TOWNSVILLE OCEAN TERMINAL

ENVIRONMENTAL IMPACT STATEMENT SUBMISSION RESPONSE

RESPONSE TO QUEENSLAND TRANSPORT

August 2008

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QUEENSLAND TRANSPORT

Note: This submission response document has been prepared by means of duplicating the individual submission received and inserting response clauses where relevant.

1.1 Amenity Issues

1.1.1 **Potential Port Impacts and Mitigation Measures** - EIS 4.15.2

The EIS contains the following Statement: "The port enjoys significant levels of goodwill from the vast majority of the residential population in Townsville and therefore, the political risk of complaint induced regulatory or legislative change is under present circumstances unlikely."

It is requested that this statement be removed. There is always the potential for the community to take issue with the port over its operations as has happened in at least one other Queensland Port recently that had enjoyed a good relationship with the community for many years. QT will always reserve the right to seek a legislative fix where it is in the interests of the State.

RESPONSE

The statement in question cannot be removed from the document which has already been released. The Proponent nevertheless understands QT's position.

The Proponent believes the Townsville Port Authority is to be commended for its efforts to improve the environment within the Port. The successfulness of the Ports efforts are confirmed by the EIS and the Supplementary Reports which indicate that the Port and its various operators are (in the main) operating within the applicable standards. This combined with the fact that the Port is increasing its through put each year and therefore contributing to the overall prosperity in the region is what is driving the current level of goodwill.

The Community will, nevertheless, expect the Port Authority to maintain this commitment to environmental improvement and to pursue further improvement over time. The track record of the Port Authority clearly leads one to the conclusion that it will maintain its standards and meet any future challenges and consequently the prospects of complaint driven legislation intervention will be very low.

1.1.2 **Noise and Vibration Assessment** - Sections 1.8.3 and 43.2 and 1.3 and 6.1.1.4 of the Supplementary Acoustic Report

The EIS recommends an operational noise management plan to limit ship horn operations at night. This is not an acceptable solution as ships horns are an essential safety device during day and night time operations. Further this is not a decision of the Port Authority as incorrectly stated in 6.1.1.4.

RESPONSE

Noted.

1.1.3 **Supplementary Acoustic Report** - Appendix 17 - 7. Conclusion

Dot point 3 states, "Noise impact for all existing Port activities measured, with the exception of the car-carrier when located at Berth 9 or 10 and the ships horn, are predicted to generally comply with the external design criteria at Breakwater Cove." Dot point 4 states "Noise emissions from the car-carrier at Berth 9 is likely to comply with internal design criteria at Breakwater Cove". The conclusion needs to make a clear statement about compliance with internal design criteria when at berth 10. It is also noted that there is no noise modelling results for berth 10 in Table 10.

RESPONSE

Through the initial Noise report and the Supplementary Report, the proponent sought to demonstrate that the emissions from the Port are not extraordinary and that infrequent exceedances beyond a reasonable standard could be mitigated through appropriate building design measures to be included in the Port Protection Code (PPC). It appears however, that in some quarters, the noise emission investigations have not been sufficient to agree on that conclusion. With this in mind the Proponent sought advice from an independent noise expert – please refer to the report by Ron Rumble at Appendix A6 in Volume 2.

Mr Rumble has confirmed that the range of noise emissions from the Port are manageable and further monitoring at this juncture is not considered to be necessary. Mr Rumble recommends that the focus now should be on drafting the PPC.

The Proponent therefore maintains its view that noise emissions from the Port are manageable.

1.1.4 **Air Quality Assessment - Appendix 15** -Executive Summary -- Page IX

The EIS appears to be recommending changes to port operations and procedures to address the amenity impacts of odour as follows: "With respect to odour impacts from live cattle export at the Port of Townsville, mitigation would involve ensuring cattle ships are berthed for no more that 2 days per year." Also, "It is recommended that the Port Authority be requested to notify the general public in the Townsville area and the Project Body Corporate of scheduled cattle export activities and the potential for odour emissions prior to the event." Restricting the berthing of cattle ships to 2 days per year is unrealistic and takes no account of the efficient use of the port. QT also does not believe there should be an obligation on the Townsville Port Authority (TPA) to notify residents when live cattle shipments are scheduled. The TPA is well placed to determine how best to manage its interaction with the community.

The Air Quality Assessment at pages 11, 12 and 13 mentions lead in terms of air quality goals and as a potential pollutant. However there is no analysis or discussion on the impact on residents of the development from emissions as a result of lead exports through the Port. This is a significant issue that should be addressed in the EIS, particularly given recent concerns by the community due to lead emissions in the Port of Esperance.

EIS 5.8 Compliance Status of Monitoring Data -The EIS makes the following Statement: "At this stage the ambient monitoring is programmed to continue until at least the end of October 2007 however it is recommended that the project specific gaseous and particulate monitoring is continued until a full twelve months of data is available". Air quality is QT's major amenity concern. Therefore clarification is sought as to how this additional monitoring will be taken into account in the Coordinator General's report on the EIS.

At 8.5 a table entitled "Maximum Predicted Ground Level Pollutant Concentrations for TOT Operations" is contained in this appendix but there is no discussion on the impact of the emissions. This would appear to be important as the terminal is the closest source of emissions affecting the amenity of the residential development.

Although QT has not sought independent expert advice it is a concern that dust monitoring on the Western Breakwater was only effectively conducted over two months and may not properly represent the amenity impacts of dust on the Breakwater Cove Development. QT also notes that the EIS concentrates on satisfying nuisance criteria for dust set out in EPA legislation (that is, 120mg/m^2/day. While not wishing to undermine EPA nuisance criteria, QT would like it to be noted that dust levels of 30 to 80mg/m^2/day have triggered the current community complaint over rail and port dust in Gladstone. It is noted that these levels have been recorded at the Breakwater monitoring stations.

RESPONSE

In regard to the live cattle exports, the opposition of QT (and the Port Authority) to limit live cattle loading and to giving notice to the community is noted.

The fact remains that the odours associated with live cattle exports affects most of the inner suburbs of Townsville – particularly those close to the coast. Whether the FDA is developed or not, there is already an exceedance and the recommendation in the EIS (perhaps naively) sought to reduce the impact of this activity, by improving community awareness.

Interestingly, although the problem is well known in the Community there has been little or no formal complaints – the Community apparently accepting that this is a necessary consequence of this valuable export industry. Investigations conducted by the Proponent since completing the EIS indicate that the live cattle exports from Townsville have dropped off in recent years and are unlikely to increase in the future. The Proponent felt that informing the Community of this activity might be a useful way to overcome any community concern or criticism being directed at the Port Authority and that it might want to build on its already good relationship with the Community.

Invariable, live cattle loading generates some local media coverage and some comment from the Port Authority about the duration of the activity.

In the absence of an organised community information campaign, the Proponent would seek to inform the residents of Breakwater Cove of the pending visit of a live cattle ship via the Body Corporate. It is noted that this information is available from the Port Authority's website.

The metals content analysis of the deposited dust has been considered following on the analysis of a single round of investigation of the August 2007 deposition sample. The results for the casino carpark station and Jezzine Barrack show the lead content levels were 0.104 and 0.038 mg/m^2/day respectively. Both were well within the acceptable criteria. Further modelling of metals emission from the BHP lead oxide loading facility show that lead concentrations at the TOT Project and other residential areas close to the Port fall well below the Environmental Protection Air Policy criteria.

In regard to the continuing Air Quality Monitoring the Supplementary Air Quality Reports at Appendices A1-A5 in Volume 2 provide the results of this mooted monitoring. This information has been provided to the Coordinator General and it is understood it will be taken into consideration.

The table entitled "Maximum Predicted Ground Level Pollutant Concentrations for the TOT Operations" demonstrated compliance with the relevant Air Quality criteria so the impact of emissions is expected to be minimal.

In regard to the adequacy of the dust monitoring at the Western Breakwater it is clear from the Supplementary Air Quality Reports that the project specific monitoring and the data from monitoring by the TPA and the EPA are complementary and indicate that nuisance dust levels are within the existing guidelines. While the Proponent does not dispute that dust levels in the range of 30 to 80 mg/m^2/day may give rise to complaints it does note that the background dust levels in Townsville as recorded at Jezzine Barracks are within this range. It is also understood that the Gladstone complaints related to coal dust which is more visible than that found in the vicinity of the Port.

1.2 Hazard & Risk Assessment - Appendix 24

The assessment of risk is very thorough in explaining the theory of risk assessment but fails to analyse specific hazardous activities that currently take place within the port other than placing them in a risk register. QT has raised this concern previously with the Department of Infrastructure and Planning.

For example, Section 7.2 of the Hazard and Risk Assessment mentions the unloading of explosives and ammonium nitrate at various berths within the port and states that the berths are closer to the proposed residential development than the "Major Hazard Facilities" within the port. However there is no discussion as to whether the activity poses any risk to residents in the proposed development. Similarly petroleum and noxious chemicals are unloaded at berth 1 for transfer by pipeline to the "Major Hazard Facilities" within the port. But there is no analysis of any risk posed by the location of the berth and the unloading activity. Can it also be confirmed whether berth 1 is itself a "Major Hazard Facility" considering fully laden tankers will be occupying the berth. The facility is not even mentioned in the list of Dangerous Goods Locations in Section 7.1.

If the risk register is all that is to be relied on then further detail needs to be included in the register as to the nature and consequences of the risk. With respect to the current risk register entries, QT also questions the categorisation of "unlikely" against the risk categories of emissions and noise from the port. If this were to be the case, port protection would not be an issue of concern to the State.

RESPONSE

The comments of Queensland Transport in relation to dangerous goods are acknowledged. A report has been completed analysing these risks by Lloyds Register and Hyder Consulting. The report can be found at Appendix A17 in Volume 2.

The report initially formed the view that the existing limits created a risk to public safety in terms of AS3846. This was reviewed with the Department of Mines and Energy (DME). DME provided comments on the interpretation of the Australian Standard and the application of risk in establishing the limits which are acknowledged and accepted by the consultants.

The clarification by the Chief Inspector resolves any overpressure issues for the Townsville Ocean Terminal.

1.3 Boating Facilities

1.3.1 **Construction Interference with Access to Ross Creek Boat Harbour** EIS Section 7 Appendix 5 Appendix D (Route Haulage Maps - Drawing K417) and Section 7 Appendix 6 (bridge details) refer.

The proposed temporary bridge or floating bridge over Ross Creek is located upstream of the two public boat ramps but downstream of QT's two public jetties and downstream of the Townsville Motor Boat Club Marina. This would be a major inconvenience to Marina users and others wishing to access Ross Creek and upstream boating facilities. QT believes the arguments presented in the EIS against barge transfer of construction materials are not convincing.

QT anticipates a strong reaction from users of the Marina, the moorings in the creek and the upstream public jetties should there be long delays in navigating past the temporary bridge. Ongoing consultation with affected parties, including their peak representative bodies, is required for this to be a workable option.

The haulage option which utilises barges to carry material via Ross River is preferred for the purposes of preserving unimpeded navigation in Ross Creek.

The EIS at 4.3.1.3 proposes that passage past the proposed low-level bridge (fixed or floating) is proposed to be aided by waiting pontoons both upstream and downstream. The capacity of the pontoons needs to be quantified taking into account likely usage and delays. Boat traffic in the mornings and late afternoons, particularly Saturdays, is likely to be significant, requiring many boats to be secured while waiting for bridge opening time. Unconstrained navigation past the bridge on Sundays would need to be publicly guaranteed if this option proceeds.

Community notification will be a prerequisite to any temporary navigational closure of Ross Creek and may require Notices to Mariners to be issued by the Harbour Master as well as advertising in local newspapers and specific advice to local government and marine rescue organisations.

RESPONSE

The temporary bridge option has drawn strong reaction from mariners using Ross Creek, so the Proponent has sought an independent review of the haulage route options - refer to the Flanagan Consulting Group report at Appendices A7, A8 and the Hyder Temporary Bridge drawing at A19 in Volume 2.

Flanagan Consulting Group has used a multi criteria analysis to assess the various options as well as a couple of new options suggested in other submissions. They conclude the temporary bridge option represents a reasonable trade off of cost and environmental impacts against the benefit of reduced social impact.

The temporary bridge will have its own "approval" process and it is envisaged that a community awareness campaign will be part of that process. The operation of the bridge will also be the subject of a management plan which deals with issues such as the opening protocol.

As an alternative, a barge option to carry trucks across Ross Creek has been considered by the project Proponent, which would effectively avoid any concerns about the impact of a temporary bridge structure on creek access.

This alternative to the temporary bridge across Ross Creek involves barging the trucks back and forth across the creek to the site. Discussions with the Port and the Regional Harbour Master have confirmed that this option is possible and two barge landing ramp locations have been identified with them and design work has been undertaken to show that the options are viable. The barging option has an advantage over the bridge in that noise on the Strand and Sir Leslie Thiess Drive is minimised.

1.3.2 **Long Term Interference with Access to Ross Creek Boat Harbour Facilities - Future of Ross Creek Boat Harbour** EIS 4.3.1.3

The EIS indicates that a temporary bridge over Ross Creek would be decommissioned approximately three years after commencement of construction. QT is concerned that the EIS is not used to promote the replacement of the temporary bridge with a permanent one without appropriate planning and funding for replacement facilities that are currently upstream of the bridge. For instance, Ross River could be dredged and its foreshore developed to include adequate public boating facilities to cater for increasing boating usage into the future.

RESPONSE

The Proponent is only involved in the temporary bridge as a short term solution to haulage logistics. It is not intended to be a permanent bridge.

1.3.3 **Impacts on Public at Ramps and Car Trailer Parking during Construction** EIS 4.3.1.3

The TOR 4.3.1.3 (dot point 8) required the developer to describe impacts on access to, and dedicated boating public usage of, the car-trailer parking area adjacent to the two Ross Creek public boat ramps. The EIS offers an opinion (4.3.1.3) that access to the boat ramps is not expected to be impeded. However, QT requires assurances that construction vehicles will not use or impede bonefide public use of the boat ramps and associated car-trailer park.

RESPONSE

The Proponent cannot provide unequivocal assurance that construction personnel will not use the boat ramp carpark. However, it is noted that the car trailer park is regulated by the Port Authority and any unauthorised traffic (workers' cars) will be dealt with appropriately. The CMP will detail parking plans for construction workers in order to show that these will not negatively impact either the boat ramp parking or that at the TEC or Jupiters Casino.

The level of construction traffic itself is not expected to have an impact on other users along Sir Leslie Thiess Drive, including motorists going to or coming from the boat ramp/carpark.

The public usage of the boat ramps and the adjacent car trailer parking area is highest on weekends and public holidays when the amount of construction vehicle traffic will be at its lowest so the expected impact should be minimal.

The impact on the facilities is therefore not expected to seriously impede the use of the ramps.

1.3.4 **Provision of new public launching facilities to cope with increased demand flowing direct from the project.** EIS 4.3.1.3

The TOR 4.3.1.3 (dot point 10) requires the developer to assess the potential of the project to increase demand for public boating facilities. The EIS offers an opinion that the project is not anticipated to increase demand and that residents (attracted by riparian interests) will have little need to use boat launching facilities. QT's long experience in assessing these types of development and their subsequent impact indicates that there will be a significant increased demand for public boat launching facilities flowing from the project.

There is also likely to be demand for boating facilities created by the proposed commercial marina within the development. AS 3962 - 2001 (guidelines for the design of marinas) identifies some of the demand drivers for boat ramps and there is nothing in the EIS to indicate that these drivers won't be present at Breakwater Cove. There is nothing in the EIS indicating additional boat launching/retrieval facilities are planned either in the marina or externally (by financial contribution) to cater for the historically proven increase.

QT requires further analysis of the likely demand for public boating facilities triggered by the development and the commercial marina and how these are to be delivered. Just stating there will be no extra demand because canal residents will have their own landings is not considered adequate.

RESPONSE

In regard to the need for additional public boat launching facilities, Queensland Transport's request for same to be further analysed is noted. A report on same will accompany the Operational Works Application.

1.3.5 **Provision of a public vessel landing in Breakwater Cove for pick-up and set-down of passengers**
EIS 4.3.1.3

The EIS states that the commercial marina adjacent to the Jupiters Casino and the Entertainment Centre will have a pick-up and set down area that will be available to the public and will be owned and maintained by the marina. More detail is required as to exact location and capacity of this public landing and its dedication to public use. That is, similar to all other public landings in Queensland. Public car parking adjacent to the landing also needs to be catered for. The indication is that the marina "public access" facility referred to in the EIS is in the existing Breakwater marina. If so, this is not acceptable. The Breakwater Cove precinct needs its own public landing in public ownership and control with adjacent public car parking.

RESPONSE

First, it is confirmed that visiting vessels will be able to set down and pick up passengers within the proposed (new) marina. Precise details will be provided in the final design at the operational works phase. The Operational Works Application, will, in accordance with the relevant sections of the BICA be referred to Queensland Transport as a concurrent agency.

20m of wharf space is considered appropriate. The tenure of this space will fall within the ambit of the marina lease. We would suggest that the public landing pontoon be included as a condition of the lease.

Public carparking is proposed adjacent to the marina precinct at the ratio of 1 carpark for 4 berths.

1.4 Public Transport

1.4.1 **Infrastructure for scheduled bus services to the residential component of the Townsville Ocean Terminal**

Public open spaces in the development are noted as a major attraction and in the future, existing scheduled bus services may be extended to these areas for the use of both visitors and residents. The EIS does not address public transport adequately and road layouts provide no evidence of an allowance for a turning area for buses or waiting facilities for passengers which would normally be provided by the proponent. Queensland Transport can provide details of its requirements in this regard.

RESPONSE

The road system will be designed to accommodate bus movements to the round-a-bout midway along the northern breakwater. A bus stop is proposed adjacent to the park on the northern breakwater, another is proposed near the marina precinct.

1.5 Fit for Purpose Terminal

A number of stakeholders both internal and external have raised the concern that the proposed terminal will not accommodate the standard cruise ship that is now visiting our shores. Queensland Transport has previously provided advice to the Department of infrastructure and Planning that ships larger than 238 metres may be able to be accommodated at the Terminal subject to a navigation modelling study being undertaken. It would cost approximately $20,000 to put a large cruise ship into the simulator at Launceston.

There are a number of navigation improvements which would also assist access by larger ships. The works to effect these improvements are directly related to other works to be undertaken to deliver the Terminal including remodelling of revetment walls and dredging of berth pockets and connections to the swing basin. The required works to accommodate larger ships include:

- The seaward end of the western breakwater from the junction of the western and northern breakwater being removed with the entrance beacon P15 relocated to a new western entrance of the harbour.

- The western bank of the channel between P13 and P15 being dredged to reduce bank effect and increase maneuvering room whilst turning into the inner harbour and

- Departure leads being installed one adjacent to the S10 beacon and the fairway beacon being relocated to line up with the Platypus Channel leads.

There has been a reluctance by the Department of Infrastructure and Planning to consider the works as part of the project despite the fact that they relate directly to the utilisation of the terminal for its intended purpose.

RESPONSE

The Terminal is capable of taking vessels up to 300m in length. The Proponent acknowledges that vessels larger than 238m are not pre-approved for access into the Port of Townsville and that modelling is required for such vessels and that some works may also be required. It is noted that Wasp class US Naval vessels of 258m has been cleared to access the Port and would easily be accommodated at the Ocean Terminal. The suggested works do not form part of the agreed scope of work.

1.6 Safety of Navigation

1.6.1 **Within the Port**

The Harbour Master Townsville has advised that there could be an interaction problem with Panamax size vessels departing Berth 10 (After Berth 10 has been extended 100 metres as is planned) and a cruise ship berthed at the Ocean Terminal. This situation is currently being modelled and addressed by the Townsville Port Authority.

RESPONSE

Noted - the Acting Harbour Master has been consulted and an approach to resolve this agreed. This is covered in the Flanagan Consulting Group report on Maritime Traffic at Appendix A7 in Volume 2.

1.6.2 **Within the development**

The proposed development will have a main access channel with an entrance at right angles to the channel and a series of canals and marinas feeding into the same channel. Noting that the EIS does not deal with navigation within the development the proponent will be required to consult with Maritime Safety Queensland as to the requirements for the installation and maintenance of navigational aids within the development.

Similarly navigational safety will be a major consideration in the construction stages of the development including the temporary bridge. The Harbour Master Townsville has raised a concern that the temporary bridge must not obscure the rear lead of the main channel within the port.

RESPONSE

The Harbour Master has been consulted about all the navigational issues and is comfortable with what is proposed. Refer to the Flanagan Consulting Group report on Maritime Traffic at Appendix A7 in Volume 2 for more information.

1.7 Queensland Transport Concerns about Consultation

Some areas of Queensland Transport have raised the concern that they were not consulted about key aspects of the project, before the release of the EIS, in particular the proposal for a temporary bridge across a navigable channel that contains significant public and private boating infrastructure upstream. Even Queensland Transport's representative on the project control group was not aware of this development until after the EIS had been released. This aspect of project management needs to improve.

RESPONSE

The comments by Queensland Transport in respect to better consultation are acknowledged. The bridge came up as a late idea, nevertheless consultation could and should have been undertaken.