

EXHIBIT 242

DERM Reference: NN0311BEE0010_RED4151



28 April 2011

Project Services
Department of Public Works
GPO Box 2906
BRISBANE QLD 4001

Department of
Environment and Resource
Management

Attention: Janette Rowe

Dear Sir / Madam

**PROPOSED MINISTERIAL DESIGNATION – REDLAND BAY HOSPITAL OVER LOT 29
ON SL11549 & LOT 30 ON SP106226 (21-25 WEIPPIN STREET, CLEVELAND) –
REDLAND CITY COUNCIL – RESPONSE TO THE DRAFT INITIAL ASSESSMENT
REPORT**

I refer to your letter dated 16 March 2011, inviting the Department of Environment and Resource Management (DERM) to comment on the proposed Ministerial designation for "community infrastructure" of a site for the Redland Bay Hospital.

DERM has reviewed the *Proposed Community Infrastructure Designation - Initial Assessment Report – Redland Bay Hospital* dated March 2011 and provides the following comments.

STATE LAND AND THE LAND ACT 1994

DERM advises that any development of State land may require resource entitlement from this Department. This may include State land outside the Redland Bay Hospital site, for instance along any proposed route for the provision of services to the site.

VEGETATION MANAGEMENT ACT 1999

Certified regional ecosystem mapping version 5.0, dated 21 March 2011, indicates that the site contains areas of remnant 'Least Concern' vegetation. The Redland City Council Planning Scheme identifies the subject site as 'Community Purposes' and 'General Industry' land use designations which have an urban intent. Clearing for the facility is therefore considered to be for an 'urban purpose' and is therefore exempt under Schedule 24 of the *Sustainable Planning Regulations, Part 2, Item 2*. Where possible, DERM recommends the conservation of remnant vegetation by minimising clearing and by providing offset vegetation where known values have been removed.

ABORIGINAL CULTURAL HERITAGE ACT 2003

Information contained in the department's cultural heritage database indicates that the subject lot, which is linked to a cultural heritage site located on Weippin Street, should be

Department of
Environment and Resource Management
SE Region
32 Tansey Street
PO Box 1164
BEENLEIGH QLD 4207

Website www.derm.qld.gov.au
ABN 83 705 537 586

considered as part of the same cultural landscape. As a result the area should be appropriately surveyed for cultural heritage significance. Queensland Health is encouraged to consult with the appropriate Aboriginal party for the area, which is in this case the Quandamooka People.

DERM's Cultural Heritage Coordination Unit can be contacted on 3239 3647 and can provide any assistance to Queensland Health in meeting its duty of care under the *Aboriginal Cultural Heritage Act 2003*.

ENVIRONMENTALLY RELEVANT ACTIVITIES

The department advises that the proposal for the Redland Hospital may trigger ERA 56 (Regulated Waste Storage) which is defined in Schedule 2 of the *Environmental Protection Regulation 2008*. ERA 56 applies if regulated waste is stored at the facility for more than 28 days, awaiting removal from the facility for recycling, reprocessing, treatment or disposal. The following items are classified as regulated waste:

- (i) fewer than 500 batteries;
- (ii) pharmaceuticals;
- (iii) body parts;
- (iv) clinical waste consisting only of sharps in sharps containers that comply with AS 4031 or AS/NZ 4261
- (v) less than 5000L of waste oil.

For the removal of regulated waste onsite, an approved waste transporter must be engaged to remove the waste and transport it to an appropriate facility for recycling, reprocessing, treatment or disposal. The Hospital administration will be required to keep copies of the waste tracking documents on site.

CONTAMINATED LAND

Lot 29 on SL11549 is listed on the Environmental Management Register as a notifiable activity for petroleum products or oil storage. An exemption will apply as the existing land use is not proposed to be changed to a more sensitive use.

WETLANDS AND BIODIVERSITY

Biodiversity Values Associated with the Site

DERM's biodiversity planning assessment (BPA) employing the Biodiversity Assessment Mapping Methodology (BAMM) identifies Lot 30 as:

- Occurring within the 'Urban Footprint' designated under the *SEQ Regional Plan 2009-2031*, and
- Having more than 90 percent of Lot 30, and less than ten percent of Lot 29 (*viz.* along its northern border), comprising an area of high ecological significance under provisions of the *SEQ Regional Plan*. Vegetation within the area of ecological significance is of similar composition on Lot 30 and Lot 29, and represented mainly by regional ecosystem (RE) 12.9—10.4: Open-forest woodland with *Eucalyptus racemosa* subsp. *racemosa* locally prominent. Other species can include *Angophora leiocarpa*, *Eucalyptus seeana*, *E. siderophloia*, *corymbia intermedia*, *E. tindaliael* with *Lophostemon suaveolens*, *Melaleuca quinqueinervia*, *E. tereticornis* on lower slopes. Occurs on Cainozoic and Mesozoic sediments +/- remnant Tertiary surfaces. (BVG1M:9a).

The BPA identifies this vegetation as SEQ threatened species habitat and SEQ priority species habitat, and providing core habitat for the koala (*Phascolarctos cinereus*) which is classified as 'vulnerable' and a protected species under provisions of the *Nature Conservation Act 1992*. Further, the BPA rates this vegetation:

- 'high' for habitat for rare and threatened species, regional ecosystem value (sub-regional assessment), and the special biodiversity values of core habitat, wildlife refugia and species composition; and
- 'medium' for State ecosystem values (Regional assessment), species diversity, context and connection, and for the special diversity value of hollow bearing trees.

Most of this vegetation is also identified by the BPA as 'high value' bushland habitat for the koala.

The large area of ecological significance and its associated vegetation on Lot 30 extends westward to the banks of Hillards Creek, providing valuable connectivity to the riparian zone of Hillards Creek, and habitat beyond.

Recommendations

1. Given the very high biodiversity values on Lot 30, consolidating parking areas on Lot 29 is recommended to minimise the footprint of the new development in Lot 30 .
2. If development of Lot 30 is unavoidable, the footprint should be minimised by restricting car parking to under buildings. Any residual impact on biodiversity values should be offset. Appropriate offsets should be discussed with DERM officers by contacting Kelly Stewart on telephone number [REDACTED] in the first instance.

KOALAS

An initial desktop assessment by DERM's Koala Operations Unit (KOU) has determined that:

- The subject site (Lot 29 on SL11549 and Lot 30 on SP106226) is mapped as a Priority Koala Assessable Development Area under the *South East Queensland Koala Conservation State Planning Regulatory Provisions (SPRP)*.
- The subject site is mapped within the SEQ Koala Protection Area (SEQKPA) under the *State Planning Policy 2/10 (SPP)*.
- The proposed development proposal will impact on high value bushland habitat and medium value habitat suitable for rehabilitation.
- Significant koala sightings have been recorded on the site and in the immediate vicinity.

The Queensland Government has recognised that koala conservation is a critical issue in South-east Queensland (SEQ). To address the decline of koala populations the Koala Response Strategy was introduced in December 2008.

This Strategy has now been replaced by the *State Government Supported Community Infrastructure – Koala Conservation Policy*.

The subject site is located within the Priority Koala Assessable Development Area where the SPRP applies. This is the area which the State Government recognises as having the highest value for koala conservation and is afforded the highest level of protection against the clearing of koala habitat. State government entities seeking to designate land for community infrastructure are required to consider the requirements of the SPP. The SPP provides policy direction to ensure that there is a net increase in koala habitat in SEQ and to assist in the long term retention of viable koala populations.

Given the high value of koala habitat on this site, the DPW should ensure that there is minimal destruction of those values through the design, layout and operation of the site. The current design will result in significant habitat loss within this area of highly valuable koala

habitat. The DPW is advised to rethink the location and design of the facility to reduce the development footprint and retain a larger proportion of koala habitat on the site. The koala operations unit believe that this can be achieved whilst still retaining the functional requirements of the facility.

The DPW should also be aware that the Minister for the Environment has received several letters from community members and conservation groups raising concerns over the proposed Redland Bay Hospital.

State Planning Policy 2/10: Koala Conservation in SEQ

DERM has considered the Initial Assessment Report (IAR) provided in support of the application and determined that the proposed development is likely to have an impact on koala habitat and will reduce the connectivity value for koala movement across the landscape.

When designating land for state government community infrastructure, a Minister must consider the outcomes of the State Planning Policy (SPP). To meet the outcomes of the SPP, the proposed Redland Bay Hospital Extension project should address section 4.2, criteria a-f. To assist in achieving the outcomes of the SPP, the following advice is provided.

1. Identification of koala habitat

The koala habitat values of the subject site have been identified under the SEQ Koala Habitat Values. DERM also acknowledges that DPW has provided plans (Contour and Detail Plan – 8860D1, Existing Site Plan – 51426/SD.A01.02, Context Plan – 51426/SD.A01.04 & 51426/SD.A01.05, Demolition Site Plan – 51426/SD.A01.02 & 51426/SD.A01.03) identifying koala habitat trees on the subject site. However, these plans show the majority of trees on the subject site as 'unidentified', and have only mapped significant tree species (>200mm DBH).

DERM recommends that DPW identify all non-juvenile koala habitat trees with a height of more than 4m or trunk circumference ≥ 31.5 cm at 1.3m above the ground. This is necessary to thoroughly assess the impacts of the design layout on koala habitat. It is also required to determine the appropriate delivery of offsets for any koala habitat tree clearing required.

IMPORTANT: It should be noted that a koala habitat trees include 'shelter species' - *Allocasuarina*, *Casuarina*, or *Acacia* genera.

2. Significant areas of koala habitat are protected and habitat connectivity retained and enhanced.

The proposed project will impact on high value bushland habitat. Although the development cannot avoid clearing bushland habitat due to the majority of the site being mapped as high value bushland habitat, DERM must be satisfied that DPW, where practical, has incorporated planning strategies that avoid, minimise and mitigate the loss of koala habitat trees.

DERM considers that the proposed development footprint is relatively large for the purposes of a 15 bed facility. DERM recommends that Queensland Health consider making

substantial changes to the design, layout and location of the proposed development to significantly reduce impacts on koala habitat. This could include options such as:

- Relocating all or part of the proposed facility – utilise existing cleared land/car parking areas in the north-east and south east corner of existing hospital site;
- Realigning the development footprint further to the south where the density of koala habitat trees is less;
- Utilising areas of the site mapped as habitat suitable for rehabilitation;
- Removing or reducing the proposed open space areas;
- Removing unnecessary road and/or ancillary infrastructure such as the round-a-bout;
- Reducing car parking facilities;
- Utilising open areas between the proposed car park and buildings; and
- Redesigning the development layout – consolidate buildings envelopes, build up rather than out;

DERM also has concerns regarding the proposed helipad to be located in the north-east corner of the subject site. The IAR indicates that an uncertain but large amount of koala habitat clearing will be required for the safe flight path. DERM recommends that Queensland Health provide more details relating to this aspect of development and should consider alternative locations

3. Koala safety and movement are maximised through design and layout of development.

DERM supports the safe movement strategies mentioned in the koala conservation strategy. In addition to this, DERM recommends that:

- koala friendly fencing is used throughout the site including perimeter fencing in accordance with the Koala Safe Fencing and Movement (KSFM) Guideline, which is available on the DERM website; and
- speed reduction devices such as speed bumps be used in conjunction with speed warning signs in accordance KSFM Guideline.

DERM also recommends that koala habitat trees are used in appropriate areas of landscaping to enhance the habitat connectivity across the site.

4. A net gain in bushland habitat is achieved.

DERM acknowledges that Queensland Health will be providing offsets in accordance with the *Offsets for Net Gain of Koala Habitat in South East Queensland Policy*. Where practical, it is recommended that part of the offset obligation contributes to on site rehabilitation/revegetation.

As mentioned in item 1 above, the layout plans show the majority of trees on the subject site (specifically within the development footprint) as 'unidentified'. A koala habitat tree is defined in the SPP as "*a food tree of the Corymbia, Melaleuca, or Lphostemon or Eucalyptus genera; and a preferred shelter species such as Angophora*". Shelter species also include trees of the *Allocasuarina, Casuarina, or Acacia* genera. Offset obligations for this proposed development need to be revised to include these tree species.

IMPORTANT: Upon Ministerial Designation, community infrastructure projects become exempt from self assessment requirements of the State Government

Supported Community Infrastructure: Koala Conservation Policy. Therefore, State infrastructure providers are required to provide a detailed offset commitment as part of the koala conservation strategy.

For more information on the reporting and delivery of offset obligations for Ministerial Designations, please contact Sarah Flynn of the Koala Operations Unit on [REDACTED]

5. Design and layout of the community infrastructure is consistent with achieving the outcomes of the policy.

DERM considers that the proposed development has a relatively large development footprint for the purposes of a 15 bed facility. As mentioned in item 2 above, DERM recommends that Queensland Health investigate potential modifications to the design, layout and location of the proposed development to significantly reduce impacts on koala habitat.

6. Develop a koala conservation strategy to demonstrate how the policy outcomes are to be achieved.

DERM supports the koala conservation strategy that has been prepared by Project Services on behalf of DPW. DERM recommends the following amendments to be made:

- provide a detailed offset commitment plan including the likely amount of koala habitat tree removal and offset strategies (ie. financial or direct);
- provide details of koala friendly fencing to be used on site; and
- provide further details on traffic mitigation measures.

Thank you for the opportunity to comment on the draft Initial Assessment Report for the proposed Ministerial designation. Please contact Kelly Stewart in the Planning and Development Unit (Beenleigh) on [REDACTED] or at the above address, if you require further assistance from DERM on these issues. Please quote the reference number NN0311BEE0010.

Yours sincerely

[REDACTED]

Paul Cridland
Manager, Planning and Development
Beenleigh, South East Region
Authorised Delegate