

s47F

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**Subject:** Walker meeting  
**Location:** Commonwealth Parliamentary Offices, 4 Treasury Place, East Melbourne, VIC  
  
**Start:** Fri 12/08/2016 10:30 AM  
**End:** Fri 12/08/2016 11:00 AM  
  
**Recurrence:** (none)  
  
**Organizer:** Matt Cahill

Phone: s47F

<< Attachments:

[RE: Meetings on Friday \[SEC=UNCLASSIFIED\]](#) (13.9KB)

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s47F

**From:** Cahill, Matt  
**Sent:** Wednesday, 10 August 2016 3:15 PM  
**To:** Barker, James; s47F  
**Cc:** s47F  
**Subject:** RE: Meetings on Friday [SEC=UNCLASSIFIED]

Thanks s47F

I will be joining for all meetings

Matt Cahill  
First Assistant Secretary  
Environment Standards Division  
Department of the Environment and Energy  
GPO Box 787 Canberra ACT 2601  
Tel: s47F Mob: s47F

**From:** Barker, James  
**Sent:** Wednesday, 10 August 2016 3:14 PM  
**To:** s47F  
**Cc:** s47F Cahill, Matt; s47F  
**Subject:** RE: Meetings on Friday [SEC=UNCLASSIFIED]

s22

**From:** s47F  
**Sent:** Wednesday, 10 August 2016 3:12 PM  
**To:** Barker, James  
**Cc:** s47F  
**Subject:** Meetings on Friday [SEC=UNCLASSIFIED]

Hi James,

Sorry about the mix up this morning in relation to the Walker meeting. As discussed and confirmed with Josh please see below the times and places for Friday’s meetings –

Meeting	Time	location
Walker	10.30-11.00 am	Commonwealth Parliamentary Offices 4 Treasury Place EAST MELBOURNE VIC (ph: 9660 6750)
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I have cced in s47F (Ministers Diary Manager) so that if there are any changes she can email and let you know.

Cheers s47F

s47F

Departmental Liaison Officer

Office of the Hon Josh Frydenberg MP | Minister for the Environment and Energy

Ph s47F

[environment.gov.au](http://environment.gov.au) | Parliament House, Canberra, ACT 2600

s47F

**From:** s47F  
**Sent:** Monday, 8 August 2016 9:39 AM  
**To:** Barker, James  
**Cc:** Parliamentary Clearance Officer  
**Subject:** Meeting with Dr Andrew Laming - Toondah Harbour [SEC=UNCLASSIFIED]

**Importance:** High

Hi James,

The Minister is meeting with Dr Andrew Lamming on Wednesday 10<sup>th</sup> Aug at 10.30 am.

Also attending this meeting will be representatives from Walker Consulting, including Peter Saba, General Manager - Queensland development and Troy Collings (Troy was former QLD Environment Chief of Staff for Andrew Powell, 2012-15).

The purpose of this meeting is to discuss the Toondah Harbour development.

I have allocated this brief to MB16-000375 and to yourself for coordination. The brief will be due in the 3pm mail run on 9<sup>th</sup> August.

Cheers s47F

s47F

Departmental Liaison Officer  
Office of the Hon Josh Frydenberg MP | Minister for the Environment and Energy  
Ph: s47F  
[environment.gov.au](http://environment.gov.au) | Parliament House, Canberra, ACT 2600

## Copy to

Secretary  
Mr Thompson  
Dr Dickson  
Mr Knudson  
Mr Heferen  
Ms Wiley-Smith  
Mr Sullivan  
Mr Cahill  
Mr Papps  
Chief of Staff  
s47F

**To:** Minister for the Environment and Energy (For Information)

**MEETING WITH DR ANDREW LAMING MP – TOONDAH HARBOUR**

**Timing:** For meeting on 10 August 2016.

**Recommendation:**

1. That you note the contents of this brief for your meeting.

**Noted / Please discuss**

**Minister:**

**Date:**

**Clearing Officer:**  
**On: 9/8/2016**

James Barker

Assistant Secretary  
Assessments and Policy  
Implementation Branch/ESD

Ph: s47F  
Mob: s47F

Contact Officer:

s47F

Director  
Queensland Major Projects

Ph: s47F  
Mob: s47F

**Meeting with:** Dr Andrew Laming MP, Member for Bowen; Peter Saba, General Manager Walker Consulting; Troy Collings, Managing Director (BPRS PTY & Ltd) and General Manager NuGrow.

**Prior meetings:** s22

**Proposed note taker:** James Barker, Assistant Secretary, ESD.

**What we want:** On 15 April 2016, the Department wrote to Walker Group Holdings to inform the company that it intended to advise the Minister to make a decision that the proposed action in its current form is clearly unacceptable (letter at **Attachment A**).

**What they want:** To provide you with an update on the project.

**Key Points:**

1. In June 2013, at the request of Redland City Council, Toondah Harbour was declared a priority development area by the Queensland government. The declaration removes the land from the standard State planning and development assessment processes. The proposal may be subject to assessment by the Queensland Coordinator-General. The Coordinator-General has not yet made a decision on whether to assess the proposal as a 'coordinated' proposal.
2. The Toondah Harbour Project is a joint initiative of Redlands City Council and the Queensland State Government through Economic Development Queensland. Walker Group Holdings Pty Ltd has been selected as the preferred developer, and is the project proponent for the purpose of seeking regulatory approvals.

3. Walker Group Holdings is proposing a redevelopment and expansion of the existing carpark and jetty at Toondah Harbour. The proposal is to excavate a new 400 berth marina and to reclaim land within the adjoining Moreton Bay Ramsar wetland for the construction of 3600 apartments. A map of the proposal is at **Attachment B**. Approximately 139 hectares of the proposed development area (map at **Attachment C**) is within the Moreton Bay Ramsar wetland (map at **Attachment D**) which is nationally and internationally significant.
4. The proposed harbour redevelopment is locally contentious, and in March 2014 a petition against the development with 1211 signatures was tabled in the Queensland parliament. Approximately 35 public submissions were received within the public comment period for the EPBC Act referral, with most in favour of an upgrade to the jetty facilities but against the construction of a housing and marina development.
5. The project involves land reclamation that would result in the permanent and irreversible loss of a portion of the ecological character of the Moreton Bay Ramsar wetland. Moreton Bay is also one of only two Ramsar sites in Australia that supports the critically endangered Eastern Curlew all year round. The Eastern Curlew is one of twenty species of birds recently identified for priority conservation in Australia's Threatened Species Strategy Action Plan 2015-16.
6. No commercial residential development of this scale or impact has been approved within an existing Ramsar wetland site. Remediation of the site will not be possible if the proposal proceeds as currently planned because it is planned to reclaim land within the Ramsar site. One residential development (The Vineyards Estate, Farm Road, Werribee (2003/960)) has previously been approved within a Ramsar site. It was located on a terrestrial area of the site which did not contain values that contributed to the ecological character of the Ramsar wetland.
7. Should the proposal be assessed and approved, it would be likely to trigger the requirement for a formal assessment under Article 3.2 of the Ramsar Convention to determine if this would result in a change in ecological character at the site. The Ramsar Secretariat would be notified, and the notification would be reported to the next Conference of the Parties. A Response Strategy would need to be developed, which is intended to set out remediation actions to return the site to its baseline ecological character. If this is not possible, a new baseline would need to be set. This has only been done in a very limited number of cases.
8. The Department expects that the proponent may seek a further extension to the referral decision timeframe or withdraw the project to reconsider alternatives. If the proponent seeks a further extension, or indicates that it will proceed with the referral, we will provide you with further briefing.
9. A referral for the project was submitted under the EPBC Act in November 2015. At the request of the proponent, the statutory timeframe for a decision was most recently extended to 2 September 2016.
10. Walker Group Holdings Pty Ltd has stated there are no alternatives to the location and footprint of the proposed development.

**Consultation:** The Wildlife, Heritage and Marine Division, Wetlands Policy Branch and General Counsel Branch were consulted in relation to the information in this brief.

## **ATTACHMENTS**

- A:** Letter: Department of the Environment to Mr Saba, Walker Group Holdings
- B:** Map: Toondah Harbour – regional context
- C:** Map: Toondah Harbour Priority Development Area & referral area
- D:** Map: Toondah Harbour proposed development



Australian Government  
Department of the Environment

Ref: EPBC 2015/7612

Mr Peter Saba  
General Manager – Queensland Developments  
Walker Group Holdings Pty Ltd  
GPO Box 652  
BRISBANE QLD 4000

*Peter*  
Dear ~~Mr Saba~~

Thank you for meeting with the Department on 11 April 2016 to discuss the proposed Toondah Harbour Redevelopment Project (EPBC 2015/7612), and also for our discussion earlier today. I am writing to outline the options that Walker Group may wish to pursue under the *Environment Protection and Biodiversity Act 1999* (the EPBC Act) with respect to the future progress of the project.

The Department intends to advise the Minister to make a decision that the proposal in its current form is clearly unacceptable under section 74B of the EPBC Act. Walker Group has a number of options that it may wish to consider before the Minister makes a decision in response to that advice.

Walker Group may choose to withdraw the referral of the project under section 170C of the EPBC Act. Alternatively, Walker Group may choose not to withdraw the proposal, and allow the decision making process on the referral to proceed.

Should Walker Group withdraw the referral, you may wish to consider submitting a new referral of an alternatively designed project. The Department's view is that a new referral should seek to avoid substantially direct impacts on the ecological character of the Moreton Bay Ramsar wetland. We are happy to engage with Walker Group on design changes for the project that would address the likely impacts on matters of national environmental significance of the project. We would also encourage Walker Group to engage with stakeholders in this process, including the Local Council and the State Government.

As agreed, we have extended the timeframe of the decision making process on the referral from 18 April 2016 until 6 May 2016, under section 75(7) of the EPBC Act, to allow the company to consider these options.

I would be grateful for your advice by 22 April 2016 on how Walker Group wishes to proceed. I am happy to discuss the matter further with you.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Matt Cahill'.

Matt Cahill  
First Assistant Secretary  
Environment Standards Division  
15 April 2016







s47F

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**From:** James Barker  
**Sent:** Wednesday, 17 August 2016 6:21 PM  
**To:** s47F  
**Cc:** s47F; Gordon; Dean Knudson; Matt Cahill  
**Subject:** Meeting notes - 12 August meetings on Dundonnell, Toondah [SEC=UNCLASSIFIED]  
**Attachments:** s22 MB16-000376 Toondah meeting notes.docx

Hi s47F

I've enclosed notes for the meetings on 12 August on these proposals. The standard process is for you to approve (by reply email), and I will then have these entered in the system.

s22

Thanks  
James

**James Barker**  
Assistant Secretary, Assessments and Sea Dumping Branch  
Environment Standards Division  
Department of the Environment and Energy  
s47F  
[@environment.gov.au](mailto:s47F@environment.gov.au)

The Department acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to their elders both past and present.

s47C

**RECORD OF MEETING –TOONDAH HARBOUR**

**Location:** CPO Melbourne

**Date:** 12 August 2016

**Who attended?**

Mr Lang Walker, Mr Peter Saba – Walker Corporation

Mr Stephen Davis – Davis Advisory (acting for Walker Corporation), Troy Collings (Adviser to Walker Group)

Minister Frydenberg, s47F, s47F

Mr Knudson, Mr Cahill, Mr Barker - DOEE

**Key points discussed:**

1. Walker Corporation discussed the nature of the proposed Toondah Harbour development; potential offsets and environmental protections; and Queensland Government and Local Council views on the proposal.
2. Walker Corporation noted the boundary of the Ramsar wetland was not mapped well, and further noted the potential to delete or restrict a boundary under the Ramsar Convention in the 'urgent national interest'. Obligations under the Ramsar Convention were discussed. It was noted the Department had written to Walker Corporation in April 2016 to indicate it would advise the proposal, in its current form, would be clearly unacceptable.
3. The Minister noted he is supportive of sustainable development while balancing environmental issues.

**Follow up Actions:**

1. Walker Group may be considering a potential alternative referral. The Department would work with Walker Group in response to any such proposal, including considering a further request for extension.

**Note taker:** James Barker, Assistant Secretary, s47F

**From:** [James Barker](#)  
**To:** s47F  
**Cc:** s47F  
**Subject:** RE: Toondah Harbour [SEC=UNCLASSIFIED]  
**Date:** Thursday, 15 February 2018 12:30:59 PM

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Thanks. In the margins of the meeting with the Minister last week, Walker mentioned that they had made some other changes, such as shrinking the marina from 400 to around 100 berths, but I didn't think this level of specificity was included in the referral itself.

s22