



Submission No 015  
11.1.5  
29 June 2015

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Research Director  
Infrastructure, Planning and Natural Resources Committee  
Parliament House  
George Street  
BRISBANE QLD 4000  
**By email to: [ipnrc@parliament.qld.gov.au](mailto:ipnrc@parliament.qld.gov.au)**

Dear Sir/Madam,

**Re: *Sustainable Ports Development Bill 2015***

Thank you for the opportunity to make a submission to the Committee on this Bill.

North Queensland Conservation Council (NQCC) is one of ten regional conservation councils in Queensland. Based in Townsville, NQCC has responsibility for the area from Bowen to Cardwell and from the Reef to the NT border.

Established in 1974 and incorporated in 1984, NQCC works as the voice for the environment in north Queensland, endeavouring to ensure that our natural environment is protected, and rehabilitated where necessary, and that any use occurs in a manner that ensures ecological sustainability.

As a Townsville-based agency, NQCC has a particular interest in this Bill, which names the Port of Townsville as one of four priority ports for sustainable development. NQCC is currently working with the Port of Townsville and its stakeholders and various state departments on a Port Stakeholder Working Group that was established following work undertaken for NQCC in relation to lead contaminated dust around the Port environs.

I would be happy to expand on the comments contained herein in person if the committee were to find that helpful.

For many years, observers and successive governments have known that coastal and port development was having detrimental impacts on the GBR and GBRWHA, particularly at a local level (see, for example, the *GBRMPA Outlook Report 2009*, *GBRMPA Outlook Report 2014*, *Strategic Assessment of the GBR WH Region*).

The 'Sustainable Ports Development Bill 2015' goes some way to addressing these impacts, specifically in relation to port-related dredging, dumping of capital dredge spoil and port expansion along the Great Barrier Reef coastline.

However, the less than appropriate name of the Bill leads to confusion; it is unclear as to just what is being 'sustained' here – is it port development or is it the GBRWHA?

If it is the latter (and the wording of the Bill, viz.: *'to provide for the protection of the Great Barrier Reef World Heritage Area through managing port-related development in and adjacent to the area'*, achieved by *'providing for the development of master plans that establish a long-term vision for the future development of priority ports consistent with the principles of ecologically sustainable development'*, suggests that this is so), the Bill itself might be more appropriately named the 'Ecologically Sustainable Development of Ports Bill'.

The renaming of the Bill would clarify and emphasise its purpose and aim – vital if future governments are not to 'misinterpret' the objectives of the Bill, and give priority to port development over ecological sustainability of the Reef.

But regardless of the name, while the draft Bill is a useful step, significant further action needs to be taken before the proposed legislation can claim to be designed to contribute sufficiently to ecologically sustainable development adjacent to the GBR and within the GBRWHA.

### **Maintenance dredging**

The greatest failing of the Bill is its silence on the issue of maintenance dredging. This is particularly pertinent in relation to the Port of Townsville, which is based in a very shallow, highly biodiverse bay, adjacent to the scientifically and ecologically unique Magnetic Island and central to the community 'leisure areas' of the city of Townsville. The impact of dredging of the Port of Townsville on Magnetic Island has been known for decades. See, for example, [Brown, T.W 1972, \*Silt Pollution: The Destruction of Magnetic Islands\*' \[sic\] \*Coral Fringing Reefs\*](#). Since 1972, dredging has escalated rapidly, with proportionate negative impacts.

Maintenance dredging in Townsville is massive, dwarfing the amount of capital dredging anticipated over the next 25 years. The 2013 SKM APASA Report shows average annual maintenance dredging in Townsville over the period 2013-2038 of 684,000 cubic metres, compared with an average annual of 276,000 cubic metres for capital dredging. In comparison, average annual maintenance dredging for the 3 other priority ports referred to in the Bill over the same period are: Gladstone 300,000; Hay Point 320,000 and Abbot Point 200,000 cubic metres.

To claim that port development, especially in Townsville, will be occurring on a sustainable basis while ignoring the massive maintenance dredging required to service

existing and new capital dredging makes little sense. It is essential that the issue of maintenance dredging is considered.

### **Transshipping**

The other issue on which the Bill remains unacceptably silent is that of transshipping. This practice, especially in cyclonic north (and increasingly south-central) Queensland, involves unacceptable risks.

### **Non-‘port’ dredging**

The Bill needs to be expanded to include non-‘port’ dredging. The differentiation between ‘ports’ and marinas’ is nothing more than a play on words. ‘Marina’ dredging can be substantial and the impacts are the same as for ‘port’ dredging.

### **Community input**

It is noted that the value of the Bill will be determined largely by the quality of the Master plans for each port. NQCC looks forward to being involved in the development of and comment on these documents, again especially with respect to Townsville.

Finally, to uphold community expectations of accountability and transparency, this Bill needs amendments to ensure that third party enforcement and judicial review are available for all decision making referred to in this Bill. It should be mandatory that all documents informing these decisions are kept on the public register, particularly the documents informing a master plan review which allow understanding of the success of the priority management measures in managing environmental impacts.

Yours faithfully,



Wendy Tubman  
Coordinator