications, requires the owner's (the State) written consent for making a development application for works on premises (land) that are below the high water mark. The Planning Act does not specify 'Tidal Works' which is problematic as it means the requirement does not extend to tidal works on land.
- Should the relevant local government have the opportunity to consent to the private use of State land it currently has responsibility for? The local government may not have this opportunity directly under the Planning framework as the State is the coastal assessment manager for seawalls on land (a tidal work as opposed to a prescribed tidal work, and council is not a referral agency).
- For SL under the responsibility of a local government should the private use right be subordinate to the council rights over the land and council must be the decision maker for any use of the land and local laws must always apply (so a non-tenure solution)
- The tidal works on SL must always be the sole responsibility of the benefited lot, irrespective of ownership changes, for all costs, safety, maintenance, reconstruction, alteration or removal of the seawall).
- Note that terms and definitions related to this matter are now spread across the Planning Act and Planning Regulation and the Coastal Act and Coastal Regulation so this is potentially a complex task.

There is also a question on whether or not some current tidal works approvals for the Gold Coast seawall would have a valid right to occupy State land and this needs to be resolved:

- Does a private right to use and occupy of SL for previously approve seawalls need to be validated?
- The extension of s.123 to unapproved seawalls as requested by council is problematic in terms of whether the walls are fit for purpose and can ownership of a seawall which could be 50 years old be made the responsibility of a lot owner (under s124(2) solely due to proximity to their lot.
- We need to consider the implications of applying this concept in all local government areas for example Amity Point is emerging as a similarly problematic area.

The State is assessment manager for seawalls on land whereas council is assessment manager for seawalls in tidal water anywhere in the local government area (Prescribed Tidal Works). There is benefit in consideration of council assessment manager for seawalls on land. There will be a range of technical and administrative matters to also sort out including:

- an agreed location of the A-line between State and council
- an agreed footprint of the seawall (prescribed tidal land)
- how old and apparently unapproved seawalls are dealt with.

Given the complexity of the above, it would be good to discuss the process forward, including DSDMIP's potential role, and the need for legal advice. I'll try and catch you by phone soon (off to meetings again at the moment).

Thanks
Geoff

Geoff Robson

Executive Director

Environment Policy and Planning Branch | Environmental Policy and Programs Division

Department of Environment and Science

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s.73 Irrelevant information

[Redacted]

[Redacted]

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Date : 22/01/2020 6:20:22 PM

From : "Christopher Aston"

To : "HINRICHSSEN Lyall"

Cc : "ROBSON Geoff"

Subject : FW: Corro from Mayor, City of Gold Coast City

Attachment :

image003.png;image018.jpg;image020.jpg;image021.jpg;image022.jpg;image023.jpg;image024.jpg;image025.jpg;image026.jpg;image027.png;image029.jpg;image031.jpg;image032.jpg;image006.png;image007.png;image008.png;image009.png;image010.png;image011.png;image012.png;image013.png;image014.png;image015.png;image016.png;image017.png;image019.png;image020.png;image021.png;image022.png;image023.png;image024.png;image025.png;image026.png;image027.png;image028.png;image029.png;image030.png;image031.png;image032.png;image033.png;image034.png;image035.png;image036.png;image037.png;image038.png;image039.png;image040.png;image041.png;image042.png;image043.png;image044.png;image045.png;image046.png;image047.png;image048.png;image049.png;image050.png;image051.png;image052.png;image053.png;image054.png;image055.png;image056.png;image057.png;image058.png;image059.png;image060.png;image061.png;image062.png;image063.png;image064.png;image065.png;image066.png;image067.png;image068.png;image069.png;image070.png;image071.png;image072.png;image073.png;image074.png;image075.png;image076.png;image077.png;image078.png;image079.png;image080.png;image081.png;image082.png;image083.png;image084.png;image085.png;image086.png;image087.png;image088.png;image089.png;image090.png;image091.png;image092.png;image093.png;image094.png;image095.png;image096.png;image097.png;image098.png;image099.png;image100.png;image101.png;image102.png;image103.png;image104.png;image105.png;image106.png;image107.png;image108.png;image109.png;image110.png;image111.png;image112.png;image113.png;image114.png;image115.png;image116.png;image117.png;image118.png;image119.png;image120.png;image121.png;image122.png;image123.png;image124.png;image125.png;image126.png;image127.png;image128.png;image129.png;image130.png;image131.png;image132.png;image133.png;image134.png;image135.png;image136.png;image137.png;image138.png;image139.png;image140.png;image141.png;image142.png;image143.png;image144.png;image145.png;image146.png;image147.png;image148.png;image149.png;image150.png;image151.png;image152.png;image153.png;image154.png;image155.png;image156.png;image157.png;image158.png;image159.png;image160.png;image161.png;image162.png;image163.png;image164.png;image165.png;image166.png;image167.png;image168.png;image169.png;image170.png;image171.png;image172.png;image173.png;image174.png;image175.png;image176.png;image177.png;image178.png;image179.png;image180.png;image181.png;image182.png;image183.png;image184.png;image185.png;image186.png;image187.png;image188.png;image189.png;image190.png;image191.png;image192.png;image193.png;image194.png;image195.png;image196.png;image197.png;image198.png;image199.png;image200.png;image201.png;image202.png;image203.png;image204.png;image205.png;image206.png;image207.png;image208.png;image209.png;image210.png;image211.png;image212.png;image213.png;image214.png;image215.png;image216.png;image217.png;image218.png;image219.png;image220.png;image221.png;image222.png;image223.png;image224.png;image225.png;image226.png;image227.png;image228.png;image229.png;image230.png;image231.png;image232.png;image233.png;image234.png;image235.png;image236.png;image237.png;image238.png;image239.png;image240.png;image241.png;image242.png;image243.png;image244.png;image245.png;image246.png;image247.png;image248.png;image249.png;image250.png;image251.png;image252.png;image253.png;image254.png;image255.png;image256.png;image257.png;image258.png;image259.png;image260.png;image261.png;image262.png;image263.png;image264.png;image265.png;image266.png;image267.png;image268.png;image269.png;image270.png;image271.png;image272.png;image273.png;image274.png;image275.png;image276.png;image277.png;image278.png;image279.png;image280.png;image281.png;image282.png;image283.png;image284.png;image285.png;image286.png;image287.png;image288.png;image289.png;image290.png;image291.png;image292.png;image293.png;image294.png;image295.png;image296.png;image297.png;image298.png;image299.png;image300.png;image301.png;image302.png;image303.png;image304.png;image305.png;image306.png;image307.png;image308.png;image309.png;image310.png;image311.png;image312.png;image313.png;image314.png;image315.png;image316.png;image317.png;image318.png;image319.png;image320.png;image321.png;image322.png;image323.png;image324.png;image325.png;image326.png;image327.png;image328.png;image329.png;image330.png;image331.png;image332.png;image333.png;image334.png;image335.png;image336.png;image337.png;image338.png;image339.png;image340.png;image341.png;image342.png;image343.png;image344.png;image345.png;image346.png;image347.png;image348.png;image349.png;image350.png;image351.png;image352.png;image353.png;image354.png;image355.png;image356.png;image357.png;image358.png;image359.png;image360.png;image361.png;image362.png;image363.png;image364.png;image365.png;image366.png;image367.png;image368.png;image369.png;image370.png;image371.png;image372.png;image373.png;image374.png;image375.png;image376.png;image377.png;image378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Hi Lyall,
Thank you for sending through the information about the Gold Coast City's A-Line and seawall matters we spoke about last Wednesday.

I understand that there are a number of historic matters that relate to the seawalls being constructed on both private and public land along the A-Line. I note council's position is that the onus of delivering the seawall along the A-Line be placed on the landowners who they consider have a first, and direct benefit from the construction and maintenance of the seawall.

We have reviewed the DNRME advice provided to council on the matter of private landowners constructing a seawall on public land and the response from council's legal representatives on possible ways to address council's position through proposed legislative amendments.

In the interest of determining a whole of government approach to this matter, I agree that a meeting would allow all parties to better understand each department's position and limits of approvals or otherwise. It would appear the State has approved the location of the A-line and the approach taken by the planning scheme to give effect to this position previously. Whilst I do not disagree with the need to determine what is a private use right verses one that serves a wider public benefit, I would like to further understand the change in departmental position on this matter.

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There are a number of other elements raised in council's correspondence about the construction of seawalls by a private landowner on public land, in particular council's advice about the application of Local Law No. 17.

Council's advice identifies they are wanting to apply this local law to pass on legal and financial risk to benefitted landowners for the seawall construction and maintenance. This will need to be a consideration of equity by the state in understanding potential implications of possible legislative amendments.

The review of the issues raised by council and their approach to protection of coastal lands may result in state-wide implications for other local governments currently undertaking their coastal adaptation strategies as you are aware this issue is not limited to the Gold Coast area. I note that council is currently at Phase 3 of their project to identify areas exposed to current and future coastal hazards. I would expect the A-line would be a significant element of Council's adaptation strategy for the Council area.

As such I think a broader discussion and consideration is also required for application across the state, as more local governments develop strategies to ensure their communities are managed from the risks from coastal hazards. I am happy to discuss these matters further to reach an agreed approach to the matters at hand.

Thanks

Chris



Christopher Aston
Executive Director, Policy and Statutory Planning
Planning Group
Department of State Development,
Manufacturing, Infrastructure and Planning
P 07 3452 6822 M chris.aston@des.qld.gov.au
Level 13, 1 William Street, Brisbane QLD 4000
PO Box 15009, City East QLD 4002
www.dsdmip.qld.gov.au

LET'S CONNECT



From: HINRICHSSEN Lyall <Lyall.Hinrichsen@dnrme.qld.gov.au>

Sent: Thursday, 16 January 2020 7:29 AM

To: Christopher Aston <Christopher.Aston@dsdmip.qld.gov.au>

Cc: ROBSON Geoff <Geoff.Robson@des.qld.gov.au>

Subject: FW: Corro from Mayor, City of Gold Coast City

Chris,

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Geoff and I have been discussing potential solutions to the issue - particularly whether an amendment to s123 of the Coastal Management and Protection Act might be appropriate to provide a right to occupy and use State land to facilitate seawall construction and maintenance.

We both think there is a way forward on this, but Geoff's team has identified some manageable, but not insignificant, issues that we would need to work through some relating to interaction with the Planning Act & Regulation. These issues are outlined in Geoff's email to me as below.

As I mentioned, Geoff and I would be keen to meet up with you to discuss a way forward. Could you give this some thought and let us know when would be a good time to discuss?

Don't hesitate to give me a call if there is anything that you'd like to discuss in the meantime.

Regards,

Lyall Hinrichsen

Executive Director, Land Policy

Telephone: 07 31997383 Mobile: [sch4n4l](tel:0731997383)

Email: lyall.hinrichsen@dnrme.qld.gov.au

www.dnrme.qld.gov.au

Department of Natural Resources, Mines and Energy

Level 5, 1 William Street, Brisbane Q 4000

PO Box 15216 City East Q 4001

From: ROBSON Geoff <Geoff.Robson@des.qld.gov.au>

Sent: Thursday, 9 January 2020 1:43 PM

To: HINRICHSSEN Lyall

Subject: RE: Corro from Mayor, City of Gold Coast City

Hello Lyall

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Thanks
Geoff



s.73 Irrelevant information



Published on Resources Disclosure Log
RTI Act 2009

Date : 16/01/2020 8:27:36 AM

From : "HINRICHSSEN Lyall"

To : "'Christopher Aston'"

Subject : RE: Corro from Mayor, City of Gold Coast City

Attachment :

image001.png;image002.png;image003.jpg;image004.jpg;image005.jpg;image007.jpg;image008.jpg;image009.jpg;image010.jpg;image011.jpg;image012.png;image013.png;image014.jpg;image015.jpg;image016.jpg;

Thanks Chris – next week would be fine.

Lyall

Lyall Hinrichsen

Executive Director, Land Policy

Telephone: 07 31997383 Mobile: [sch4n4L](tel:0731997383)

Email: lyall.hinrichsen@dnrme.qld.gov.au

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Department of Natural Resources, Mines and Energy

Level 5, 1 William Street, Brisbane Q 4000

PO Box 15216 City East Q 4001

From: Christopher Aston <Christopher.Aston@dsdmip.qld.gov.au>

Sent: Thursday, 16 January 2020 8:20 AM

To: HINRICHSSEN Lyall

Cc: ROBSON Geoff

Subject: RE: Corro from Mayor, City of Gold Coast City

Thanks Lyall,

Happy to assist.

As discussed I'll get my team to review the issues below asap to inform a discussion.

Can I get back to you next week?

Regards

Chris



Christopher Aston

Executive Director, Policy and Statutory Planning

Planning Group

Department of State Development,

Manufacturing, Infrastructure and Planning

P 07 3452 6822 M [sch4n4L](tel:0734526822)

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LET'S CONNECT



LEARN MORE
ABOUT HOW WE'RE

INVESTED IN QUEENSLAND

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Cc: ROBSON Geoff <Geoff.Robson@des.qld.gov.au>

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Executive Director

Environment Policy and Planning Branch | Environmental Policy and Programs Division

Department of Environment and Science

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s.73 Irrelevant information

[Redacted]

[Redacted]

Published on Resources Disclosure Log
RTI Act 2009

Date : 16/01/2020 7:29:21 AM

From : "HINRICHSSEN Lyall"

To : "Christopher Aston"

Cc : "ROBSON Geoff"

Subject : FW: Corro from Mayor, City of Gold Coast City

Attachment : DMView_1570083297469_24775-

19_1609232_CTS_2477519_Green_Action_Sheet.pdf;image002.png;image004.jpg;image005.jpg;image007.jpg;image001.png;image008.png;
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Department of Natural Resources, Mines and Energy

Level 5, 1 William Street, Brisbane Q 4000

PO Box 15216 City East Q 4001

From: ROBSON Geoff <Geoff.Robson@des.qld.gov.au>

Sent: Thursday, 9 January 2020 1:43 PM

To: HINRICHSSEN Lyall

Subject: RE: Corro from Mayor, City of Gold Coast City

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Geoff



Geoff Robson

Executive Director

Environment Policy and Planning Branch | Environmental Policy and Programs Division
Department of Environment and Science

P 07 3330 5040 | [sch4p4\(6\).pdf](#)

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Australia's campaign to stop violence against women

s.73 Irrelevant information

Published on Resources Disclosure Log
RTI Act 2009

Date : 10/01/2020 8:15:59 AM

From : "HINRICHSSEN Lyall"

To : "ROBSON Geoff"

Subject : RE: Corro from Mayor, City of Gold Coast City

Attachment : image001.png;image002.png;image004.jpg;image005.jpg;image008.png;image009.jpg;

Hi Geoff,

Thanks for the comprehensive response. It was well worth the wait.

Your team's analysis is consistent with our assessment of the issues and the complexities. However, we do not see anything insurmountable and we would be keen to progress discussions. In the first instance, I think it would be useful to have DSDMIP in the room with us to map out a way forward. If you agree, I'd be happy to brief key people from their planning team and then arrange for us to get together to discuss. As you point out, there are some key issues that will need to be worked through with Local Govt (particularly the GCCC on their specific issues). It would be good to have a prelim State-agency view on key points before we engage with them.

Lyall

Lyall Hinrichsen

Executive Director, Land Policy

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GPO Box 2454, Brisbane QLD 4001



Proudly working with White Ribbon to create a safer workplace
Australia's campaign to stop violence against women

From: HINRICHSEN Lyall

Sent: Wednesday, 8 January 2020 1:44 PM

To: ROBSON Geoff

Subject: FW: Corro from Mayor, City of Gold Coast City

Hi Geoff

Any update on how we might be able to progress this?

Lyall Hinrichsen

Executive Director, Land Policy

Telephone: 07 31997383 **Mobile:** [sch4p4\(6\) Pe](#)

Email: lyall.hinrichsen@dnrme.qld.gov.au

www.dnrme.qld.gov.au

Department of Natural Resources, Mines and Energy

Level 5, 1 William Street, Brisbane Q 4000

PO Box 15216 City East Q 4001

From: HINRICHSEN Lyall

Sent: Thursday, 21 November 2019 2:57 PM

To: ROBSON Geoff

Cc: SHERWOOD Kenneth; SULTMANN Sel

Subject: RE: Corro from Mayor, City of Gold Coast City

Hi Geoff

Just checking back with you on your thinking on this issue. Have you had a chance to test internally as to whether DES / your Minister would be prepared to support a minor amendment to the Coastal Protection Act?

We're still keen to close the loop with the GCCC before Christmas if that's possible.

Regards,

Lyall Hinrichsen

Executive Director, Land Policy

Telephone: 07 31997383 **Mobile:** [sch4p4\(6\) Per](#)

Email: lyall.hinrichsen@dnrme.qld.gov.au

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Department of Natural Resources, Mines and Energy

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PO Box 15216 City East Q 4001

s.73 Irrelevant information



Published on Resources Disclosure Log
RTI Act 2009

DEPARTMENT OF NATURAL RESOURCES, MINES AND ENERGY
DOT POINT BRIEFING NOTE

CTS	CTS: 01889/20
DATE REQUESTED	3 February 2020
NAME OF MEMBER OF PUBLIC (IF APPLICABLE)	Shannon Hunt Executive Coordinator Stormwater Beaches and Waterways Office of the Mayor City of Gold Coast
RESPONDING OFFICER	Lyall Hinrichsen Executive Director Land Policy Contact Number sch4p4(6) Personal

INFORMATION/ADVICE:

- DNRME has met with officers from the Department of Environment and Science (DES) and the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) to discuss the issues raised in Mayor Tom Tate's previous correspondence.
- Discussions between the Council of the City of Gold Coast (Council) and officers from DNRME, DES and DSDMIP would be beneficial to explore the issues further and to identify appropriate options for government consideration.
- At officer level, there is agreement that the legislative option outlined in Mayor Tate's original letter (involving an amendment to section 123 of the *Coastal Protection and Management Act 1995*) may have merit. Any amendment to the *Coastal Protection and Management Act 1995*, which is the responsibility of the Minister for Environment and Science, would likely need to be accompanied by consequential amendments to the *Planning Act 2016* and/or regulation.
- The appropriateness of transitional arrangements, such as those suggested by Council, would need to be given careful consideration.
- Mr Lyall Hinrichsen, Executive Director, Land Policy has contacted Mr Shannon Hunt, Executive Coordinator, Stormwater Beaches and Waterways to arrange a meeting between the State Government (DNRME, DES and DSDMIP) and Council officials.

Noted.
7/2/20

sch4p4(6) Pe

Author Name: Lyall Hinrichsen Position: Executive Director Unit: Land Policy Tel No: sch4p4(6) Pe Date drafted: 03/02/2020	Branch Approval Name: Lyall Hinrichsen Director: Executive Director Section: Land Policy Tel No: sch4p4(6) Per Date Endorsed: 03/02/2020
---	---

Minister for Natural Resources, Mines and Energy
EXECUTIVE CORRESPONDENCE ACTION SHEET

CTS01889120

MO REF MO/20/ 6674	☐ Consult Other:	
DATE RECEIVED MO 23/1/2020		
RESPONSE/ACTION REQUIRED		
☐ For reply under Minister's signature		
☐ For reply under Chief of Staff's signature	☐ For referral by DLO network ☐ Minister/department	
☐ For departmental response under: ☐ Deputy Director-General's signature ☐ Director-General's signature	☐ For Caucus Liaison Response ☐ For GOC to respond directly	
CONTACT PROVIDED IN LETTER		
☐ Departmental Rep (Default)	☐ Chief of Staff	☐ Policy Advisor
RESPONSE TIMING		COPY (Internal action within Minister's Office)
☐ Urgent (5 business days) ☐ Routine (15 business days) ☐ Specified Date ☐ Complaint (20 business days)		☐ Minister ☐ SPA ☐ APA ☐ Executive Assistant/ Office Manager ☐ Director-General
☐ Briefing note - Noting/Decision ☐ Briefing note - Meeting ☐ Dot Point brief (DLO template)		☐ Chief of Staff ☐ PA ☐ Caucus Liaison ☐ Other
☒ Department to contact and resolve ☒ Dot points to actioning Advisor		
☐ No Response Required / FYI Only		
MINISTER'S OFFICE COMMENTS: * I understand we are close to a resolution? * If dept. can't resolve, please let me know. ie. want to speak to MO.		
Advisor / Chief of Staff: sch4p4(6) Person		Date: 28/1/20
DEPARTMENTAL ALLOCATION (Departmental Liaison Officer to complete)		
☐ Director-General ☐ POL ☐ GEORESOURCES ☐ RSH ☒ NR South		☐ LANDS ☐ BCP ☐ ENERGY DLO COMMENTS:



City of Gold Coast

Office of the Mayor

21 January 2020

Our ref: MS#75456110

Hon Dr Anthony Lynham MP
Minister for Natural Resources, Mines and Energy
PO Box 15126
CITY EAST QLD 4002

PO Box 5042
Gold Coast MC QLD 9729
Australia

Telephone +61 7 5581 5283
Facsimile +61 7 5581 6054
Email mayor@goldcoast.qld.gov.au
cityofgoldcoast.com.au

Dear Minister

I just wanted to confirm that we are eager to continue direct liaison with your office and relevant department staff to assist however we may be able to address the complex issues around foreshore seawall works.

I am grateful for your advice of 28 October 2019 (Ref: MO/19/5573, CTS 24775/19) and I very much appreciate your acknowledgement of the vital importance of coastal protection works in protecting infrastructure from beach erosion. I am confident we can work together constructively to achieve a beneficial outcome for the City and Queensland.

In this regard, the City's coastal engineers and planners are available to assist with the development of policy options to allow for privately constructed sections of seawall along the alignment previously endorsed by the Queensland Government. As an initial step in the process we propose a high-level workshop between department and City officers to develop a collaborative response to this issue.

Mr Shannon Hunt, Executive Coordinator Stormwater, Beaches and Waterways will make contact with Simon Zanetta to progress matters. Shannon's contact number is (07) 5667 3770.

Sincerely

sch4p4(6) Personal information

TOM TATE
MAYOR



The Hon Dr Anthony Lynham MP
Minister for Natural Resources, Mines and Energy

Ref MO/20/6674
CTS :01889/20

1 William Street Brisbane
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-7 FEB 2020

Councillor Tom Tate
Mayor
Council of the City of Gold Coast
PO Box 5042
Gold Coast Mail Centre QLD 9729

Dear Mayor

Thank you for your letter of 21 January 2020 in relation to issues associated with the Gold Coast's seawall works.

As per your suggestion, an officer of the Department of Natural Resources, Mines and Energy has contacted Mr Shannon Hunt, to arrange a meeting of our respective senior officers. In addition to my department, senior officers from the Department of Environment and Science (who have expertise in the *Coastal Protection and Management Act 1995*) and the Department of State Development, Manufacturing, Infrastructure and Planning (who have expertise in the *Planning Act 2016* and related regulations) will also attend the meeting.

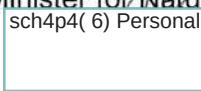
I share your view that, by working together, our officials can constructively resolve these complex issues.

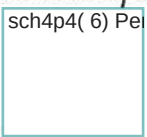
If you have any questions, please contact Mr Lyall Hinrichsen, Executive Director, Land Policy, Department of Natural Resources, Mines and Energy who will be pleased to assist you and can be contacted on [1300 659 599](tel:1300 659 599) or by email at: Lyall.Hinrichsen@dnrme.qld.gov.au.

Yours sincerely


sch4p4(6) Personal information

Dr Anthony Lynham MP
Minister for Natural Resources, Mines and Energy


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