

Background

On 1 April 2011, the Queensland Minister for Main Roads, Fisheries and Marine Infrastructure, the Hon Craig Wallace MP, wrote to me requesting an exemption under s.158 of the EPBC Act. Minister Wallace indicated that the works were declared as emergency works with respect to s.584 of the *Sustainable Planning Act 2009* (Qld) and include the repair of culverts and earth embankments damaged during the recent heavy rains associated with January 2011 Lockyer Valley flood and storm event. The site on the Warrego Highway is located adjacent to a number of environmentally sensitive areas. Origin Alliance has been engaged by the Queensland Department of Transport and Main Roads to fulfil the scope of works on the Marburg Range as a matter of urgency including:

- Repair and stabilising the earthen batters located in and adjacent to Lot 3RP120369, and Lot 2RP20369;
- Repair of the damaged reinforced concrete pipe culvert (east bound) under the Warrego Highway, associated outlet structure, and scoured batter;
- Maintenance of the existing drains on the earthen batters;
- Earthworks operation filling in the gully; and
- Decommissioning of the existing damaged culvert, and the construction of a replacement above the existing culvert.

Evidence

The evidence or other material on which my findings are based was a brief from my department. That brief included the request of 1 April 2011 from Minister Wallace and supporting information.

Findings

The Warrego Highway provides essential services to remote communities in south east Queensland and is part of an important freight route between Brisbane and Darwin. The highway was severely damaged in the south east Queensland floods in January 2011 and has been operating as single lane each way with reduced speed limits since that time. Continued rainfall has increased the risks of further slippage and urgent works are now required to remediate the road and properly restore the essential service and freight route. The action is unlikely to have significant impacts on matters protected under the EPBC Act.

Reasons

I decided to give the exemption under subsection 158(3) because I was satisfied that given the national emergency arising out of the Queensland floods it was in the national interest that all of the provisions of Part 3 of the EPBC Act not apply in relation to the action described above.



Tony Burke

Minister for Sustainability, Environment, Water, Population and Communities

April 2011

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