



Submission on the draft terms of reference for Balaclava Island Coal Export Terminal project

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Section	Describe the issue	Suggested solution
2.3.3 <i>Dredging & spoil disposal</i>	<p>This section lists and requests information, including the potential impacts, to the area (its land, marine habitats, flora and fauna) proposed for dredging, reclamation and spoil disposal, but it fails to identify or specifically request the potential impacts to the area surrounding and adjacent to the proposed dredging areas. As the impacts of dredging and reclamation will move beyond the proposed areas into the surrounding and adjacent marine environment to impact upon its habitats, flora and fauna, this information needs to be requested in the Terms of Reference (ToR) and provided by the proponent in the EIS.</p> <p>Dot points which fail to request sufficient information include:</p> <ul style="list-style-type: none">• 3rd dot point on page 19 – <i>“potential impacts on the marine habitats and species within the proposed dredged area, including any marine flora and fauna protection measures proposed”</i>• 4th sub-point of final dot point on page 19 – <i>“location of marine plants and species habitat within the land to be reclaimed and existing and proposed bunds”</i>	<p>Directly request for information, including the potential impacts to, the adjacent and surrounding environments and their marine flora, fauna and habitats in this section of the ToR. This could be done as follows:</p> <ul style="list-style-type: none">• 3rd dot point of page 19 - <i>“potential impacts on the marine habitats and species <u>within, adjacent and surrounding the proposed dredged area, including any marine flora and fauna protection measures proposed</u>”</i>• 4th sub-point of final dot point on page 19 - Alter the wording of the statement to read as <i>“location of marine plants and species habitat <u>within, adjacent and surrounding the land to be reclaimed and existing and proposed bunds</u>”</i>



<p>2.3.3 <i>continued</i></p>	<p>The opening statement does not directly request maps to accompany the description and data on Dredging and spoil disposal. Maps are an essential item to identify and understand the description of potential impacts of this activity and hence should be directly requested.</p>	<p>Change the opening statement to specifically include maps. For example, the opening sentence/statement of this section should be changed to: <i>“Describe the dredging and spoil disposal elements of the project, supported by maps, including:”</i></p>
	<p>There is no request for a discussion of the potential impacts from the <u>proposed dredging and disposal activities</u> upon relevant matters of National Environmental Significance (NES) - as identified in the controlled action referral decision under the EPBC Act - such as the Great Barrier Reef Marine Park, other World Heritage areas, National Heritage places, Wetlands of International Importance, listed threatened species and ecological communities and listed migratory species. As it stands, the current draft ToR only requests for a discussion on <u>how the land reclamation</u> affects these matters; this is not acceptable and dredging and disposal impacts should be included.</p> <p>Given the nature of the location of Balaclava Island in relation to the above listed matters, it is essential that this discussion and further information on dredging and disposal be requested so that the potential impacts can be clearly defined and assessed under the EPBC Act. Historical baseline data regarding benthic sediment quality and water quality should also be requested.</p>	<p>Directly request for information, including the potential impacts, of proposed dredging and disposal on the relevant matters of NES identified in the controlled action referral decision of the EPBC Act. The following statement is suggested to request this discussion and other information:</p> <p><i>“A discussion of how dredging and disposal may affect the area of the proposed action and its potential impact on the relevant matters of NES (World Heritage, National Heritage, Wetlands of International Importance, listed threatened species and ecological communities and listed migratory species). This discussion should be underpinned by data and information specific to the proposed action and should include site monitoring data and/or modelling, and maps identifying the potential impacts and the locations of relevant matters of NES. The potential for the disturbance of acid sulphate soils with dredging and reclamation works should be considered and appropriate monitoring data provided in the discussion. The potential impacts to these relevant matters of NES that are associated with the suspension of benthic sediments in the marine and estuarine environment as a result of proposed dredging and reclamation works should be identified and described and the appropriate modelling, data and maps provided. The discussion and information regarding the potential impacts should include the suspension and transportation (or mobilisation) of nutrients, metals and contaminants into the water column of the marine and estuarine environment as a result of benthic disturbance with proposed dredging and disposal activities. Historical and current baseline data should be provided in the EIS on the metals, contaminants & nutrients located in benthic sediments and how this may impact upon water</i></p>



		<i>quality parameters and marine habitats, flora and fauna.”</i>
2.5.2 Rail transport	No reference made to a description of the potential impacts upon terrestrial flora and fauna and matters of NES (listed as controlling provisions of EPBC controlled action approval). Such matters should be included and reference made to the relevant sections in the EIS for further information.	<i>Consideration must be given to and a brief description provided on the potential impacts of the construction and operational phases of the rail transport facilities upon matters of NES and terrestrial flora and fauna, specifically endangered and threatened species and communities such as the Yellow Chat and Littoral Rainforest & Beach Scrubs (otherwise known as Beach Chenier’s). Reference should be made to other sections of the EIS that contain such and further information.</i>
2.5.3 Port description	<p>Dot point 5 of this section of the draft ToR only requests information relating to ship size, frequency, speed and route for current Port Alma operations and fails to request this information for proposed future Balaclava Island Coal Port Terminal operations and future operations of Port Alma.</p> <p>Given the Fitzroy River Delta area, including Balaclava Island and surrounding estuarine creek systems, are known feeding grounds and habitat for the following vulnerable and rare marine species listed under the EPBC Act - the Indo-Pacific Dolphin, Snub-fin Dolphin & Green Sea Turtle -, such information regarding proposed port & shipping operations are crucial to determine the potential impacts on these and other species of marine fauna, their habitats and flora. Reference should also be made to other sections of the EIS that contain information relating to the potential impacts on marine fauna, flora and habitat with proposed port operations.</p>	<p>Amend dot point 5 to include proposed future operations of Balaclava Island Port Terminal and Port Alma as follows:</p> <ul style="list-style-type: none">• <i>“Ship numbers, size, frequency, speed and route within Port Alma and through the Great Barrier Reef Marine Park for the current <u>and future</u> Port Alma operations, <u>and current and future</u> operations of Balaclava Island Coal Export Terminal”.</i> <p>Include reference to other sections of the EIS that consider potential impacts to marine flora, fauna and habitats associated with current and future port operations. This could be done as follows:</p> <ul style="list-style-type: none">• <i>Considerations should be given to the impacts of increased shipping frequency, size, speed and route in relation to marine fauna, flora and habitats - specifically marine cetaceans, turtles, dugong and EPBC listed species –with Port Alma, the Great Barrier Reef Marine Park, adjacent wetlands of international significance and other matters of NES. Specific reference should be made to other sections of the EIS that contain such and further information.</i>
4.1.3 Social baseline study	<i>“-use of the social and cultural area for forestry, fishing, recreation, business and industry, tourism, aquaculture, and Indigenous cultural use of flora and fauna”.</i> Keppel Bay currently has little impact from heavy industry and shipping. Insertion of a coal port and greatly increased shipping will significantly change the social,	The EIS should provide studies on the impact on the social and economic impacts to tourism, tour boat charter operators, recreational and commercial fisheries as well as to the potential loss value for recreational users of Keppel Bay and residents of the Capricorn Coast.



4.1.3 (cont)	economic base and visual amenity of the Capricorn Coast, Keppel Bay and Islands	
9.1 Impacts on world heritage properties & natural heritage places	Peak Island is a GBRMPA Preservation Zone set up to protect the Island flat back turtle nesting sites provided a degree of protection around nesting beaches and immediate marine environment but does not take account of the “actual” areas of dispersal of the hatchling turtles or of known or surmised feeding areas for <i>Natator depressus</i>	Study should include impact assessment on the integrity the turtle and other marine populations reliant on Peak Island and surrounding waters.
9.3.1 Baseline Data And 9.3.2 Impacts for Listed threatened species, ecological communities & listed migratory species.	<p>We note that section 9.3.1 of the draft ToR includes a requirement to undertake “A study of the habitat use, behaviour and movement of marine turtles and dugongs within the region.”, however we are concerned specifically about the impacts that increased shipping (resulting from the proposed Balaclava Island Coal Export facility operations) will have on Flatback turtles in the Peak Island area of the GBR Marine Park.</p> <p>Peak Island is located in a Preservation (Pink) Zone and is a major nesting site for Flatback turtles, and forms one of the two largest nesting populations in eastern Australia (Limpus, 1983). Flatback turtles, listed as vulnerable under the EPBC Act 1999, are recognised internationally as species of conservation concern and are listed in the 2000 IUCN (World Conservation Union) Red List of Threatened Animals. One of their principal feeding areas are the shallow bays of the Keppels, particularly south of Peak Island. We are particularly concerned about:</p> <ol style="list-style-type: none"> 1. The impacts of increased shipping on turtle nesting and shallow feeding areas close to Peak Island as the shipping channel comes within 6km of this protected site; 2. The impacts of increased noise and lighting on Flatback turtle nesting and hatching cycles; 3. The impacts of increased vibration from shipping on Flatback turtles and marine cetaceans in the mouth of the Fitzroy River; and 4. The possibility of a major oil or coal spill so close to Keppel Bay Islands. 	<p>Amend and improve the dot point in section 9.3.1 regarding the study of habitats for turtles and dugong within the region to include specific mention of Peak Island and surrounds. For example, we suggest:</p> <ul style="list-style-type: none"> • “A study of the habitat use, behaviour and movement of marine turtles and dugongs within the region, specifically including but not limited to the Peak Island Preservation (Pink) Zone, other zoned areas of the GBRMP and other areas of Keppel Bay <p>Amend and improve the two impacts listed in section 9.3.2 of the draft ToR to ensure the consideration of increased shipping on turtle nesting & feeding For example, we suggest:</p> <ul style="list-style-type: none"> • <i>habitat removal, fragmentation and modification affecting food availability or other resources/requirements of threatened and migratory species, including but not limited to the impacts of removing wetland, shoreline and mangroves, modifying wetland tidal flows, increased noise, vibration & lighting from increased vessel traffic in shipping lanes and adjoining areas (specifically surrounding Peak Island; and</i> • <i>Increase in vessel traffic, which may result in increased ship strike, groundings, increased risk of chemical and oil spill and noise/disturbance to marine cetaceans, turtles, dugongs and other species in their nesting and feeding areas and areas of movement.</i> • <i>Also Of concern:- Eucalyptus populnea, E. tereticornis; the Pacific Ridley/Olive Ridley Turtle (Endangered), Loggerhead</i>



	<p>In relation to our concerns outlined above, section 9.3.2 of the draft ToR has listed two impacts which need to be improved to address our concerns for the Flatback Turtle and marine cetaceans. These two impacts are:</p> <ul style="list-style-type: none">• <i>“habitat removal, fragmentation and modification affecting food availability or other resources/requirements of threatened and migratory species, including but not limited to the impacts of removing wetland, shoreline and mangroves and modifying wetland tidal flows;”</i> and• <i>“Increase in vessel traffic, which may result in increased ship strike, groundings, increased risk of chemical and oil spill and noise/disturbance.”</i>• 	<p><i>Turtle (Endangered) and Green Turtle (Vulnerable), as well as the Critically Endangered Eastern Yellow Chat.</i></p>
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Dated 11 April 2011

Signature:

Submissions must be received by **5 pm , Monday 11 April** and be addressed to:

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C/- EIS project manager—Balaclava Island Coal Export Terminal project
Significant Projects Coordination
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This form is the preferred format for a submission. Submissions will be treated as public documents and copies will be provided to the project's proponent. For further information, please contact the Department of Infrastructure and Planning on (07) 3227 8548.