

STATEMENT OF AMANDA YEATES

I, Amanda Yeates of [REDACTED] Creek Street, Brisbane in the State of Queensland, acting General Manager (Integrated Transport Planning) of the Department of Transport and Main Roads, state as follows:-

Qualifications and experience

1. Since the recent resignation of Ms [REDACTED] I have been employed as the acting General Manager (Integrated Transport Planning) of the Department of Transport and Main Roads (TMR). I have been acting in this position since Wednesday 14 September 2011.
2. I report through the Deputy Director General (Policy and Planning) to the Director-General of TMR. Integrated Transport Planning Division is responsible for planning and protecting for the states future and existing transport infrastructure needs and ensuring the safe, efficient, socially equitable and environmentally sound integration of that infrastructure into the community. We do this task in partnership with the Program Delivery and Operations Division of TMR.
3. Integrated Transport Planning is comprised of three (3) main areas of technical delivery (Partnerships and Active Transport, Planning Management, Transport Strategy Development) each led by an Executive Director. The organisational structure for the Division is attached and marked **Attachment A**.
4. I hold the following qualification: Bachelor of Engineering (Civil).
5. I have worked within the transport planning environment of the Queensland Government since 7 February 2011. Prior to joining TMR, I spent almost ten years in various senior roles, (planning, policy and management) with the Department of Employment, Economic Development and Innovation.
6. As acting General Manager, I lead a multidisciplinary team of approximately 240 professionals providing integrated transport planning services. I provide a single point of leadership for strategic transport planning in TMR and lead the delivery of integrated transport systems strategy, plans and policy for all TMR across all infrastructure modes and all planning levels and protect for the state's future infrastructure needs. I also provide strategic advice to the Ministers of Transport and Main Roads, the Director-General and Deputy Directors-General on the implementation of integrated land use and transport plans, systems and policies.

Requirement from the Queensland Floods Commission of Inquiry

7. I have received a letter from the Queensland Floods Commission of Inquiry dated 11 October 2011, received by TMR on 7 November 2011 and understand that I am required to provide information on the following topics pursuant to the *Commission of Inquiry Act 1950*:
 - (a) In relation to paragraphs 31 – 34 of my statement dated 14 October 2011:
 - (i) The scope of the Fitzroy River Floodplain and Road Planning Study;

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- (ii) How this study relates to Projects 21 – 24 (inclusive) referred to in the Bruce Highway Upgrade Strategy (July 2011, p.16); and
 - (iii) Funding availability, or otherwise, for Stage 6 of the Fitzroy River Floodplain and Road Planning Study, and for subsequent upgrade works (**Requirement 1**).
- (b) In relation to paragraphs 36 – 40 of my statement dated 14 October 2011:
- (i) The adequacy, or otherwise, of the referral triggers for Transport and Main Roads under the Integrated Development Assessment System;
 - (ii) The means used by Transport and Main Roads to assess the potential flooding effects of a proposed development and/or changes to the location, level or flow rate of water run-off to, across or along a state-controlled road, and the efficacy of these means; and
 - (iii) The means used by Transport and main Roads to assess the potential flooding effects of a proposed development and/or changes to the location, level of flow rate of water run-off to, across or along a railway, and the efficacy of these means (**Requirement 2**).
- (c) In addressing these matters, I am asked to:
- (i) provide all information in my possession and identify the source or sources of that information; and
 - (ii) make commentary and provide opinions I am qualified to give as to the appropriateness of particular actions or decisions and the basis of that commentary or opinion.

Requirement 1

The Scope of the Fitzroy River Floodplain and Road Planning Study

8. The Fitzroy River Floodplain and Road Planning Study is currently in 'Preliminary Evaluation'. The scope of the Preliminary Evaluation is:

"The Fitzroy River Floodplain and Road Planning Study is investigating long term solutions for improved flood immunity for the Bruce Highway and North Coast Rail Line and rail freight and road transport impacts in and around the city. The agreed objectives of the study are:

- *To investigate options for improving the flood immunity of the north/south transport route (for road and rail).*
- *To provide recommendations on heavy vehicle issues including capacity and safety improvements to the Bruce Highway through Rockhampton. This will include investigation of options to move heavy vehicle traffic out of the urban area and improved cross river capacity.*
- *To investigate the strategic connections of the Bruce Highway with freight generating hubs within the city of Rockhampton.*
- *To provide recommendations on options for a long term solution for the North Coast Rail Line in Rockhampton including its removal from the CBD whilst maintaining connections to existing rail infrastructure.*


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The above objectives aligned with the priority needs for the study area, namely:

- *Minimising isolation due to flooding.*
- *Addressing rail operational issues.*
- *Connecting freight hubs.*
- *Addressing amenity impacts.*
- *Catering for growth in urban, residential, commercial and industrial uses.*

The first priority need, minimising isolation due to flooding, only relates to options to upgrade the existing Bruce Highway corridor over the Yeppen Flood Plain. This will ensure Rockhampton is not isolated and the main north-south road and rail corridors are not severed. Options for achieving improved flood immunity for the rail and road corridors should be considered separately as the requirement for flood immunity may differ for the two modes. The options to address this priority need are:

- *upgrade existing road / rail crossing of the Yeppen flood plain to achieve Q100 flood immunity*
- *upgrade existing road / rail crossing of the Yeppen flood plain to achieve flood immunity for an event equivalent to the 1991 flood*

The remainder of the priority needs will be addressed through existing asset, new asset and non-asset options. These are described in the Strategic Assessment of Service Review (SASR) and are illustrated below. The flood immunity for the options for a road and rail bypass of Rockhampton would be determined through an economic optimisation of the cost of construction and the cost of maintaining the highway after a flood event. Bypass options would also need to minimise afflux impacts on upstream development.”

How this study relates to Projects 21 - 24 (inclusive) referred to in the Bruce Highway Upgrade Strategy (July 2011, p.16)

9. The Fitzroy River Floodplain and Road Planning Study has recommended a 13 stage strategy for addressing the objectives and priorities of the SASR.
10. Projects 21, 22, 23, and 24 from the Bruce Highway Upgrade Study are consistent with the recommendations made in the Fitzroy River Floodplain and Road Planning Study Implementation Strategy (see the attached map showing the Fitzroy River Floodplain and Road Planning Study Implementation Strategy and how it relates to the Bruce Highway Upgrade Study – **Attachment B**) as described below.
11. Projects 21 and 22 address the first priority need as described in the Fitzroy River Floodplain and Road Planning Study that is, to ‘minimise isolation due to flooding’.
12. Project 23 is the new asset option to address the remainder of the needs as described in the Fitzroy River Floodplain and Road Planning Study.
13. Project 24 addresses capacity and safety issues on the Bruce Highway north of the Yeppoon turnoff (just north of Rockhampton) by duplication of the carriageway.


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Funding availability, or otherwise, for Stage 6 of the Fitzroy River Floodplain and Road Planning Study and for subsequent upgrade works

14. The Fitzroy River Floodplain and Road Planning Study is a federally funded study in the order of \$5M. The study has reached Stage 5 with the finalisation of the study report. The report details the projects required to increase the flood immunity of the existing access to Rockhampton as Project 21 Yeppen Floodplain Upgrade and Project 22 Yeppen Lagoon Upgrade as per the Bruce Highway Upgrade Study. Stage 6 will be the finalisation and release of study outcomes.
15. Following the completion of Stage 6, a detailed design on the preferred alignment will be required upon which to base costing estimates for construction and to inform funding discussions with the federal government.

Requirement 2

The adequacy, or otherwise, of the referral triggers for Transport and Main Roads under the Integrated Development Assessment System

16. The Department of Transport and Main Roads' referral triggers are set out in the *Sustainable Planning Regulation 2009* and cover various aspects of development including a Material Change of Use, Reconfiguring a Lot, Operational Work and Building Work. The triggers are generally designed to capture the referral of development which is within or in close proximity to existing or future transport infrastructure or which is of a size or scale (threshold) which would be likely to generate impacts on existing or future transport infrastructure.
17. Referral triggers for Transport and Main Roads are currently under review. This exercise has confirmed that the referral triggers are appropriately capturing development that may impact on transport infrastructure. The review has identified possible refinements to the referral triggers that reduce the number of referrals without increasing the risk to transport infrastructure.
18. The Department of Transport and Main Roads' jurisdiction for assessing the drainage impacts of development proposals as set out under the *Sustainable Planning Regulation 2009* includes:
 - land use and transport coordination under the *Transport Planning and Coordination Act 1994* for public passenger transport. Stormwater runoff and flooding from development can have a significant adverse impact on public passenger transport and/or public passenger transport infrastructure.
 - the purpose mentioned in section 258(2) of the *Transport Infrastructure Act 1994* for railways. The safety and operational integrity of railways and future railways can be adversely affected by changes to flooding and stormwater runoff as a result of development.
 - The purposes of the *Transport Infrastructure 1994* for state-controlled roads. The safety and efficiency of state-controlled roads can be adversely affected by changes to stormwater runoff and flooding as a result of development.


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The means used by Transport and Main Roads to assess the potential flooding effects of a proposed development and/or changes to the location, level or flow rate of water run-off to, across or along a state-controlled road, and the efficacy of these means; and

The means used by Transport and Main Roads to assess the potential flooding effects of a proposed development and/or changes to the location, level or flow rate of water run-off to, across or along a railway, and the efficacy of these means.

19. The response is essentially the same for both state controlled road and railway.
20. In accordance with best industry practice, TMR requires the management of stormwater (quantity and quality) post development to achieve a no worsening impact on the pre-development condition calculated during a specific storm event, for example, 1% Annual Exceedance Probability (as per State Planning Policy 1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide), Q100 storm event or equivalent Average Recurrence Interval. In particular, stormwater management for the development must ensure no worsening or actionable nuisance to the TMR's transport infrastructure caused by peak discharges, flood levels, frequency/duration of flooding, flow velocities, water quality, sedimentation, scour effects and the like.
21. This range of drainage impacts and others are dealt with in the Department of Transport and Main Roads' Road Drainage Manual and the Guide to Development in a Railway Environment (included in the Department of Local Government and Planning's Transit Oriented Development Guide). Further general guidance regarding stormwater management for development assessment is also provided in the *Queensland Urban Drainage Manual*, *Environmental Protection Act 1994* and *Environmental Protection (Water) Policy 2009* which are administered by the Department of Environment and Resource Management; and the State Planning Policy 1/03.
22. Where relevant to the development proposal, TMR will request the development proponent to provide a stormwater management plan for the proposed development prepared by a Registered Professional Engineer Queensland addressing drainage considerations. The stormwater management plan will typically use engineering modelling to determine the drainage impacts of the proposed development and will propose mitigation measures, including details of the way stormwater will be managed post development. TMR reviews any stormwater management plans prepared by applicants for their adequacy and will also impose conditions on any approval granted by the assessment manager through its concurrence agency response to ensure suitable development outcomes for its transport network.
23. A principle of the *Sustainable Planning Act 2009* is that development conditions must be reasonable and relevant. Under this principle a condition about stormwater management that a developer considers too onerous may be subject to appeal and could be considered in the Planning and Environment Court.



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24. Legislation obligates a duty of care on persons who propose development or activities which are potentially harmful and the onus is on the applicant or development proponent to undertake sufficient measures to satisfy this duty of care. In terms of drainage, the *Environmental Protection Act 1994* administered by the Department of Environment and Resource Management imposes a general duty of care on all persons to take all reasonable and practical measures to prevent or minimise environmental harm.
25. Common law requirements also apply to drainage considerations. A person may be liable under common law principles of nuisance if modifications to drainage patterns affect the rights of adjoining landowners including TMR. Development offence provisions exist in the *Sustainable Planning Act 2009* for development undertaken without a permit or where development contravenes an approval (including any conditions imposed by the department) and the *Transport infrastructure Act 1994* in relation to interfering with transport infrastructure.
26. In general the methods of assessment are consistent with industry practice and considered effective at identifying the major impacts and providing a means of conditioning development to ameliorate those impacts.

I make this statement of my own free will believing the contents to be true and correct.

Dated at *Brisbane* this *14* day of November 2011



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Attachment A

Organisational structure for Integrated Transport Planning Division



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Document No:

Attachment B

Map of Fitzroy River Floodplain and Road Planning Study Implementation Strategy

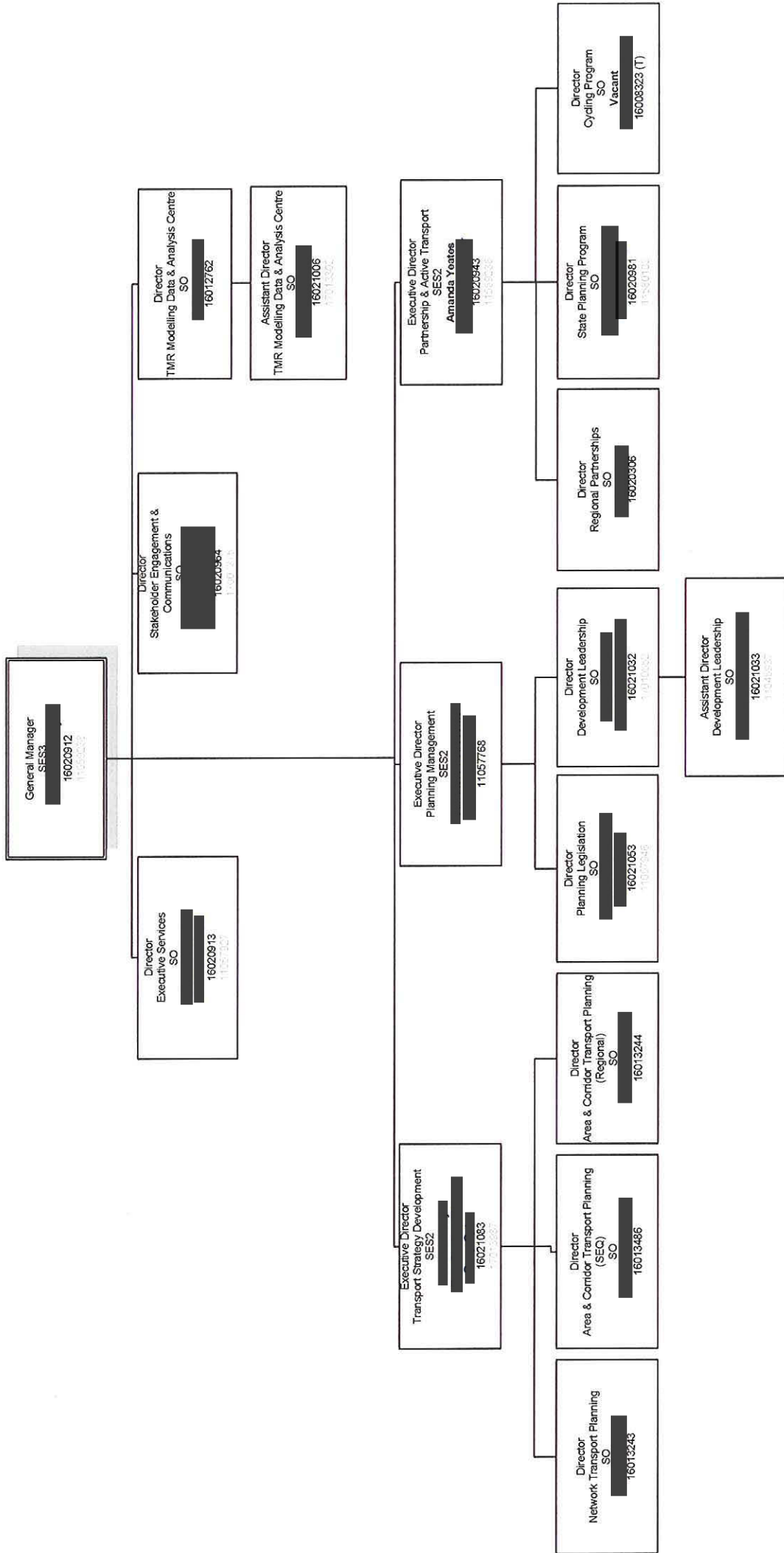


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Integrated Transport Planning Division



FITZROY RIVER FLOODPLAIN AND ROAD PLANNING STUDY

IMPLEMENTATION ROAD STRATEGY

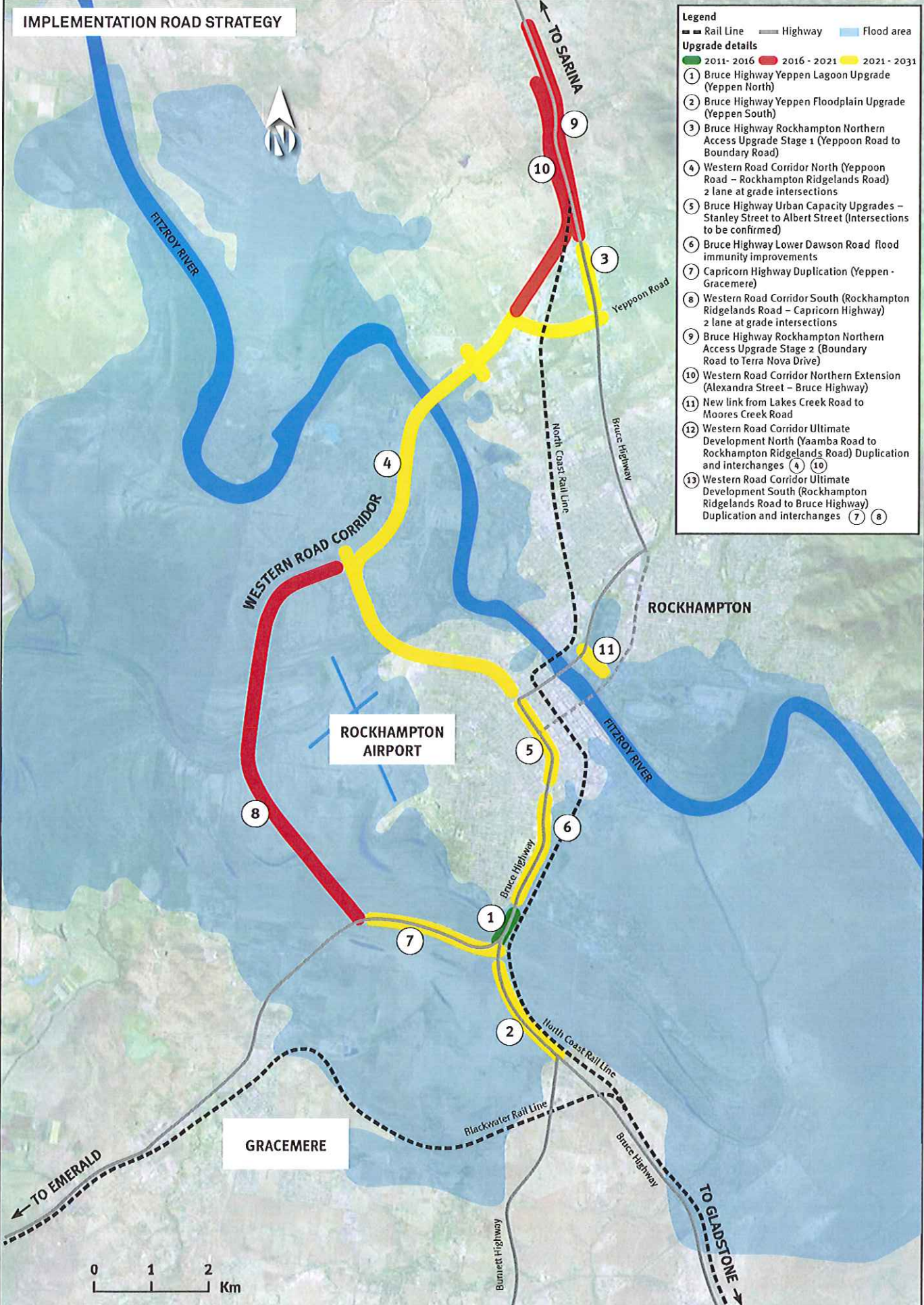
Legend

- Rail Line
- Highway
- Flood area

Upgrade details

- 2011 - 2016
- 2016 - 2021
- 2021 - 2031

- ① Bruce Highway Yeppen Lagoon Upgrade (Yeppen North)
- ② Bruce Highway Yeppen Floodplain Upgrade (Yeppen South)
- ③ Bruce Highway Rockhampton Northern Access Upgrade Stage 1 (Yeppoon Road to Boundary Road)
- ④ Western Road Corridor North (Yeppoon Road - Rockhampton Ridglands Road) 2 lane at grade intersections
- ⑤ Bruce Highway Urban Capacity Upgrades - Stanley Street to Albert Street (Intersections to be confirmed)
- ⑥ Bruce Highway Lower Dawson Road flood immunity improvements
- ⑦ Capricorn Highway Duplication (Yeppen - Gracemere)
- ⑧ Western Road Corridor South (Rockhampton Ridglands Road - Capricorn Highway) 2 lane at grade intersections
- ⑨ Bruce Highway Rockhampton Northern Access Upgrade Stage 2 (Boundary Road to Terra Nova Drive)
- ⑩ Western Road Corridor Northern Extension (Alexandra Street - Bruce Highway)
- ⑪ New link from Lakes Creek Road to Moores Creek Road
- ⑫ Western Road Corridor Ultimate Development North (Yaamba Road to Rockhampton Ridglands Road) Duplication and interchanges ④ ⑩
- ⑬ Western Road Corridor Ultimate Development South (Rockhampton Ridglands Road to Bruce Highway) Duplication and interchanges ⑦ ⑧



0 1 2 Km