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Marine Resource Management
Department of National Parks, Sport and Racing
Queensland Parks and Wildlife Service
PO Box 15187
City East QLD 4002

Dear Sir/Madam,

Moreton Bay Regional Council Submission regarding Northeast Business Park Pty Ltd Request to Declare a Works Area and Amend the Deception Bay Declared Fish Habitat Reserve for the North Harbour Development.

Thank you for the opportunity to comment on the proposed declaration of a works area in the Moreton Bay Marine Park (MBMP) and changes to the Deception Bay declared Fish Habitat Area (FHA) to allow the North Harbour Development.

It is understood the request seeks to make amendments to the following regulatory instruments: the zoning plan for the Moreton Bay Marine Park and the *Fisheries Regulation 2008* as it pertains to the Deception Bay declared Fish Habitat Area, through:

- Declaration of a works area, as a type of Designated Area, in the marine park;
- Revocation of parts of the declared FHA; and
- Management level downgrade from 'Type A' to 'Type B' of part of the declared FHA.

As part of the Minister's determination of this request, Moreton Bay Regional Council has identified the following matters which it considers should be given due consideration and taken into account:

1. Riverbank Erosion, Rehabilitation and Water Quality

The proposal has the potential to exacerbate river bank erosion within the Caboolture River. The Minister should be satisfied that appropriate measures can and will be undertaken within and along the banks of the river to mitigate erosion and ensure unacceptable impacts on the Caboolture River, surrounding land holders and wetlands of international significance are avoided.

The proponent has relied on a study titled *Report on Flooding, Coastal/Estuarine Dynamics and Water Quality Investigations to inform Council in relation to a Priority Development Area (PDA) Designation Request*, prepared by BMT WBM and dated 10 June 2014 (BMT WBM Report 2014).

Council would like to draw to the Minister's attention that the BMT WBM Report 2014 was received by Council but not endorsed by any resolution.

The BMT WBM report 2014 (section 5, p22) identifies the significant changes in the rivers tidal prism, range and velocities due to the proposed development and raises concern over the existing severe erosion which at the time of the report was generally confined to upstream of the proposed waterway connection and downstream of the Highway. The report identified that the impact of dredging the river channel to either RL -4.25m AHD or RL -3.25m AHD on the tidal hydrodynamics will be significant and exacerbate existing riverbank erosion. Later the report concludes that, if the banks were stabilised, 'some dredging may be acceptable'.

The BMT WBM report 2014 (p24) identifies 1350m of groyne works and 9km of top of bank revegetation works which are required along the Caboolture River. The proponent in their application have proposed to undertake 400m of Toe Groyne works and 5km of top of bank revegetation works (Fig 5.2).

The proponent in their response appears to be relying on Council undertaking the balance of the works to stabilise and protect the river from erosion.

It is important to note that Council has made no commitment to funding the recommended works contained within the BMT WBM report 2014. The proponent in their information response has also stated that Council has a Priority Infrastructure Plan (PIP) to collect revenue from development to complete these works. **This statement is incorrect and Council is not proposing to undertake these works.** Furthermore, Council has not allocated funds within its capital works budget to fund these works.

Council does not have any revegetation or bank stabilisation works programmed in the area adjoining the 'proposed revocation and works area'. Although the draft Caboolture River Catchment Management Plan being prepared by Council has identified this area as being highly erosive, it has been determined more beneficial outcomes, from a water quality objectives perspective would be achieved for the expenditure, by undertaking revegetation in the upper reaches of the catchment.

Under the Moreton Bay Regional Council Total Water Cycle Management Plan (MBRC TWCMP) revegetation of 5th/6th order streams is not considered as a management option. The Caboolture River in the vicinity of the development and as referred to in the BMT WBM report 2014 is a 5th/6th order stream.

Any reliance on Council undertaking any bank stabilisation/vegetation works to the east of the freeway now or into the future should not be relied upon in determining the application.

2. Caboolture River Estuary Management Plan (CREMP)

The Draft Caboolture River Catchment Management Plan being prepared by Council will not include an 'estuary management plan', nor will it contemplate the impacts associated with the proposed dredging including changes to the tidal prisms/hydrodynamics that are likely to exacerbate river bank erosion.

Council will not accept any obligation for the preparation or implementation of recommendations that may result from a 'Caboolture River Estuary Management Plan' as required by the *Environmental Protection and Biodiversity Conservation Act 1999* approval (EPBC 2006/2912) dated 18 December 2012.

3. Flooding/Storm Tide

The BMT WBM report 2014 has utilised the superseded Caboolture River catchment RFD model which was prepared in 2013. Following the completion of new LiDAR survey in mid-2014, Council undertook new flood modelling across all the catchments in the region. It is this revised modelling that has informed the current adopted Moreton Bay Regional Council (MBRC) Planning Scheme.

The BMT WBM report 2014 did not consider the impacts of storm tide or climate change. The report does not outline how many event durations were considered in the assessment nor does the assessment consider any future development in the upstream catchment as required under the current MBRC Planning Scheme (and would have been required under the Caboolture *ShirePlan* in effect at the time the report was drafted).

4. Dredging, Dredge Spoil and Potential Environmental Impacts

There is inherent uncertainty with the estimated volume and frequency of dredging. The continual need for maintenance dredging has long term economic and ecological impacts that require consideration.

The proponent has indicated that river dredge spoil may be utilised on site as part of construction of the proposed marina development. River dredge spoil may not be suitable for use for construction purposes due to, but not limited to, high salt content and/or acid sulfate soils. In Council's experience with other canal/marina developments within the Local Government Area, treatment and disposal of spoil is one of the major costs associated with dredging. Council will take no responsibility/liability for any initial or on-going maintenance dredging, including disposal of spoil material associated with the proposal.

Mangroves and saltmarshes will be affected as a result of erosion and sedimentation caused by dredging, as well as the widening of the river and flattening of the batters. Sediment build-up may also affect the seagrasses beyond the channel in the Moreton Bay, a Ramsar protected area.

5. Channel Depth

The Information Response from the proponent relies upon the BMT WBM report 2014 for identification of predicted erosion due to the proposed dredging, proposed stabilisation works. The BMT WBM report 2014 assessed three different dredged river channel invert depths in the RL -4.25m AHD, RL -3.25m AHD and RL -2.75m AHD in the geomorphologic model.

The report states that the reduced channel depth lessened the impacts, however the proponent has advised that a RL-3.25m AHD bed case poses operational restrictions on larger vessels and that any option at shallower depth is unacceptable (p15). From the drawings included in the information response to NPS&R the proposed river channel invert level is RL -3.25m AHD. The proposed depth of the channel has been reduced from -4.25m to -3.25m.

It is suggested that the Minister should also be satisfied with advice from the Regional Harbour Master that the proposed channel depth is suitable for the intended size of vessels likely to use the river.

6. Beachmere Road

It is noted that Figure 4.4 of the BMT WBM report 2014 shows an increase in flood level on Beachmere Road during a 1% AEP event. As a state controlled road, it is understood that no afflux would be accepted to Beachmere Road by Department of Transport and Main Roads. It is suggested that the Minister should also be satisfied with advice from the DTMR on this matter.

In summary, I would like to emphasise that Council has no intention of funding, nor has it allocated any funds for erosion protection works on the Caboolture River as referred to in the BMT WBM report 2014, through its Capital Works Plan or Priority Infrastructure Plan. Further, Council does not support the use of public funds to pay for erosion control works on the Caboolture River which may be required as a consequence of the North Harbour development or any other private development for that matter. Council does not accept any responsibility / liability for works / maintenance associated with any dredging or any aspect associated with the Marina.

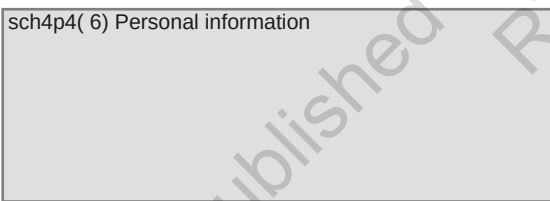
In Council's view the Minister should be satisfied that the impact of riverbank erosion can be appropriately mitigated, considering the changes to tidal hydrodynamics proposed and in the absence of Council undertaking any bank stabilisation and revegetation works in this part of the Caboolture River. Any reliance on Council undertaking works now or into the future should not be a basis for approval.

Once again, thank you for the opportunity to provide comment on the proposal and for considering the matters raised above.

Should you have any queries or require any further information regarding this submission, please contact Stewart Pentland, Director Planning and Economic Development on **(07) 5433 2023**.

Yours faithfully,

sch4p4(6) Personal information



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Moreton Bay Regional Council