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Referrals Gateway
Environment Assessment Branch
Department of the Environment
Canberra ACT 2601
epbc.referrals@environment.gov.au

Dear EPBC Referrals Team,

Re: Submission on Abbot Point Marine Offloading Facility Beach Nourishment and Maintenance Dredging; and Abbot Point Marine Offloading Facility Maintenance and Renewal Works

This letter provides submissions on two referrals made by North Queensland Bulk Ports Corporation under the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth), being for:

- 2016/7692: Abbot Point Marine Offloading Facility Beach Nourishment and Maintenance Dredging; and
- 2016/7691: Abbot Point Marine Offloading Facility Maintenance and Renewal Works.

NQCC is the regional conservation council for the area from Cardwell to Bowen, and from the Reef to the Northern Territory border. Established in 1974, it falls under the broad umbrella of the Queensland Conservation Council and focuses on education, advocacy and policy development.

On behalf of NQCC, I am making this submission to the EPBC Referrals team because we consider that the proposed actions meet the definition of the 'controlled action' as defined in the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth). That is, that the proposed actions are likely to have a significant impact on a matter of national environmental significance. Therefore, NQCC upholds that both referrals should be assessed under the

stipulations of the EPBC Act to determine the impacts on matters of national environmental significance.

The reasons for our view are addressed in brief below.

1. Great Barrier Reef Marine Park

The Great Barrier Reef Marine Park has been the subject of many scientific findings and media reporting on the widespread coral bleaching event currently occurring. The survivability of this World Heritage Listed Area is under threat. NQCC believes that any impact upon the Great Barrier Reef Marine Park should be considered a 'significant impact' and therefore require referral under the EPBC Act.

NQCC would also like to note that the application material does not reflect the true quantity of coral near Abbot Point – there are several reefs in the Abbot Point area, including Euri Creek Reef, which is an important fish spawning site.

2. Nationally Threatened Species, Marine Species and Migratory Species:

***Chelonia mydas* (Green turtle)**

***Chelonia depressa* (Flatback turtle)**

Both the Green and Flatback turtle species are listed as having vulnerable, marine and migratory status under the EPBC Act.

The Green turtle utilises seagrass beds near Abbot Point as a 'high priority' foraging habitat within the GBRMP. Simply because the seagrass beds are patchy, does not make them of low importance. There is no recent survey of turtle foraging. As recent reports indicate seagrass meadows have been recovering in the region,¹ thus it is highly likely there are now greater densities of green turtles foraging within the ports surrounds. Further studies are required to confirm the location of turtles.

Flatback turtle populations at Abbot Point are low density but still considered important. Low density nesting can make an important reproductive contribution and should not be disregarded as unimportant. Nesting activity for Flatback turtles may compare favourably with well-known mainland sites further south in the Mon Repos region.

¹ McKenna, S.A., Sozou, A.M., Scott, E.L., and Rasheed, M.A. (2015) *Port of Abbot Point long-term seagrass monitoring: annual report 2013-2014*. Report. TropWATER, James Cook University, Cairns, QLD, Australia.
<http://researchonline.jcu.edu.au/39633/>

3. Migratory Species : *Dugong dugon* (Dugong)

The dugong has marine and migratory status under the EPBC Act, and is listed as a vulnerable species in the Nature Conservation Act 1992 (Queensland) August 2015 list.²

Dugongs rely upon the seagrass meadows within the Great Barrier Reef Marine Park for their survival. Strong management and rehabilitation of seagrass is required to secure species survival by improving water quality and restoring seagrass habitat. Thorough research must be undertaken to understand how dugongs utilise the area. The most recent population survey demonstrated the dugong population in decline in the region of proposed activities as of 2015.³

An existing action plan⁴ details the main threat to dugongs as habitat degradation including coastal development and port expansion, based upon evidence of seagrass loss leading to reduced food resources and condition. Strikes from vessels also have a moderate threat consequence rating, and increased traffic from the Port will inevitably lead to a greater number of strikes of dugongs.⁵

4. Migratory Species:

***Orcaella heinsohni* (Australian Snubfin Dolphin)**

***Sousa chinensis* (Indo-Pacific humpback dolphin)**

The Snubfin Dolphin has cetacean and listed migratory status under the EPBC Act, and is listed as a vulnerable species in the Nature Conservation Act 1992 (Queensland) August 2015 list.

The Department of Environment's site on this species admits that this species is not well surveyed across its range.⁶ The knowledge about the distribution of Australian Snubfin Dolphins is primarily from stranding records, and opportunistic sightings during aerial surveys. Systematic boat-based surveys have been conducted in Cleveland

² http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=28#summary

³ http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=28#population_information

⁴ *The Action Plan for Australian Mammals 2012*

⁵ http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=28#threats

⁶ http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=81322#surveys_conducted

Bay, Hinchinbrook, Princess Charlotte Bay, Ninian Bay and Bathurst Bay, north-east Queensland, but in no areas around Abbot Point.

The Indo-Pacific humpback dolphin has cetacean and listed migratory status under the EPBC Act, and is listed as a vulnerable species in the Nature Conservation Act 1992 (Queensland) August 2015 list.

The distribution of Indo-Pacific humpback dolphins through out their range has primarily been estimated from beach-cast animals.⁷ The species page written by the Department of Environment concedes that reliable population estimates in Australian waters do not exist.⁸

Habitat destruction and degradation is listed as a major threat to both species.

NQCC argues that there is insufficient information regarding the population dynamics, habitat use and migratory movements for the snubfin and Indo-Pacific humpback dolphins in this specific area.

Should this not be the case, we would expect the precautionary principle embedded in the EPBC Act to be triggered.

5. Recommendations

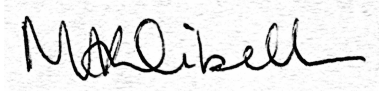
- a) We recommend that the current resilience of the World Heritage status Reef be considered under the EPBC Act when evaluating how significant the impacts of the controlled actions will be.
- b) We recommend that further data should be collected and assessed under the EPBC Act to determine how the controlled actions will affect the foraging and nesting habits of turtles.
- c) We recommend that the affects of the controlled actions be assessed under the EPBC Act to determine the impacts on seagrass beds and vessel strikes that continue to threaten dugongs.

⁷ http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=50#surveys_conducted

⁸ http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=50#population_information

d) We recommend, due to all cetaceans having protected status under the EPBC Act, that the proposed action referred should be assessed to determine how the proposed action will affect the conservation of the snubnose and Indo-Pacific humpback dolphins.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Maree Dibella', is written over a light grey rectangular background.

Maree Dibella
Acting Coordinator
North Queensland Conservation Council