

Minister for Environment, Parks and Heritage
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11 APR 2011

Mr Norm McIlfratrick
Secretary
Department of Infrastructure, Energy and Resources
GPO Box 936
HOBART TAS 7001

Dear Mr McIlfratrick

I refer to the Construction Environmental Management Plan (CEMP) that you submitted to the Director of National Parks and Wildlife, Kim Evans, on 31 March 2011.

Under the terms in section 3 of Permit 10/29, granted by me under the *Aboriginal Relics Act 1975* on 17 December 2010 in relation to the proposed Brighton Bypass works at the Jordan River Levee crossing, no works can be undertaken on the site except in accordance with a CEMP that I have approved. I am informed that no works have been undertaken on the site to this point.

I have now received a recommendation from the Director of National Parks and Wildlife that I approve the CEMP.

I understand that the CEMP has been developed in consultation with staff in the Department of Primary Industries, Parks, Water and Environment (DPIPWE), and that significant amendments have been made since the first draft was submitted on 2 February. The consultation has included the exchange of correspondence and meetings, including one in which the senior project staff from the contractors (the VEC Thiess Joint Venture) participated.

As a result, I am assured by the Director of National Parks and Wildlife that the concerns raised by DPIPWE have been satisfactorily addressed. In recommending that I approve the CEMP, the Director is confident that the provisions of Permit 10/29 may be met by the Department of Infrastructure, Energy and Resources (DIER) and its contractors, including key permit term 3(g), that the works will "not cause any physical damage, during or after construction of the Approved Works, to that portion of the Jordan River Levee located within the Site".

The only point on which it is appropriate to specify further work relates to the management of the risk of erosion by floods, after construction of the bridge. This has been discussed by officers of DPIPWE and DIER, and I understand it has been agreed that management of this issue is a matter to be thoroughly considered in arrangements for the longer-term management of the site.

Important work on this has already been presented by you, in the form of the report by Dr Guy Lampert of GHD that accompanied your final submission in relation to the Permit. I would now like to make clear that I expect some further work to be done on this matter, for documentation in the forthcoming Aboriginal Cultural Heritage Management Plan (ACHMP). I believe it has been agreed already that your Department will work with DPIPWE to develop a brief for advice from one of the reputable specialist consultants in this field, who will provide advice specifically on the work to be done in placing effective scour protection around relevant elements of the bridge, and on the long-term monitoring and management of erosion risks.

The CEMP contains provisions for the placement of rock-based scour protection around the areas that may be vulnerable to erosion. In approving the CEMP, I emphasise that I am approving the outcome of effective scour protection, and that I require that to be achieved by whatever specific means are recommended by the consultant. I also note that this advice should be sought as soon as is reasonably practicable, and that the development of provisions on erosion risk management will be completed in consultation with DPIPWE.

Finally, I thank you for the manner in which the CEMP has been developed and modified to address the matters raised by DPIPWE since early February. In approving the CEMP I confirm that I have confidence you and your contractors will be able to undertake this very sensitive and difficult project with the necessary care, and that your work will be subject to appropriate and practical constraints to protect the site's extremely important Aboriginal heritage values.

Yours sincerely



Brian Wightman MP
MINISTER FOR ENVIRONMENT, PARKS AND HERITAGE