

Sustainable Ports Development Act 2015

Report on public consultation

Review of inner harbour capital dredging for the Port of Cairns

Queensland | Australia | 2020



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1. Background

1.1 Review of *Sustainable Ports Development Act 2015* capital dredging provisions for the Port of Cairns

The *Sustainable Ports Development Act 2015* (Ports Act) provides a legislative framework for sustainable port development in Queensland and implementing the government's key port-related commitments and other actions of the *Reef 2050 Long-Term Sustainability Plan* (Reef 2050 Plan). Restrictions on capital dredging form part of these requirements and commitments.

For the Port of Cairns, the Ports Act includes specific provisions (section 35(2)(b) and (3)) that allows the carrying out of limited capital dredging for a port facility within the inner harbour of the Port of Cairns. Up to 50,000 cubic metres of material can be approved to a limit of no more than 150,000 cubic metres of material in a 4-year period.

The Ports Act also includes provisions (section 38) that require a review of sections 35(2)(b) and (3) to be completed (the review) within four years after its commencement.

1.2 The review

This review was undertaken to fulfil the requirements of section 38 of the Ports Act. The review is specific to, and limited by, sections 38(2) and 35(2)(b) and (3) of the Ports Act. The review only relates to new capital dredging activities within the inner harbour of the Port of Cairns.

Matters relating to dredging in general, capital dredging approved prior to the commencement of the Ports Act, maintenance dredging, dredging outside the Port of Cairns inner harbour, or at other ports are beyond the scope of the review.

1.3 Purpose

Under section 45 of the Ports Act, the Queensland Government is required to keep a register of matters raised in submissions made about the review during public consultation.

This report provides information on public consultation activities undertaken for the review during the public consultation period from 3 December 2019 to 7 February 2020.

The purpose of this consultation report is to meet the requirements of section 45 of the Ports Act by providing a summary of the matters raised in submissions received during the public consultation period.

2. Public consultation program

2.1 Consultation approach

The commencement of the review was notified on 3 December 2019 with the public consultation period extending from that date to 7 February 2020.

A public consultation program was delivered to meet the requirements of the Ports Act and included a range of communication and stakeholder engagement activities to raise community awareness of the scope and process, and provide the opportunity to comment on the review.

2.1.1 Notification of review commencement

In accordance with the Ports Act and to ensure the community was well-informed about the commencement of the review, the following notification activities were undertaken on 3 December 2019:

- A range of information was published on the Department of Transport and Main Roads (TMR) website (<https://www.tmr.qld.gov.au/SustainablePorts-Cairns>), including a fact sheet about the review; a fact sheet on how to make a submission; public notice advertisement; and contact details for readers seeking information.
- Public notice advertisements were printed in The Cairns Post, The Australian and The Courier-Mail newspapers, detailing that the Minister had initiated the review and details about the public consultation period.
- An extraordinary Gazette Notice was issued.
- Emails were sent to stakeholders from a database of subscribers announcing the commencement of the review, providing information on how to make a submission, and the project team's contact details.

2.1.2 Access to information about the review

Information about the review was made available through:

- the TMR website (<https://www.tmr.qld.gov.au/SustainablePorts-Cairns>)
- the Queensland Government Get Involved website (<https://www.getinvolved.qld.gov.au/gi/consultation/7200/view.html>)
- printed copies of documents at public information sessions and during stakeholder meetings.

2.1.3 Community information sessions

Two community information sessions were held during the public consultation period where departmental officers and officers from the Far North Queensland Ports Corporation Limited (Ports North) were available to talk to the community about the review. The information sessions provided members of the public an opportunity to speak directly with officers either one-on-one, or in small groups, and discuss topics relating to the review.

The details of the public information sessions were advertised in The Cairns Post on 7 December 2019, and on 18 January 2020.

The two community information sessions were held on:

- 10 December 2019 at the Shangri-La Hotel in Cairns between 5pm and 7pm. Four community members attended
- 21 January 2020 at the Shangri-La Hotel in Cairns between 5pm and 7pm. Two community members attended.

2.1.4 Industry information sessions

Two industry information sessions were held during the public consultation period where departmental officers and officers from Ports North were available to talk to the business community about the review. The information sessions provided industry stakeholders an opportunity to speak directly with officers either one-on-one, or in small groups, and discuss topics relating to the review.

The details of the public information sessions were advertised in The Cairns Post on 7 December 2019, and on 18 January 2020. Industry stakeholders were emailed an invitation to attend the information sessions.

The two industry information sessions were held on:

- 10 December 2019 at the Shangri-La Hotel in Cairns between 2pm and 4pm. Two people from local businesses and organisations attended
- 21 January 2020 at the Shangri-La Hotel in Cairns between 2pm and 4pm. Five people from local businesses and organisations attended.

On 21 January 2020 TMR Officers were invited to attend a meeting of the Cairns Port Advisory Group to brief the group on the review and provide information about how to make a submission. The Cairns Port Advisory Group meeting was attended by a variety of port/marine industry and government stakeholders.

2.1.5 Website statistics

During the public consultation period, TMR's website analytics showed that there were:

- 216 unique website views
- 24 downloads of the review information fact sheet
- 15 downloads of the review have your say fact sheet.



3. Submissions

3.1 Submission summary

Twelve (12) submissions were received during the public consultation period, from a range of stakeholder groups and individuals:

- Two (2) submissions from individual community members
- Two (2) submissions from environmentally focussed groups and peak environmental bodies
- Four (4) submissions from industry
- One (1) submission from an economic development representative organisation
- One (1) submission from a peak industry body
- One (1) submission from a local community group
- One (1) submission from a local government

A table showing the range of matters raised by submitters is provided below.



3.2 Themes of consultation and responses

A range of matters were raised in the submissions. These were categorised into main common themes. The themes identified in the table below have been ordered based on the number of submissions that raised them.

| Theme | Sub-theme (if any) | Raised in submissions |
|--|--|-----------------------|
| Balancing economic development, social outcomes and protection of the Great Barrier Reef (environment) | | 9 |
| The current condition and trend of the Great Barrier Reef | | 2 |
| Marine park boundaries | | 1 |
| Whether or not the Port of Cairns should be a priority port | Supportive of priority port status | 9 |
| | Not supportive of priority port status | 2 |
| Reducing legislative restrictions on capital dredging | About the quantum allowed to be dredged | 10 |
| | To allow capital dredging of the outer channel | 4 |
| | To allow capital dredging for/at Port of Mourilyan | 1 |
| Maintaining the established restrictions on capital dredging | | 2 |
| The workability/practicality of the provisions under review and their application | | 2 |
| The need for evidence-based regulation applying to dredging | | 4 |
| Matters relating to the HMAS Cairns | Expansion of facilities at the HMAS Cairns | 9 |
| | Approval processes for any dredging required by HMAS Cairns | 6 |
| Submissions noting that the provisions subject to the review have not been utilised | | 4 |
| The adequacy of the established Queensland and Australian Government regulatory frameworks that apply to dredging in addition to the Ports Act | | 7 |
| Placement of dredged material | | 3 |
| Submissions about the Cairns Shipping Development Project generally, including design and quantum of dredging | | 2 |
| Submissions about the timing of the review | In relation to Ports North's master planning activities for the Port of Cairns | 7 |
| | About the release of the business case for the Cairns Shipping Development Project | 2 |
| | About formal completion and/or conclusion of shipping simulation studies for the Cairns Shipping Development Project | 3 |
| | In relation to undertaking public consultation for the review over the Christmas/New Year with and school holiday period | 1 |
| Requests for additional/future reviews | | 4 |
| The advantages of sea freight/transport of other bulk transport methods including the potential to reduce carbon emissions | | 3 |

All submissions received were analysed and considered during preparation of the review report.

