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30 June 2015

## Office of the Mayor

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Our Ref: #4773070

30 June 2015

Infrastructure, Planning and Natural Resources Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

Dear Committee Members

### **Submission to the Parliamentary Committee Considering the Sustainable Ports Development Bill 2015 (the Bill)**

Cairns Regional Council has considered the terms of the Bill and now sets out issues which we believe should be further considered as part of the review process.

We acknowledge the key policy objective of the Bill is to provide for the protection of the Great Barrier Reef World Heritage Area (GBRWHA) through managing port-related development in and adjacent to the area and we support this policy objective.

However, we are concerned that the provisions of the Bill will have a significant impact on Far North Queensland's two major ports - Cairns and Mourilyan - and their ability to be developed to provide ongoing support to the regional economy. Both ports are long established and strategically important being critical items of regional infrastructure for the region's major industries and which provide connectivity to other parts of Queensland and Asia-Pacific. Unlike the major export ports in Queensland, the Port of Cairns is a multi-purpose port with a significant presence, of navy, fishing and reef fleet / tourism vessels. The port records more vessel movements than any other Queensland port.

#### Cairns Shipping Development Project

Council is adamant that the two World Heritage Listed natural wonders – The Great Barrier Reef and the Wet Tropics Rainforest must be protected.

However, Cairns and the surrounding region will experience significant population growth in the next 10 – 50 years as a result of sustained increases in economic activity, most likely driven by tourism and tourism-related activities.

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The region recognises unequivocally that the priority must be to preserve and properly manage the Great Barrier Reef and Wet Tropics Rainforest. However, there is also recognition that enabling infrastructure, including Cairns Seaport, will need to be expanded to sustain future economic growth. The proposed Bill (in the absence of declaring the port a Priority Port) does not provide any guidance on any options to accommodate this expansion.

Dredging has occurred in the Port of Cairns for over 100 years with maintenance dredging being undertaken annually to remove naturally occurring sediment that has accumulated in the channel. The last major capital dredging project was undertaken in 1990. Between 1913 and 1974 a small proportion of the annual dredging was used to reclaim land. However, these practices would not meet current environmental management requirements.

The Environmental Impact Statement (EIS) for the Cairns Shipping Development Project remains active at this time and this project remains exempt from the provisions of the legislation until such time as the Project is formally rejected.

The EIS has clearly identified a preferred marine based site which was considered to deliver the best overall outcome from an environmental and financial perspective.

In its submission to the EIS, Council argued that approval for the marine based disposal of dredge spoil should be considered when applications are supported by the best available scientific studies assessing the likely impact on the Great Barrier Reef and accompanied by Management Plans which demonstrate best practice in the proposed dredging operations.

Council considers this to be the best option for the future development of the Port of Cairns.

It is important that government does not reject the Cairns Shipping Development Project's EIS without an opportunity to review the project and seek project approval even if the project construction is deferred until funding is available. If this Project is rejected, then the Bill prohibits capital dredging in the Port of Cairns other than dredging of small scale facilities for tourism or recreation purposes i.e. boat ramps, boat harbours and marinas and any other port development exemptions included in the final Bill

### Priority Ports

It is noted the Bill declares a number of priority ports which does not include the Ports of Cairns and Mourilyan.

Priority Ports will be required to implement master planning for their long term development in a way that is consistent with the principles of ecologically sustainable development. The requirement that this master planning be undertaken and the nomination of the specified ports as Priority Ports gives a clear indication of the Government's future direction in developing Queensland's port industry.

As the Ports of Cairns and Mourilyan are not considered to qualify as priority ports, the Government's expectations for their future development are not reflected in the proposed legislation and remain unclear. This is a matter of concern to Council and indeed the region.

The operator of these ports, Ports North, has developed Masterplans for the ports following extensive consultation with customers, local stakeholders and other development agencies. These Masterplans allow for the progressive development of the ports in a controlled and considered way that supports changes in the regional economy. The Bill, as drafted, will restrict this development to the detriment of the region and the State.

Council strongly considers that, given that Masterplans have been completed for both Cairns and Mourilyan Ports, and in recognition that these ports are long established and strategically important, the Bill should be altered to include both Cairns and Mourilyan as Priority Ports.

### Small Scale Port Facilities

For Non Priority Ports further consideration is required of the future development works that include capital dredging required to sustain port operations. In particular, provisions are required to allow ports and port-based businesses to incrementally develop their facilities to maintain competitiveness and respond to market changes.

It is acknowledged that the Bill provides an exception for small scale port facilities for a tourism or recreation purpose, i.e. boat ramp, boat harbour, marina. All other capital dredging (minor or major) associated with the development of new or existing port facilities, including private facilities, is prohibited.

Council requests that consideration be given to extending this exception to other small scale port facilities within existing port limits to reflect the variety of other uses that are common-place in a multi-user port such as Cairns. Such an extension may encompass the incremental expansion of wharves and cater for the demands of the Navy, fishing industry and other marine service industries.

### Beneficial Re-use

Even if Cairns were permitted to undertake capital dredging through being nominated as a Priority Port, by approval of the Cairns Shipping Development Project or the Bill's exemptions, unlike other ports along the Queensland coast, Cairns has very limited alternatives for the disposal of dredge material on land. Consequently, the provisions of the Bill relating to the use and disposal of dredged material are critical to the local community.

The Explanatory Memorandum to the Bill (page 14) provides examples of beneficial re-use which should be included within the provisions of the Bill and these provisions should ensure that the beneficial reuse and environmental offset requirements are not so costly or restrictive to make projects in Cairns unviable.

It is important to recognise that land based disposal of dredge material is costly – particularly in instances where the material is of fine grade or poor quality. The cost of land based disposal will impose a significant increased financial burden on ports (and their customers) and may render otherwise viable port development projects to be rejected without appropriate support from the Government.

## Maintenance Dredging

The Bill should provide clarity on the rights to continue to dredge to maintain safe and effective port operations and dispose of the dredge material at sea.

## Conclusion

Council acknowledges and welcomes the intent of the Bill as a measure aimed at protecting the Great Barrier Reef. This is a position universally accepted by the Far North Queensland regional community.

However, the region's population has grown from 128,000 in 1976 to 270,000 in 2011 – an increase of 111%, the fastest growing region in Queensland over that period. Population is expected to double over the next twenty five years, further increasing demand on infrastructure and services. Critical infrastructure, including the Ports of Cairns and Mourilyan, must be allowed to develop to match this increased demand.

Cairns and regional Queensland needs development – it is in the State's interest to ensure that communities throughout the State are vibrant and are provided with opportunities to advance their economic and social wellbeing. Impositions on development have significant impacts on the comparatively smaller regional communities and therefore should be carefully considered to ensure the impacts are fully understood.

I would welcome the opportunity to host Committee members in Cairns for public hearings so that the views of the broader local community can be considered.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Bob Manning', with a small dot at the end.

Bob Manning  
Mayor