



**Hon Kate Jones MP**  
Member for Ashgrove

**Minister for Climate Change  
and Sustainability**

Ref: BNE13924-1  
BNE2009/4596

09 JUN 2009

The Clerk of the Parliament  
Parliament House  
George Street  
Brisbane QLD 4000

Dear Sir/Madam

I refer to a petition (No. 1218-09) lodged with the Queensland Legislative Assembly by Mr Kevin Moore of Halifax, on 23 April 2009, regarding the removal of sand and sediment in the Herbert River and the Hinchinbrook Channel to alleviate the impact of flooding.

The Department of Environment and Resource Management (DERM), formerly the Environmental Protection Agency and the Department of Natural Resources and Water, has, to date, not received any applications seeking approval to remove material from the Herbert River or Hinchinbrook Channel for the purposes of flood mitigation or use as a resource.

While DERM has particular jurisdiction relating to the Herbert River, there are three statutory bodies involved in works and activities relating to water flows in, or on floodplain land associated with, the Herbert River. The Herbert River Improvement Trust, set up under the River Improvement Trust 1940, undertakes approved works to mitigate River flooding; a collective of Water Authorities (historically Drainage Boards), set up under the Water Act 2000, undertake works dealing with water flow on the floodplain; and the Hinchinbrook Shire Council retains an interest in water flows from the perspective of impacts on its assets and its constituency.

Although its jurisdiction does not extend directly to flood management, DERM is aware that numerous flood studies have been conducted for this region. One of the most comprehensive is the Herbert River District - Master Land and Water Management Plan 2000, developed under the Sugar Industry Infrastructure Project for the Hinchinbrook Shire Council and industry.

This study recognised that development was located on the Herbert River flood plain which, by its very nature and the topography of the land, will flood. It established that in all but extreme events, flooding in the area was a result of localised conditions such as the construction of drains, levees and other modifications to local hydrology. Actions have since been taken to modify and manage these conditions in recognition that this is the most effective way to reduce flooding impacts. DERM understands that the study concluded that the deepening of tidal channels would not significantly improve regional drainage or flood mitigation.

It would be difficult to comment on the merits of any proposal to remove river sand and sediment from the Herbert River and the Hinchinbrook Channel without undertaking a comprehensive hydrological study. However I have been advised that the Herbert River is an active tropical river with a mobile mouth and estuary system. In recognition of this and the nature of the area, matters such as the longevity of any outcomes and economic feasibility would need to be considered. In addition any major alterations to the overall flood plain drainage would need to be considered in the context of the broader catchment so as not to cause flooding problems elsewhere.

The Herbert River Improvement Trust has experience in managing sedimentation issues. DERM would be happy to participate in a working group or similar forum comprising relevant stakeholders should the Herbert River Improvement Trust or the Hinchinbrook Shire Council convene such a group to manage these issues in the Herbert region.

Further, my Department would be happy to provide guidance through the process for any proponent who wishes to make an application for removal of material from a waterway. Further information relating to the application process and approval requirements is available on the DERM website at [www.derm.qld.gov.au](http://www.derm.qld.gov.au).

I trust this information is of assistance.

Yours sincerely



**Kate Jones MP**  
**Minister for Climate Change and Sustainability**