

QUESTION ON NOTICE

No. 1934

asked on Wednesday, 25 November 2009

MR CRANDON ASKED THE MINISTER FOR NATURAL RESOURCES, MINES AND ENERGY AND MINISTER FOR TRADE (MR ROBERTSON)—

QUESTION:

With reference to the application by Wagner Investments Pty Ltd for a quarry at the corner of Upper Ormeau Road and Cliff Barrons Road, Ormeau—

- (1) Was advice received from the department on 3 November 2008 that determined there is a water course on Lot 1 on RP 174509, being one of three lots within the site of the development application?
- (2) Will the Minister advise if the determination of the water course is still current and if not, on what basis was the decision to overturn the determination made and what additional material was used to support this new decision?

ANSWER:

- (1) Under the Integrated Planning Act, local government authorities are the application assessors and decision makers for quarries. As such, information in relation to a specific quarry application is best sought from the relevant local authority.
- (2) An inspection was conducted on 27 July 2007 in the company of the representatives of the landowner and advice was provided on 30 July 2007, that the feature was not a watercourse for the purposes of the *Water Act 2000*.

The decision was made in 2007 on the basis of all relevant information available at the time including appropriate mapping, aerial imagery, departmental files, policy and work practices, and observations made at the site inspection. At no time was the original decision overturned. To be clear, the feature is not a watercourse and as such does not fall within the jurisdiction of the *Water Act 2000*.