



Hon Dr Steven Miles MP  
Minister for Environment and Heritage Protection and  
Minister for National Parks and the Great Barrier Reef

Ref CTS 20264/16

Level 13  
400 George Street Brisbane Qld 4000  
GPO Box 2454 Brisbane  
Queensland 4001 Australia  
Telephone +61 7 3719 7330  
Email [environment@ministerial.qld.gov.au](mailto:environment@ministerial.qld.gov.au)

**12 AUG 2016**

The Honourable Josh Frydenberg MP  
Minister for the Environment and Energy  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Dear Minister

**Toondah Harbour Priority Development Area**

We understand that the Australian Government currently is due, in early September 2016, to take a threshold decision regarding whether to progress with assessment of the potential impacts on the ecological character of the Moreton Bay wetlands arising from the proposed development at Toondah Harbour, Cleveland.

We write to confirm the Queensland Government's support for the redevelopment of Toondah Harbour, and the jobs and economic growth that the proposed development seeks to deliver, while also ensuring that environmental outcomes are addressed.

The referral documents provided by Walker Group Holdings Pty Limited broadly describe the direct and indirect potential impacts of the proposed project on intertidal mud and sand flats, mangrove forests and intertidal seagrass meadows.

We acknowledge that the Toondah Harbour Priority Development Area (PDA) declared by the then Queensland government in June 2013 overlaps with part of Moreton Bay's listed Convention on Wetlands of International Importance (Ramsar Convention) site. As you know, impacts on Ramsar sites are assessed under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth) and not under Queensland legislation.

It is regrettable that the then Queensland government appears not to have properly considered the potential to enliven Commonwealth interests, when declaring the PDA in 2013. Delays and uncertainty for the proponent and the local community could have been avoided.

Nonetheless, the Queensland Government supports the project now being declared a "controlled action" under Commonwealth legislation, so as to ensure that its potential impact on matters of national environmental significance can be assessed in detail based on sound evidence.

We confirm our willingness to work constructively with you, your department and the proponent to find sustainable solutions to these key environmental issues.

We trust this information has been of assistance to you. In the interests of transparency, and after discussion with your Office by telephone, we have provided a copy of this letter to the proponent.

For any queries, please contact either Mr Philip Halton (Minister Miles' Office) or Mr Matt Collins (Deputy Premier's Office) on 07 3719 7330 or 07 3719 7071, respectively.

Yours sincerely



**DR STEVEN MILES MP**  
Minister for Environment and  
Heritage Protection and  
Minister for National Parks and  
the Great Barrier Reef



**JACKIE TRAD MP**  
**DEPUTY PREMIER**  
Minister for Infrastructure, Local  
Government and Planning and  
Minister for Trade and  
Investment



Mr Chris Loveday  
Director  
Impact Assessment and Operational  
Support  
Department of Environment and  
Heritage Protection  
GPO Box 2454  
BRISBANE QLD 4001

Date: 11 May 2017  
EPBC Ref: 2017/7939  
EPBC contact: s. 22(1)(a)(ii)  
s. 22(1)(a)(ii)  
s. 22(1)(a)(ii) @environment.gov.au

Dear Mr Loveday

### **Invitation to comment on referral Toondah Harbour Development**

I am writing to you, as the delegated contact for the Queensland Minister for Environment and Heritage Protection, the Hon Dr Steven Miles MP, in relation to consultation on actions being assessed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

We have received a referral of a proposed action from Walker Group Holdings Pty Limited to undertake the Toondah Harbour Development project and associated activities located at Moreton Bay, Queensland, for consideration under the EPBC Act.

We are currently undertaking an assessment to decide whether this proposed action requires approval under the EPBC Act before it can proceed. The referral may be viewed or copied from the Department's website, [www.environment.gov.au/epbc](http://www.environment.gov.au/epbc).

As a delegate of the Minister for the Environment and Energy, I am writing to invite you to provide any relevant information as to whether you consider the proposed action is likely to have a significant impact on any of the matters protected under the EPBC Act.

In addition, we would be grateful if you could provide the Department with your views on the assessment approach you believe is appropriate to assess the impacts of the project, in the event that it is determined to be a 'controlled action'.

In particular, we would appreciate your advice as to whether the proposal should be assessed at the state level, using one of the processes agreed under the bilateral agreement with the Commonwealth.

In accordance with the EPBC Act, we need to receive your response by 25 May 2017. Please quote the title of the action and EPBC reference, as shown at the beginning of this letter, in any correspondence. You can send information to the Department:

by letter s. 22(1)(a)(ii)  
Queensland Major Projects Section  
Assessments (Qld, Tas, Vic) & Policy Implementation Branch  
Department of the Environment and Energy  
GPO Box 787  
CANBERRA ACT 2601

by email **s. 22(1)(a)(ii)** @environment.gov.au

If you have any questions about this process, please contact **s. 22(1)(a)(ii)** and quote EPBC 2017/7939.

For your information, the Department has published an *Environmental Impact Assessment Client Service Charter* (the Charter) which outlines the Department's commitments when undertaking environmental impact assessments under the EPBC Act. A copy of the Charter can be found at: <http://www.environment.gov.au/epbc/publications/index.html>.

Yours sincerely

**s. 22(1)(a)(ii)**

**s. 22(1)(a)(ii)** **s. 22(1)(a)(ii)**

Director  
Referrals Gateway  
Data and Information Management Section

s. 22(1)(a)(ii)

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**From:** BLUMKE Peter [mailto:Peter.Blumke@ehp.qld.gov.au]  
**Sent:** Monday, 22 May 2017 3:50 PM  
**To:** s. 22(1)(a)(ii) <s. 22(1)(a)(ii) @environment.gov.au>  
**Subject:** Invitation to comment on referral: Toondah Harbour Development EPBC 2017/7939

Hi <sup>s. 22(1)(a)(ii)</sup>

I write in response to your letter dated 11 May 2017 requesting advice on whether the above action will be assessed in a manner described in Schedule 1 of the Bilateral Agreement under section 45 of the *Environment Protection and Biodiversity Conservation Act 1999*.

I advise the proposal will not be assessed using the EIS process in chapter 3 of the *Environmental Protection Act 1994*. I have attached a scanned copy of this advice to this email. You will receive the original letter through the post.

If you have any queries about the letter, please contact Chris Loveday on (07) 3330 5598.

Kind regards, Peter



**Peter Blumke**  
**Technical Support | Regulatory Capability and Customer Service Branch**  
Department of Environment and Heritage Protection  
-----  
P 07 3330 5599  
Level 9, 400 George Street, Brisbane  
GPO Box 2454, Brisbane QLD 4001  
[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

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Queensland  
Government

Department of  
**Environment and  
Heritage Protection**

Ref CTS 101/0003868-005

22 May 2017

s. 22(1)(a)(ii)

Queensland Major Projects Section  
Assessments (Qld, Tas, Vic) & Policy Implementation Branch  
Department of the Environment and Energy  
GPO Box 787  
CANBERRA ACT 2601

Dear ~~s. 22(1)(a)(ii)~~ ~~s. 22(1)(a)(ii)~~

**Invitation to comment on referral EPBC 2017/7939 – Toondah Harbour Development, Qld**

Thank you for your letter dated 11 May 2017 requesting advice on whether the above action will be assessed in a manner described in Schedule 1 of the Agreement between the Commonwealth of Australia and the State of Queensland (the Bilateral Agreement) developed under Section 45 of the *Environment Protection and Biodiversity Conservation Act 1999*.

I advise the proposal will not be assessed using the EIS process in chapter 3 of the *Environmental Protection Act 1994*.

The Department of State Development has reviewed the referral documentation and advised that the Coordinator-General has not received a request for declaration of this proposal as a coordinated project under Part 4 of the *State Development and Public Works Organisation Act 1971*.

The Department of Infrastructure, Local Government and Planning has not advised that the proposed development will be assessed under Chapter 9, Part 2 of the *Sustainable Planning Act 2009*.

Should you have any further enquiries, please contact me on telephone (07) 3330 5598.

Yours sincerely

s. 47F(1)

Chris Loveday  
**Director, Impact Assessment and Operational Support**



**THE HON JOSH FRYDENBERG MP**  
**MINISTER FOR THE ENVIRONMENT AND ENERGY**

MS17-000774

The Hon Jackie Trad  
Queensland Deputy Premier and  
Minister for Infrastructure and Planning  
PO Box 15009  
CITY EAST QLD 4002

08 JUN 2017

Dear Deputy Premier *Jackie*

I am writing to advise you of my decision on the referral of the proposed action, to develop a mixed use residential, commercial, retail and tourism precinct including new ferry terminals and a marina at Toondah Harbour, 30 km south of Brisbane.

As the Minister for the Environment and Energy, I have decided under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) that the proposed action is a controlled action and, as such, it requires assessment and a decision about whether approval for it should be given under the EPBC Act.

I note that the footprint of the proposed development is substantially within the Moreton Bay Ramsar wetland site and includes the permanent removal of an area of the wetland though the excavation of a marina and the approximately 40 hectares of land reclamation. The ecological character of this wetland is nationally and internationally protected under the Convention on Wetlands of International Importance (the Ramsar Convention).

The information that I have considered indicates that the proposed action is likely to have a significant impact on wetlands of international importance, and nationally listed threatened species and migratory species. A copy of the document recording this decision is enclosed.

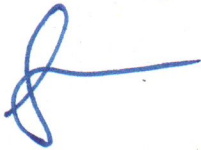
Although I have decided that the proposed action will be assessed under the EPBC Act, I note that significant challenges remain in regard to the approval of this project. In particular, the requirement, under section 138 of the EPBC Act, that when deciding whether or not to approve the taking of an action, I must not act inconsistently with Australia's obligations under the Ramsar Convention. I would expect the more detailed environmental impact assessment process will consider these issues as well as other likely impacts of the proposal.

At this stage, a decision has not been made on the approach that must be used to assess the project. I have asked officials of the Department of the Environment and Energy to liaise with Queensland officials to determine whether this project can be assessed under the bilateral agreement between Queensland and the Commonwealth.

Questions about the referral process or this decision can be directed to the project manager, s. 22(1)(a)(ii) s. 22(1)(a)(ii) [l@environment.gov.au](mailto:l@environment.gov.au), telephone s. 22(1)(a)(ii)

I have also written to Queensland Minister for Environment and Heritage Protection, the Hon Steven Miles MP, to advise him of my decision.

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized 'J' followed by a horizontal line that extends to the right.

Josh Frydenberg





**THE HON JOSH FRYDENBERG MP**  
**MINISTER FOR THE ENVIRONMENT AND ENERGY**

MS17-000774

08 JUN 2017

The Hon Dr Steven Miles  
Minister for Environment and Heritage Protection  
GPO Box 2454  
BRISBANE QLD 4001

Dear Minister 

I am writing to advise you of my decision on the referral of the proposed action, to develop a mixed use residential, commercial, retail and tourism precinct including new ferry terminals and a marina at Toondah Harbour, 30 km south of Brisbane.

As the Minister for the Environment and Energy, I have decided under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) that the proposed action is a controlled action and, as such, it requires assessment and a decision about whether approval for it should be given under the EPBC Act.

I note that the footprint of the proposed development is substantially within the Moreton Bay Ramsar wetland site and includes the permanent removal of an area of the wetland though the excavation of a marina and the approximately 40 hectares of land reclamation. The ecological character of this wetland is nationally and internationally protected under the Convention on Wetlands of International Importance (the Ramsar Convention).

The information that I have considered indicates that the proposed action is likely to have a significant impact on wetlands of international importance, and nationally listed threatened species and migratory species. A copy of the document recording this decision is enclosed.

Although I have decided that the proposed action will be assessed under the EPBC Act, I note that significant challenges remain in regard to the approval of this project. In particular, the requirement, under section 138 of the EPBC Act, that when deciding whether or not to approve the taking of an action, I must not act inconsistently with Australia's obligations under the Ramsar Convention. I would expect the more detailed environmental impact assessment process will consider these issues as well as other likely impacts of the proposal.

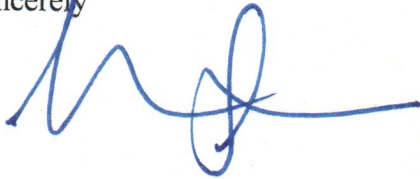
At this stage, a decision has not been made on the approach that must be used to assess the project. I have asked officials of the Department of the Environment and Energy to liaise with

Queensland officials to determine whether this project can be assessed under the bilateral agreement between Queensland and the Commonwealth.

Questions about the referral process or this decision, can be directed to the project manager, s. 22(1)(a)(ii), by email to s. 22(1)(a)(ii) |@environment.gov.au, or telephone s. 22(1)(a)(ii) s. 22(1)(a)(ii)

I have also written to Queensland Deputy Premier, the Hon Jackie Trad, to advise her of my decision.

Yours sincerely



Josh Frydenberg



Deputy Premier  
Minister for Transport and  
Minister for Infrastructure and Planning

Document 6

Our ref: MC17/2942

Your ref: MS17/000774

1 William Street  
PO Box 15009 City East  
Queensland 4002 Australia  
Telephone +61 7 3719 7100  
Email [deputy.premier@ministerial.qld.gov.au](mailto:deputy.premier@ministerial.qld.gov.au)

ABN 90 856 020 239

- 6 JUL 2017

The Honourable Josh Frydenberg MP  
Minister for the Environment and Energy  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Dear Minister

*Josh,*

Thank you for your letter of 8 June 2017 about your decision to declare the Toondah Harbour project a controlled action, under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999*.

I understand officers of Economic Development Queensland within the Department of Infrastructure, Local Government and Planning, in conjunction with the Department of Environment and Heritage Protection are now working with your department to address these important environmental issues.

If you require further information, I encourage you to contact Mr Matt Collins, Chief of Staff in my office on (07) 3719 7100.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jackie Trad'.

**JACKIE TRAD MP**  
**DEPUTY PREMIER**  
**Minister for Transport and**  
**Minister for Infrastructure and Planning**



**THE HON JOSH FRYDENBERG MP**  
**MINISTER FOR THE ENVIRONMENT AND ENERGY**

MS17-000835

04 AUG 2017

The Hon Steven Miles MP  
Minister for Environment and Heritage Protection  
GPO Box 2454  
BRISBANE QLD 4001

Dear Minister 

I am writing further to my recent letter notifying you of my controlled action decision for the proposed Toondah Harbour development (EPBC 2017/7939). I am writing to you as the Queensland Minister responsible for the management of the Moreton Bay Ramsar wetland as well as the Moreton Bay Marine Park (which shares a largely similar footprint).

In that letter, I mentioned that there are significant challenges relating to the approval of this project. These relate to the proposal being located substantially within the Moreton Bay Ramsar wetland boundary and my obligations, under s.138 of the *Environment Protection and Biodiversity Conservation Act 1999*, not to act inconsistently with Australia's obligations under the Ramsar Convention. Under the Ramsar Convention, Australia has a responsibility to maintain or enhance the ecological character of its Ramsar-listed wetlands.

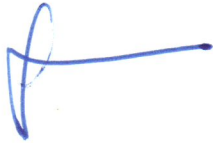
I am now writing to seek your agreement to Queensland working with the Commonwealth to inform the development of proposals to ensure that the proposed Toondah Harbour development can maintain the ecological character of the Moreton Bay Ramsar wetland.

One option that may arise is for a case to be developed to amend the boundary of the Ramsar wetland. To meet Australia's obligations under the Ramsar Convention, any such proposal is required to demonstrate that the change is in the 'urgent national interest', and that additional areas of compensatory habitat could be included in a revised boundary. Such a proposal would need to be substantial in terms of scale (hectares to be protected), quality (of new protected habitat), management (such as measures to minimise threats to migratory birds), and could include proposals to enhance public awareness of the ecological values of the site (such as an interpretive centre). Any proposed boundary change would need to have a clear benefit to the ecological character of the wetland as a whole.

I have asked officers of the Ramsar Administrative Authority, in the Department of the Environment and Energy, to provide information to and cooperate with Queensland officials to allow these matters to be fully considered. Any proposed case would need to be assessed and endorsed by Queensland, as the property manager, prior to submission to the Commonwealth. Through this process, I would expect that Commonwealth officials would provide advice to Queensland on the capacity of any developed proposals to fully address Australia's international obligations, in advance of any case being presented for my consideration.

Questions about this process can be directed in the first instance to Mr David Papps, the Ramsar Administrative Authority, by email: [David.Papps@environment.gov.au](mailto:David.Papps@environment.gov.au) or phone: 02 6275 9245.

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized 'J' followed by a horizontal line that ends in a small dot.

JOSH FRYDENBERG



Hon Dr Steven Miles MP  
Minister for Environment and Heritage Protection and  
Minister for National Parks and the Great Barrier Reef

Ref CTS 22263/17

1 William Street Brisbane Qld 4000  
GPO Box 2454 Brisbane  
Queensland 4001 Australia  
Telephone +61 7 3719 7330  
Email [environment@ministerial.qld.gov.au](mailto:environment@ministerial.qld.gov.au)

25 AUG 2017

The Honourable Josh Frydenberg MP  
Minister for the Environment and Energy  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Dear Minister 

Thank you for your letter of 4 August 2017 concerning the proposed Toondah Harbour development.

The Queensland Government will continue to work with the Australian Government on the maintenance and enhancement of its Ramsar sites, including Moreton Bay. Specifically, the Department of Environment and Heritage Protection will work with the Australian Government to inform the assessment of the proposal with respect to the maintenance of the ecological character of the Bay's Ramsar-listed wetland.

You may be aware that the Queensland Government is working with the proponent to provide technical information on the Moreton Bay Ramsar site. Additionally, the department has prioritised updating of the Moreton Bay Ramsar Information Sheet to ensure the most accurate information is available on the site's ecological character. The first draft of this information will be provided to the Australian Department of the Environment and Energy for initial review in the near future.

Finally, the Queensland Department of Environment and Heritage Protection will await further information from the Australian Government regarding any boundary amendment proposal associated with the Toondah Harbour, and acknowledges that any such amendment needs to be in the "urgent national interest".

Any questions in relation to this letter should be directed to Ms Danielle Cohen, Chief of Staff in my office on (07) 3719 7330.

Yours sincerely

A handwritten signature in black ink, appearing to be "S Miles".

**DR STEVEN MILES MP**  
**Minister for Environment and Heritage Protection and**  
**Minister for National Parks and the Great Barrier Reef**



MC17-017166

Mr Jim Reeves  
Director General  
Queensland Department of Environment and Heritage Protection  
400 George Street  
BRISBANE QLD 4000

Dear Mr Reeves

I write in response to the Hon Steven Miles MP's letter of 25 August 2017 to the Minister for the Environment and Energy, the Hon Josh Frydenberg MP, concerning the Toondah Harbour Development (EPBC 2017/7939). The Minister has passed the letter to me for reply in my role as the Ramsar Administrative Authority for Australia.

I note that the Queensland Government is working with the proponent to identify relevant technical information on the Moreton Bay Ramsar site and is separately prioritising the updating of the Moreton Bay Ramsar Information Sheet.

On 27 July 2017, my colleague, Mr Mark Taylor met with officers from the Queensland Department of Environment and Heritage Protection, Queensland Department of Infrastructure, Local Government and Planning (including Mr Greg Chemello, General Manager, Economic Development Queensland) and representatives of Walker Group to discuss requirements under the Ramsar Convention relating to the Moreton Bay Ramsar site. At this meeting, the Queensland Government officials were provided with copies of the Ramsar Convention and relevant convention resolutions that must be taken into account in any consideration of a development that may impact on a listed Ramsar wetland.

These documents set out the full requirements for site managers in developing either a case for boundary change, or for considering mitigation strategies, including the possibility of compensatory habitat, and included:

- requirements to notify the Administrative Authority if a listed Ramsar wetland has changed, is changing or is likely to change as the result of technological developments, pollution or other human interference (Ramsar Convention Article 3.2);
- the right of a Contracting Party, because of its urgent national interests, to delete or restrict the boundaries of a listed wetland (Ramsar Convention Article 2.5);
- where a boundary is restricted in the urgent national interest, the requirement for compensation for any loss of wetland resources (Ramsar Convention Article 4.2);
- general guidance for interpreting "urgent national interests" and guidance on compensation (Resolution VIII.20);
- guidelines for avoiding, mitigating and compensating for wetland losses (Resolution XI.9);
- guidance on Environmental Impact Assessment (Resolution X.17); and
- processes for responding to change in wetland ecological character (Resolution X.16).

In Australia, it is the responsibility of the site manager (in this case, the Queensland Government) to consider how to manage the site to maintain its ecological character. The site manager is responsible for advising Australia's Ramsar Administrative Authority if the ecological character of a listed site has changed, is changing or is likely to change due to human interference. Human interference includes urban development.

Any restrictions or deletions to the Ramsar site would need to be proposed by the jurisdiction responsible for nominating the Ramsar site (in the case of the Moreton Bay Ramsar site, the Queensland Government) and must include a justification that it is in the urgent national interest. As Ramsar Administrative Authority, I will advise the Commonwealth Minister for the Environment on whether such justification meets the requirements of "urgent national interest" under the Ramsar Convention.

The final decision on the project and any boundary change is made by the Commonwealth Minister for the Environment.

If, after assessment, it is decided that the ecological character is changing or likely to change then the site manager will need to develop a response strategy and the Administrative Authority notifies the Ramsar Secretariat. This notification will be reported to, and discussed at, the next Ramsar Conference of the Parties.

The contact officer for this matter is Mr Mark Taylor, Assistant Secretary in the Commonwealth Environmental Water Office, at [mark.taylor@environment.gov.au](mailto:mark.taylor@environment.gov.au) or on [s. 47F\(1\)](#)

Yours sincerely

[s. 47F\(1\)](#)

David Papps  
Ramsar Administrative Authority for Australia

15 September 2017





Department of  
**Environment and  
Heritage Protection**

Our ref: CTS 21526/16 and referral EPBC 2015/612

25 AUG 2016

Dr Gordon de Brouwer  
Secretary  
Department of the Environment and Energy  
GPO Box 787  
CANBERRA ACT 2601

Dear Dr de Brouwer

### **EPBC 2015/612 – Toondah Harbour revitalisation Project**

I refer to the letter of 12 August 2016 from the Honourable Jackie Trad MP, Queensland Government Deputy Premier and the Honourable Dr Steven Miles MP, Minister for Environment and Heritage Protection to the Honourable Josh Frydenberg MP, Minister for the Environment and Energy.

That letter confirmed the Queensland Government's support for the revitalisation of Toondah Harbour near Brisbane, and our government's support for your Minister to declare the Walker Group Holdings Pty Ltd project proposal at this site as a Controlled Action under the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* (EPBC Act).

I am writing as a follow up to that correspondence to provide further information to your Department to assist in preparing your advice to your Minister on this matter.

The Queensland Government's support for this important project is of course contingent upon a rigorous assessment of environmental impacts by both Commonwealth and State Governments, and compliance with all necessary and appropriate environmental requirements and controls.

As the part of the project is within the Moreton Bay Ramsar site, it has been referred to your Minister by Walker under the EPBC Act (referral EPBC 2015/612). I note that the Ministerial decision on this referral has been suspended a number of times since December 2015 and is now expected on 2 September 2016.

In 2013, Toondah Harbour was declared a Priority Development Area (PDA) under the *Economic Development Act 2012* by the former Queensland Government. This declaration was at the request of the Redland City Council to accelerate and support employment and economic growth in the Redlands area by providing opportunities for new residential, tourism and retail development as well as revitalisation of the existing ferry terminal area and the creation of more public open space. **The PDA area includes approximately 0.05% of the Moreton Bay Ramsar wetland area.**

The existing ferry terminal facilitates more than a million passenger and 200,000 vehicle movements annually between the mainland and North Stradbroke Island, and has not been upgraded since it was built in the 1970s. The terminals are at capacity with urgent need for expansion, additional car parking and upgrades to operational and customer infrastructure. The swing basin and channel require regular dredging due to siltation and need to be deepened and widened to support existing and future capacity.

A fundamental upgrade is required to minimise user conflicts, improve safety, ensure minimal impact to the environment and cater for the future growth of the ferry terminals and associated car parking in line with the expected tourism growth.

Further, the State has recently passed legislation to cease sand mining on North Stradbroke Island to honour the Indigenous Land Use Agreement made with the Quandamooka People. To transition the island community, an economic transition strategy has been prepared, outlining funding opportunities for workforce retraining and employment and providing suitable mainland infrastructure to support the aspiration of the Quandamooka people and broader community for the growth of sustainable tourism industry. 18% of local workers on the island are employed in mining; a targeted economic strategy is necessary to ensure ongoing employment opportunities for these workers after 2019.

**The redevelopment of Toondah Harbour in the next few years therefore has unique significance; the revitalisation of marine transport infrastructure and tourism facilities, services and infrastructure is fundamental to ensure the successful economic, social and cultural transition of North Stradbroke Island and to provide a resilient ecotourism-based future for the Quandamooka People and other island residents in place of sand mining.**

In 2014, the State and Council publicly tendered the development rights over government land in the PDA with Walker being identified as the Preferred Proponent. We believe that Walker's project proposal is of national economic, social and cultural importance as it would support over 1,000 jobs per annum over a 15-20 year construction phase and give rise to an estimated \$1.39 billion in direct benefits and \$2.33 billion in indirect benefits, with Gross Regional Product benefiting by \$34.8 million per annum.

When completed, the project would provide over 500 direct jobs per annum across on-site office, retail, hotel and other sectors. Preliminary estimates of the broader impact on the tourism industry show that an extra 49,300 visitors will be brought to the region, staying 90,580 visitor nights and generating an estimated additional visitor expenditure of \$21.64 million per annum, which will support a further 500 jobs in the region.

Walker's proposal will deliver \$116 million of new and upgraded infrastructure for the local community at no cost to ratepayers or taxpayers, including dredging and widening of the Fison Channel, new terminals for passenger and car ferries, new ticketing and information centre, bus interchange, new public car park facilities with additional capacity to support the ferry terminals, retail and residential development. This will enable Toondah Harbour to continue and expand its operations to meet future tourism demands. A new public waterfront urban plaza with contiguous waterfront boardwalk promenade and creation of significant additional public open space with new facilities, walk and cycle ways and upgrades to existing parkland will enhance the lifestyle of the community and improve facilities and access to the bay.

I understand that a key issue in your advice in relation to the potential declaration of the project as a Controlled Action under the EPBC Act is the potential impacts on the Ramsar Wetlands.

The Moreton Bay Ramsar site includes wetlands on North Stradbroke Island such as 18 Mile Swamp which has been threatened at times by sand mining. Indeed, I understand that many Ramsar referrals to the Australian Government in Queensland are related to sand mining on North Stradbroke Island. **The State's commitment to close sand mining on the island will eliminate these threats to the Moreton Bay Ramsar site from 2019 and beyond.**

Moreton Bay was listed as a Ramsar site by the Australian Government in 1993 following recommendation by the then Queensland Government. The Queensland Government is responsible for day-to-day management of the site and preparation of formal Ramsar documentation including Ramsar Information Sheet which sets out the ecological character of the site and its boundary.

In defining a proposed boundary in the early 1990s, a number of assumptions were made by the then governments regarding future use and development patterns in and around the Bay. It is now recognised that the Ramsar boundary actually includes the existing regularly-dredged swing basin and public navigation channel. In hindsight, this area should have been excluded from the Ramsar Wetland consistent with other areas subject to historical disturbance or identified for future development for public infrastructure that were excluded such as Brisbane Airport and the equivalent harbour at Dunwich (on North Stradbroke Island).

There is also an area excised from the Ramsar site that adjoins the PDA directly south. This was probably intended to cover the then understanding of future port operations or a development proposal at the time. **These historical mapping anomalies are now compromising the revitalisation of Toondah Harbour and potentially threatening the realisation of the vital re-orientation of the North Stradbroke Island economy, community and environment from sand mining to ecotourism.**

The State understands that, as a Contracting Party, the Australian Government can elect to invoke its sovereign right under Article 2.5 of the Ramsar Convention to restrict the boundary of a wetland included in the 'List of Wetlands of International Importance' if such a restriction is considered by that Party to be in the "urgent national interest". **We suggest that it is in the urgent national interest to successfully revitalise Toondah Harbour in the next few years in an environmentally sensitive manner to ensure that North Stradbroke Island transitions into a resilient ecotourism-based future community within a sensitive marine environment.**

In Australia, impacts on Ramsar listed sites have primarily related to changes to the ecological character of the site, notably in the Murray/Darling system. However, overseas examples of urgent national interest requiring changes to a Ramsar site boundary include highway development in Norway, thermal energy supplies in Iceland and flood prevention works in the United Kingdom.

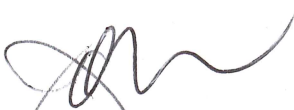
I acknowledge that Article 4.2 of the Convention states that "Where a Contracting Party in its urgent national interest deletes or restricts the boundaries of a wetland included in the List, it should as far as possible compensate for any loss of wetland resources". This may be for example, through the creation of new nature reserves for waterfowl in the same area, elsewhere, or an adequate portion of the original habitat.

**As the Ramsar Wetland manager, the State is best placed to work with your Department to consider potential boundary adjustments to the Moreton Bay Ramsar Wetlands to reflect the contemporary ecological values and economic requirements of the harbour area, and provide a broader net gain in Ramsar protection through both additional areas and the elimination of sand mining.**

A preliminary review of sites within or adjoining the Moreton Bay Marine Park that are currently excluded from the Ramsar Wetlands has identified several large sites that may well meet Ramsar requirements and could be made available to provide a net gain for the Moreton Bay Ramsar site in both size and quality.

Clearly, there is much work to be done by both the State and Australian Governments to jointly investigate this more fully. In the State's view, this can best be achieved through a Controlled Action determination by your Minister that will allow this important project to proceed to the EIS stage. This will enable the issues of impacts and offsets to be better understood and assessed in a considered, scientific and evidence-based manner and in accordance with the Bilateral Agreement that exists between us for the assessment of such projects on their merits.

Yours sincerely



Jim Reeves  
**Director-General**



## Australian Government

### Department of the Environment and Energy

Dean Knudson

Deputy Secretary

Ref: EC16-000906

Mr Jim Reeves  
Director-General  
Department of Environment and Heritage Protection  
GPO Box 2454  
Brisbane QLD 4001

Dear Mr Reeves *Jim*

Thank you for your letter of 25 August 2016 concerning the proposed development at Toondah Harbour, Cleveland.

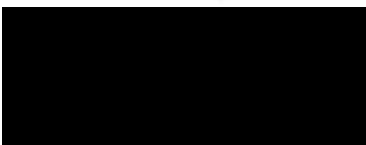
I note the matters raised in your letter including the history of the area of the proposed development, the listing of the Moreton Bay Ramsar site and the declaration of Toondah Harbour as a Priority Development Area under the State *Economic Development Act 2012*.

As you know, this proposal was referred in December 2015 under the *Environment Protection and Biodiversity Conservation Act 1999*. The referral area includes approximately 138.9 hectares contained within the Moreton Bay Ramsar site, which is listed under the Convention on Wetlands of International Importance. The proposal was referred on the basis that it will have significant impacts on the Ramsar site, and on nationally listed threatened species and migratory species.

The Australian Government will consider this proposal carefully, in accordance with the requirements of the EPBC Act. Recently, at the request of the proponent, the timeframe for a decision on whether the proposal is a 'controlled action' was extended until 5 December 2016.

My Department will continue to keep state agencies appropriately informed about decisions on this proposal under the EPBC Act.

Yours sincerely



Dean Knudson  
*24* October 2016