

From: s47F
To: [EPBC Referrals](#)
Subject: EPBC ACT REFERRAL
Date: Tuesday, 8 December 2015 4:32:55 PM
Attachments: [TOONDAH PROPOSED 2015 \(B\).pdf](#)

REFERENCE NUMBER 2015/7612

Walker Group Holdings Pty Limited/Commercial Development/Moreton Bay/Queensland/Toondah Harbour Project, Moreton Bay, Qld

Dear Sir/Madam,

I am concerned as to how a private investment group could possibly be attempting to acquire and develop, with Local Authority and State Government "assistance", a substantial area of the Moreton Bay Marine Park, a RAMSAR site considered Critical Shore Bird Habitat, for the purposes of residential development. With the state government designating the site with PDA boundaries, the developers have now exceeded the original boundaries of the site they were allocated by approximately **97,500m²** (refer attached drawing TOONDAH PROPOSED 2015(B)), going further out into Moreton Bay and filling more of the marine wetlands. It is accepted procedure that any development must be contained within the site boundaries for public open space – apparently the Walker Group consider they do not have to meet boundary restrictions. They have filled the PDA site with buildings and then nominated nearly 10 hectare of Moreton Bay as public open space.

Regards

s47F





- LEGEND
- PROPOSED GROUND FLOOR RETAIL / COMMERCIAL
 - RESIDENTIAL (UP TO 3 STOREYS)
 - RESIDENTIAL (UP TO 7 STOREYS)
 - RESIDENTIAL (UP TO 10 STOREYS)
 - PROPOSED HOTEL / FUNCTION FACILITY (UP TO 10 STOREYS)
 - MARINE SERVICES (UP TO 7 STOREYS)

PROPOSED TOONDAH HARBOUR MASTER PLAN

From: s47F
To: [EPBC Referrals](#)
Subject: Toondah Harbour Priority Development Area Development Scheme- Reference No:2015/7612
Date: Sunday, 6 December 2015 4:53:07 PM
Attachments: [Environmental Impact Assessment Process 6 Dec 15.docx](#)

Dear Sir/ Madam ,

Please find attached a submission on the above proposal submitted to the Minister for the Environment.

s47F

Referrals Gateway

Environment Assessment Branch

Department of Environment

GPO Box 787

Canberra ACT 26001

s47F



6 December 2015

Toondah Harbour Priority Development Area Development Scheme

Dear Sir/Madam,

I understand that the above project has been submitted to the Minister for the Environment as the first step in initiating an environmental impact assessment. I should like to make the following comments on this Scheme.

While I support the development of Toondah Harbour, the Scheme now proposed is a significant expansion on the development plan presented as a PDA and has a large negative impact on the environment and is inconsistent with the original vision of the PDA.

Reclamation of a huge area of Moreton Bay National Park for the creation of a new medium/high density residential marina area creates a significant precedent, where the resulting loss of pristine natural bay and mangrove environment needs strong counter arguments in favour of housing development. I do not believe such arguments exist as Redlands is not short of suitable land for housing, and the development of the passenger/freight ferry terminal can be achieved without significant land reclamation or adverse transport and access issues.

The proposed extended residential development which occupies the current tidal bay will require a significant elevation to provide storm protection consistent with the Redland City 100 year flood assessment. This footprint will require a huge increase in land fill sourced from reclaimed marine silt, indeed it may be impossible to source sufficient from the proposed marina without the addition of dredged fill from other parts of the National Park or from shore sourced land fill. Significant areas of acid sulphate soils are known to be in the area to be dredged for this landfill.

There is little doubt marine flora and fauna will be seriously impacted by this resumption of Moreton Bay. Aside from the obvious loss of mangroves, sea grasses and their associated fish, turtles and dugongs, we have a loss of nesting and feeding tidal areas which are frequented by migratory sea birds.

The magnitude of this loss of the Moreton Bay Marine Park seems inconsistent with the community's expectations for future environmental management, particularly when so many other low impact options exist.

Yours sincerely,

s47F



From: s47F
To: [EPBC Referrals](#)
Cc: s47F
Subject: EPBC referral 2015/7612
Date: Sunday, 6 December 2015 5:55:33 PM
Attachments: [EPBC referral Toondah Harbour 6 Dec 15.doc](#)

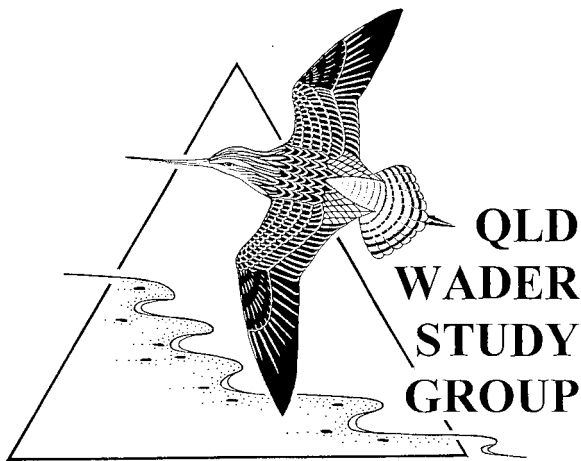
Dear Sir/Madam

Please find attached the submission from the Queensland Wader Study Group regarding the proposed Toondah Harbour development in Cleveland, Queensland.

Yours sincerely

s47F

QWSG Committee member



**Queensland Wader Study Group
(A special interest group of the
Queensland Ornithological Society Inc)**

s47F

s47F

s47F

QWSG

www.waders.org.au

6 December 2015

Epbc.referrals@environment.gov.au

Dear Sir/Madam,

Re: Toondah Harbour Development Project, Cleveland, Queensland by Economic Development Queensland and Redland City Council. Ref No. 2015/7612

The Queensland Wader Study Group (QWSG) is extremely concerned about the potential impact of the proposed Toondah Harbour development on the ecological character of the Moreton Bay Ramsar site and the Moreton Bay Marine Park. The proposed 167.5 ha development footprint that plans to excise and fill 43.5 ha of intertidal and sub-tidal marine habitats will have a major environmental impact on the local and regional migratory shorebird populations. The BAAM (2014) migratory shorebird assessment found that there were up to 180 of the nationally Critically-Endangered Eastern Curlew *Numenius magagascariensis* that forage within the development or roost nearby. These tidal flats form part of a network of foraging habitats used by a large number of shorebirds that occur in Moreton Bay during their non-breeding season.

Eastern Curlew have recently been listed as Critically-Endangered under the EPBC Act due to the incremental loss of habitat that has occurred on their non-breeding grounds in Australia (Wilson et al., 2011) and their migratory stop-over sites in Eastern Asia (Yang et al., 2011). This proposed development will remove another 50.5 ha of migratory shorebird foraging habitat and will incrementally contribute to the on-going declines in the numbers of migratory shorebirds feeding in Moreton Bay. Wilson et al. (2011) found that migratory shorebird populations had declined by 62% in Moreton Bay during the previous 15 years. Nearby high tide roosts will receive increased disturbance from the increased human activity by the people living within the development. These birds are highly likely to abandon these roosts due to this increased disturbance as has been found elsewhere in Queensland (Milton and Harding 2011).

The nearby Nandeebie Park and Cassim Island high tide roosts can be used by over 2,000 migratory shorebirds (QWSG records in BAAM 2014). These large numbers of migratory shorebirds demonstrate that the intertidal areas within the development area are a critical part of the foraging habitat of these birds.

Besides the loss of key feeding habitats within a nationally-protected Ramsar site and state marine park, the increased human activity will have a demonstrated effect on the use of the remaining intertidal areas and high tide roosts adjacent to the site from increased human disturbance. Similar effects have been shown for a shorebird high tide roost in Mackay (Milton and Harding 2011). The proposed close proximity of the outer wall of the development at the western edge of the Cassim Island mangroves will also degrade these mangroves as a result of the stormwater runoff, increased urban refuse and altered tidal flow patterns.

We urge the Environment Department to refuse this development application on the clear unacceptable impacts on matters of national environmental significance and should not proceed to be assessed under the EPBC Act.

References

BAAM (2014). Migratory shorebird assessment for the Toondah Harbour and Weinam Creek Priority Development Areas. Report prepared for frc environmental on behalf of Walker Corporation. 17 pp.

Milton, D.A. and Harding, S.B. (2011). Death by a thousand cuts: the incremental loss of coastal high tide roosts for shorebirds in Australia: Sandfly Creek environmental reserve central Queensland. *Stilt* 60: 22-33.

Yang, H.Y., Chen, B., Barter, M., Piersma, T., Zhou, C.F., Li, F.S., and Zhang, Z.W. (2011). Impacts of tidal land reclamation in Bohai Bay, China: on-going losses of critical Yellow Sea waterbird staging and wintering sites. *Bird Conserv. Int.* 21: 241-259.

Wilson, H.B., Kendall, B.E., Fuller, R.A., Milton, D.A. and Possingham, H.P. (2011). Analysing variability and the rate of decline of migratory shorebirds in Moreton Bay, Australia. *Conserv. Biol.* 25: 758-766.

Yours sincerely,

s47F



Queensland Wader Study Group

From: s47F
To: [EPBC Referrals](#)
Subject: submission for Toondah Harbour Project 2015/7612
Date: Tuesday, 8 December 2015 4:26:24 PM

From s47F

TO;
Referrals Gateway
Environment Assessment Branch
Department of the Environment

REGARDING THE TOONDAH HARBOUR PROJECT REFERRAL, 2015/7612 - please consider my written comments below.

Under 1.9 and 2.2 "Alternatives to proposed action" the response given by the Proponent is totally unsatisfactory.

This project in its latest version proposes to reclaim publicly owned marine park for suburban real estate. Presumably this is justified as being highly profitable and therefore able to drive other non-profitable aspects of the project, but i believe such a rationale is a fault of the design overall, and should not be part of the EPBC Act assessment for environmental loss.

- The precedent set for revoking of the marine park for suburban land creation is something that cannot be given as a simple 'no other alternative' claim by developers i.e. the words of 2.2 "the proposed action is consistent with the government parties' proposal for the Toondah Harbour PDA". On the contrary, the previous plan for the PDA did not have reclamation for suburbia, so that was obviously an alternative then.

Further to 2.2 and also 2.3

- The sound alternative to this proposal is to downsize to a marine facility-oriented land development, in keeping with the long term State Govt planning for south east Queensland and the Moreton Bay marine park, with the only high rise being less than 3 stories and that largely offsetting costs for a large three story carpark that caters to the parking. This is not as impacting, and cleaning up of the mess that has remained since the initial reclamation of the existing part and parking area, will make a major difference. The use of marine oriented infrastructure will be jobs creating, and the emphasis should be moved from in water boat mooring (i.e. a marina) to dry storage facilities. These sorts of storage are a job creator and lead to many other low impact activities on site, and away from in-water impacts.

-The parking problem is the driver in terms of public need. Rationalisation for more than this needs to justify itself as being something beyond making real estate from alienation of public resource - primarily the Moreton Bay marine park. This is a key point to the criterion of alternatives to the proposal, since there is an amount of money allocated from government that would amply allow this needs-based smaller development. As such this smaller facility utilising existing land - and alienated land at that (the present Toondah Harbour is reclamation by Mr Malmsey back in the 1960's) represents a low environmental impacting alternative, with that magic governmental pro-development term "shovel-ready".

2.4

- The context of this being a bayside village is not correct - it is correctly conveyed as being a

reclaimed part of the bay.

- The resulting outcome of such poor planning is a need for continual maintenance dredging, which is both environmentally damaging and a huge ongoing cost to the ratepayers.

I have observed the impacts of both the last two Fison Channel dredging exercises. The 2008 large dredging was faster and included some hard ground removal (capital) and the result was a thick layer of plastic muds from extreme fine sediments that blanketed the shoreline to the north and northwest. It was so slippery that walking on the intertidal area was difficult. It destroyed much of the habitat of the mussel bed communities, and particularly rankled since it killed the last of a unique small group of large tiger cowries that remarkably lived 200 metres from the proposed site. In comparison, the last year's dredging has caused eutrophication with chronic turbidity during its smaller scale dredging (but see comments regarding the marine fauna).

- It is worth noting that the muds in the Toondah Harbour site are more toxic in their level of ammonia than similar material encountered elsewhere, and this was at least part of the reason there was a special purposed spoil pond (presumably the one mentioned in 3.3 L) established behind what was the CSIRO base. That QPWS had to contribute a significant portion of the cost for this, when the benefit was for the ferries and barge companies that made and are making a high income from their operations, could be argued as something approaching public money being inappropriately used. However it can just illustrate the need to consider the silts from Toondah as being problematic for subsequent eutrophication of a large part of Moreton Bay, both from dredging and also from land run-off during construction. This point is also pertinent to 3.3 b).

- Elsewhere along the Queensland coast, the Qld govt and the commonwealth government have belatedly championed the idea of not allowing dredging to take place in a marine park.

Note that decision involved state and Commonwealth Marine parks in that case.

- This was done in the recognition of the damage that occurs from dredging in marine environment. The proposal threatens to transport silts, including high nutrient associated muds (repeating that the silts at Toondah have high ammonia levels and the cause/reason for this is not clear) during initial construction and capital dredging; later continual house building runoff, and for maintenance dredging. The southern bay has muds increasing northwards from the Logan River and overdevelopment of the Redland City exports, and sedimentation will be higher than the cleaner northern

- There needs to be current and particle drift based modelling to show that the massive silt potential from the proposal will not affect other locations of biological fragility in the southern Bay, particularly along the coastline to Wellington Point, and more worryingly to the unique high diversity fringing reefs around the relatively nearby Peel Island. There are weather conditions that can make these directions at some stages of the year, even if episodic in the case of Peel, and the eventuation of this is likely as the proposal is long term and very large.

2.5 EIS

- I believe a long running project of construction requires that impact assessment studies look at seasonal variables, i.e. currents and wind patterns change through the seasons.

- The difference between summer northerlies and southeastern prevailing winds on the inevitable exporting of impacts beyond the footprint of the proposal needs to be studied for more than one season.

- As such only the landward side of this operation can be regarded as that uplifting term "shovel-ready".

2.6

- Public consultation has largely been a pushing of an artificial picture of what is proposed.

- The PDA process itself was and remains a subversion of the public involvement. It involved a moving of responsibility from council administration to State Development for the concept plan - in effect the entire opposite of 'public consultation', and so the entire PDA process can be regarded as inconsistent with this criterion.

2.7

- The simplistic evaluation presently offered is open to challenge - there is no guarantee of the boundaries of the proposal remain as described - it can be part of a continued real estate development with additional reclamation (a process that is more commonly seen/done in international shipping harbours in Qld) - if this precedent of alienation and reclamation of the marine park is allowed.

3.1

- The description for 'nature and extent of likely impact' is misleading, since the size of the proposal is massive, and the requirement for massive reclamation of a part of the Moreton Bay Marine Park for suburban real estate and marina, means alienation of natural environment in an area where marine fauna is more important than what the draft statement conveys.
- The need to transport silt and sediments initially and into the future means the extent of the impact is far beyond the immediately destructive footprint.
- Also pertinent to 3.3b, at present the Redland City Council overdevelopment and the lack of enforcement of existing mitigating measures for such on-shore development, means that the water quality measured adjacent to this local authority is very poor.
- If Redlands is unable to prevent severe effects from existing on-land development, what hope is there for stopping or mitigating the impacts on water quality of any approval for turning Moreton Bay waters into suburbia as per this proposal.

3.1 d

- Turtles

The green turtle being at the site is a 'known',

- Given the Proposal if allowed will legitimise turning our marine parks into suburbia, and is so well supported by politicians, there is probably little future for larger marine fauna which require sites wanted for real estate as well as recreational pursuits.

- Dugong

- Are apparently overlooked as an important species that could be affected by the proposal.
- Dugong occur at the site, and often there are large amounts of seagrass fronds washing up following heavy feeding in the area directly adjacent to the proposal.
- The feed sources for dugong and green turtles will be impacted by any increase in turbidity caused by capital and maintenance dredging.
- The seagrass resources are particularly likely to be affected if there is any export of the muds from adjacent to Toondah because of their high ammonia levels.
- There have been repeated mortality events from propeller strike from the commercial ferries operating from Toondah. This decreased with adoption of non-extruding blade propulsion technology.

- Inshore dolphin species

The "Indo-Pacific humpback dolphins" with the locally occurring one re-classified as the 'Australian humpback' dolphin *Sousa sahalensis*, will almost certainly occur at the location.

- The effects of the proposal on the species are hard to predict.
- The Dept of EH+P lists this species as Vulnerable, and recommends to "Minimise the amount of pollutant and sediment output into coastal waters through appropriate catchment management.
- Another recommendation is for study of the populations - a priority in Moreton Bay before such developments. Studies by a leading cetacean researcher on the species in Moreton Bay were proposed in 2008 but did not eventuate.

- Birds

The area of the proposal is important for several species of seabirds and waders. It is not a reassuring aspect of the preliminary proposal process that gives a minor level of attention for this faunal group, when wader and seabird species are so reliant on the feeding resources of the Bay, particularly for those needing those resources for their long distant (sometimes inter-hemisphere) migratory lifestyle.

- The Cassim Island mangroves are a roosting site for many birds and the proposed development is directly adjacent to the island.

- The Eastern Curlew is listed as Critically Endangered by the Commonwealth Government under the EPBC Act.

- Several individuals of this species utilise this area as a feeding ground.
- The species will not tolerate any human movement or major disturbance even/particularly during nocturnal feeding.

- Pied Oystercatchers are using this area and several hundred metres north of it in increasing numbers as a feeding location. The species is breeding elsewhere (east coast of Moreton and in a low disturbance area of South Stradbroke - info at 2008?) but the east side of Cleveland Point to Cassim is now a significant feeding site for this species.

This is a complex situation - while not classified as threatened, there is a case to be made for concern for the populations of this species. Because it appears to favour this area so much, there may be more threat in the Proposal for this species than the other more endangered species. This important situation was identified around 2004 by a QNPWS official, but it is possible that the importance of the site for the pied oystercatcher is not known to community wildlife recording programs that convey information to the government agencies.

- They need an area that is not continually disturbed by human activity, and habituation to any disturbance seems to be slow, although one pair which seems resident is becoming less shy.

- The numbers arriving at the location peaks in excess of 100, and this may be due to loss of similar habitat with development occurring in the northern end of the Bay.

- Also possibly indicating the predicament facing this species in the increasingly overdeveloped Moreton Bay, there are large numbers of the species utilising a high tide roosting site in a quiet, small-dimensioned frontage of Raby Bay beachfront housing - where there is a grass covered beach groyne not able to be accessed by the public.

- This inability to habituate to human presence should be an important theme of the EPBC assessment - it becomes a part of any decision when developers and councils with little environment appreciation are continually seeking to create "parklands and publicly accessible waterfront" , they are always unwittingly creating conditions where disturbance to bird species feeding is too much.

- Sooty Oystercatcher

- These are not commonly seen birds in Moreton Bay

- Earlier this year one Sooty Oystercatcher was accompanying the pied oystercatchers

- On some occasions there were up to six individuals of this vulnerable species adjacent to the Proposal site.

- Beach stone-curlew (Beach thick-knee)

- Photographic evidence from earlier this year shows a single beach stone-curlew feeding and roosting in the area between Cassim Island and the mangroves further north on Cleveland Point seafront.

- This species listed as Vulnerable under the Qld NCA Act, cannot tolerate disturbance even in feeding.

- There are few left in southern Qld, let alone Moreton Bay. This species appears to be quickly decreasing in numbers as development takes its habitat. The numbers of breeding pairs should ring alarm bells.

- The first item in the Recovery Actions list (by the Qld Government Dept of Environment and Heritage Protection) reads "Protect important habitat areas from urban and industrial development, and pollution."

- Corals (also pertinent to 3.3 a

While negotiating to have Moreton Bay declared a marine park, I pushed the uniqueness of Moreton Bay with having both a mosaic of different species of seagrasses, and the existence of large communities of scleractinian coral communities, as well as soft corals. We have something special in Moreton Bay with its living assemblages, but poor water quality caused by developments that require large initial dredging and subsequent chronic maintenance dredging will slowly turn the bay into a sterile low diversity place that is filled with jellyfish and is suitable for activities not related to fishing or nature appreciation..

- Northwest of Cassim Island and extending for around 200 metres on the low tide line and sub tidally there are is a community of at least 6 species of large scleractinian corals.

- This has been partially destroyed in the last year, during the longer chronic effects of the small scale dredging of Fison Channel causing eutrophication and macro-algal overgrowth; and physical smothering.

- Some colonies remain, and some of the near dead colonies may recover as the long term dredging work has ceased. There are few good hard coral communities on the western bay landward fringes.

In fact mainland fringing reefs are now largely depleted wherever they had occurred along the Queensland coast from land run-off. The need to make this coral community area part of the development (much of it lies under the footprint of the proposal) should be rationalised .

Similarly the proposal represents a threat for long term chronic impact for coral growth beyond the site. Export of this threat to Peel may well be inevitable during long term works. Drift studies that indicate risk events for this outcome should be undertaken, and a binding works cessation should be part of any proposed works when such weather events or seasonal variations are predicted or beginning.

The site to be obliterated includes small to medium *Goniopora* coral colonies, and these exhibit a largely undescribed association with a small specialised crab that moves the coral around after excavating a hole in the base of the coral. While this association occurs elsewhere in Moreton Bay (or used to??) it is an interesting symbiotic relationship that deserves some study (hermatypic corals are normally sessile and there must be some advantage to having a mobility given by the crab).

(I can contribute further information on the corals in the area of the development footprint)

3.3 f

- Why is there a proposed need for extending the Fison Channel - it is illogical to extend the depth of the channel as all other parts of the surrounding southern bay outside the (distant) existing passage to the Gold Coast are tidally dependent and so totally unsuitable for deep draft keeled boats. Yachting is the only possible argument for such depths, and quite frankly any marina placed in this location in the shallow southern part of the Bay, is suitable for low draft vessels only.

- Repeating again what the Redland City people have been told - the southern part of the Bay is by nature a shallow muddy environment that is environmentally and financially damaging place to consider widespread dredging (and no doubt involving public purse - not private developers commitments. the precedent for this sort of complication was the channel from Aquatic Paradise to deeper water - the DOT determined a similar situation would never be allowed to happen again. But here is a proposal seeking the same.

- This part of the proposal also takes the impacts directly closer to the Marine National Park Zone.

- And dredging overall is a critical point for EPBC consideration, since the Fison Channel lies within the southern part of the bay, where higher turbidity exacerbated by the overdevelopment of the southern landward side of the Bay and the Bay islands, means that subsequent dredging is a continual need. A layman's measure of such unsuitability is whether the surrounds have extensive mangrove growth - in effect a sign of continual accretion of muds from land runoff. It is the reason that facilities like marinas are not suited to highly turbid areas - a similar situation was/is the Oyster Point development in Hinchinbrook Channel.

thank you
s47F

From: s47F
To: [EPBC Referrals](#)
Subject: Fw: EPBC Act Referral - 2015/7612; Walker Group Holdings Pty Ltd
Date: Wednesday, 9 December 2015 10:15:02 AM
Attachments: [EPBC Act Referral -2015_7612 Walker Group Holdings Pty Ltd.docx](#)
Importance: High

I sent my submission on the 8.December 2015 4.03 pm but received no acknowledgement of receipt.

Can you please confirm you received my submission

Thank you

s47F

From: s47F
Sent: Tuesday, December 08, 2015 4:03 PM
To: epbc.referrals@deh.gov.au
Subject: EPBC Act Referral - 2015/7612; Walker Group Holdings Pty Ltd

Please find attached my submission EPBC Act Referral - 2015/7612; Walker Group Holdings Pty Ltd

Thank you for the opportunity to comment

best regards

s47F

Referrals
Environment Assessment Branch
Department of the Environment
GPO Box 787
Canberra ACT 2601
Email: epbc.referrals@deh.gov.au

8. December 2015

Dear Sir/ Madam

I make the following submission to the EPBC Act Referral - 2015/7612; Walker Group Holdings Pty Limited/Commercial Development/Moreton Bay/Queensland/Toondah Harbour Project, Moreton Bay, Qld.

1.The proposed site is a Wetland of International Importance (declared Ramsar wetlands)

The referral area includes approximately 138.9 hectares contained within the Moreton Bay Ramsar site, which is listed under the Convention of Wetlands of International Importance 1971 (Ramsar Convention). The Moreton Bay Ramsar wetlands are nationally and internationally significant as one of the largest estuarine bays in Australia enclosed by barrier islands of vegetated dunes, which together with the permanent lakes of the sand island components provide a diverse and rich suite of wetland habitats.

The wetlands are significant as habitat for dugong and migratory shorebirds.

The subject areas supports **Critical Shore Bird Habitat** .

The subject area is noted for supporting seagrass and mangrove habitat, both habitats are critical to a number of species listed as matters of National Environmental Significance, which includes Dugongs, Green Turtle and migratory wader birds.

The proposed action will have a direct impact on the ecological character of the Moreton Bay Ramsar wetland. It will impact on habitat values (seagrass, mangroves and intertidal mudflats), on the lifecycle of native species such as migratory shorebirds who forage and roost in or near the referral area.

The change in the hydrological regime of the wetland will consequently change water quality, sedimentation and aquatic habitats.

Threatened species, such as migratory shorebirds, marine turtles, dugongs and ecological communities will be impacted.

The proposed action will result in loss of intertidal foraging habitat important for migratory birds.

Habitat degradation will occur due to impacts on surface water quality.

Direct impacts from the proposed action on these species include habitat removal, such as seagrass meadow and intertidal mudflats

The development has clearly shown to have an unacceptable, significant and long term detrimental impact upon Matters of National Environmental Significance.

There are a wide and diverse range of State and National Matters of National Significance that will be destroyed and or put under threat by the proposed development.

I strongly **recommend** that the Commonwealth reject the urbanisation of a RAMSAR site as it would set a very dangerous precedent.

2. The proposal falls under various Acts. Due consideration needs to be given to all Acts.

The Environmental Protection and Biodiversity Conservation Act 1999

Surveys identified seven threatened species, listed under the EPBC Act, as potentially occurring within the referral area

The Marine Parks Act 2004

Reclamation within the Moreton Bay Marine Park requires permission under section 15 of the MP Act and requires an EIS to be undertaken. The EIS needs to be done by an independent consultant.

The Environmental Protection Act 1994

The Moreton Bay Ramsar site wetlands are nationally and internationally significant as one of the largest estuarine bays in Australia.

The studies provided in support of the referral understate the value of ecosystems and species present.

Many studies and media articles highlight the varied important ecological services that salt marsh provide. [Laegdsgaard \(2006\)](#) is a point in case. This is an endangered ecological community subject to potential widespread loss due to sea level rise. The proponent's studies fail to highlight this.

The Coastal Protection and Management Act 1995

Redland City Planning Scheme COASTAL PROTECTION (EROSION PRONE AREAS)
Overlay Map - OM-005

The Nature Conservation Act 1992

A minimalist approach was adopted to the fauna and flora surveys. This is highlighted by an omission of a number of factors that impact upon matters of National Environmental Significance.

The subject site likely supports a population of Illidge's ant blue butterfly, *Acrodipsas illidgei*, listed as Vulnerable under the *Queensland Nature Conservation Act*. Refer to QLD Govt.

The Fisheries Act 1994

There are areas of marine plants at Toondah Harbour, particularly mangroves, saltmarsh and seagrass, which have moderate to high fisheries value

The Vegetation Management Act 1999

Potential clearing of remnant native vegetation outside the boundary of the PDA (but within the referral area) if proposed.

The Queensland Heritage Act 1992

Fernleigh (SHR# 601374), an early residence with an external kitchen is located within the PDA. There is potential for archaeological remains of state significance in this area. Cleveland was an important wool trade port during the first half of the 19th century, with customs house, wool stores and stone jetty. There is the potential for remains of this early port activity, as well as of the daily lives of Cleveland's inhabitants.

The PDA encompasses a local heritage place, GJ Walter Park, and part of the Cleveland Point Character Precinct

3. Redland City Planning Scheme Overlays affecting the proposed area

FLOOD AND STORM TIDE HAZARD OVERLAY Overlay Map - OM-011

ENVIRONMENTAL SIGNIFICANCE Overlay Map - OM-007

WATERWAY CORRIDORS AND WETLANDS Overlay Map - OM-023

4. The referral area is located in an area of known high risk of ASS presence

5. The bilateral agreement between the Commonwealth and the State of Queensland is not applicable in this matter.

The assessment of the project to date has been undertaken under the direction and provisions of the *Economic Development Act 2012*. Refer to item 8.1 References in the proponents 'Referral of proposed Action.' The *Economic Development Act 2012* is not a legal planning instrument recognised by the bilateral agreement. The *Economic Development Act 2012* gives the Minister broad powers to the extent that any decision made is not bound to adhere to requirements in relevant planning instruments, such as those mentioned in the Bilateral Agreement.

Economic Development Act 2012, which the Queensland Government initiated, indicates the objective of the Queensland Government is about development and not about the protection of the environment as required by Section 5(a) of the bilateral agreement. All key environmental studies and considerations to date undertaken by the proponent and State Government have been undertaken under the provisions and guidance of the *Economic Development Act 2012*. Any studies and findings produced by the proponent in support of the referral are tainted by the pro-development focus of the *Economic Development Act 2012* and should accordingly be discounted.

As the *Economic Development Act 2012* is not recognised by the Bilateral Agreement, any material produced by the proponent under this legislation should not be considered and therefore the Referral should be rejected.

The Queensland Government has shown impotence and disregard for the protection of State and National Matters of Environmental Significance. This is clearly reflected in the DRAFT local planning scheme for the Redlands, the local authority area in which the subject site is located. The State Government authorised the release of this draft legal planning instrument for public comment clearly understanding that it removed protection for koala habitat and encouraged intensive commercial development adjacent to the Moreton Bay RAMSAR site and Marine National Park ([MN24](#)). Both the koala and RAMSAR site are matters of National Environmental Significance. To date the Queensland Government has shown nothing but contempt for protecting Matters of National Significance.

Therefore the Queensland Government is unsuitable to be engaged in the assessment of this proposed development

I strongly **recommend** that this is a controlled action that should be subject solely to the scrutiny of the Commonwealth Government.

Yours sincerely

s47F



From: [SIMO Secretary](#)
To: [EPBC Referrals](#)
Cc: [SIMO Secretary](#)
Subject: Submission re Referral 2015/7612
Date: Monday, 7 December 2015 4:22:54 PM
Attachments: [Submission Cenvir re Toondah.pdf](#)

To whom it may concern

Please find attached a submission re Referral 2015/7612

Thanks

Howard Guille
SIMO Secretary

--

SIMO - Helping to protect North Stradbroke Island's natural attributes since 1978
Stradbroke Island Management Organisation Inc.
PO Box 304, Point Lookout, Qld. Australia 4183
ABN 89682323435
Email: secretary@simo.org.au



This email has been checked for viruses by Avast antivirus software.
www.avast.com



7 December 2015

Department of Environment
Australian Government

By email epbc.referrals@environment.gov.au

Re: Invitation to Comment

Referral 2015/7612

Walker Group Holdings Pty Limited/Commercial Development/Moreton Bay/Queensland/Toondah Harbour Project, Moreton Bay, Qld

Referral 2015/7612 is the Walker Group Holdings proposed project in Moreton Bay. This submission is made on behalf of the Stradbroke Island Management Organisation Incorporated (SIMO). The submission is authorised by a resolution of the Committee of SIMO made on 3rd December 2015.

In the view of SIMO

1. the proposed project should be declared a 'controlled action' under the EPBC Act.
2. The Commonwealth should undertake its own assessment of the project separate to and distinct from that undertaken by the Queensland Government.

Our reasons are

- The proposal will impact on
Wetlands of international importance (sections 16 and 17B of Act)
Listed threatened species and communities (sections 18 and 18A of Act)
Listed migratory species (sections 20 and 20A of the Act)
This is described in the *Referral of proposed action*
- The *Referral of proposed action* provided to the Department by Walker Corporation at para 6.3 affirms that **the Proposed action IS a controlled action**
- The proposal will occur on a RAMSAR site and contiguous with RAMSAR sites
The referral states
Part of the proposed development extends into the Moreton Bay Ramsar wetland site and the Moreton Bay Marine Park.
- The proposal will affect the habitat of threatened species and listed migratory
The referral states
The marine environment supports protected turtle, dugong and migratory shorebirds and has ecological and fishery values. In addition, an urban koala population has been observed utilising trees within the PDA.

SIMO is very concerned about the potential impacts of the project. The project is the construction of new township of around 10,000 people extending well into Moreton Bay. This is a very large project in an area without any urban development. It involves massive dredging and 'reclamation'. The proposal itself, notes the uncertainty about these operations stating that the feasibility of the objective of '*Achieving a net material balance within the development footprint will be tested as the project design and EIS progresses.*

We believe there should be a distinct Commonwealth process of assessment of the project separate from that required under Queensland provisions. Our reasons are

- The State Government is intimately involved in the project, as the referral states, *'In June 2013, the State Government declared a PDA at Toondah Harbour pursuant to the Economic Development Act 2012'*.
- Notably the assessment is undertaken by the Office of Coordinator-General and not by a specialist environmental agency.
- The State and Redland City Council are active proponents of the project and have direct interests including transferring activities paid for by the state or the local government to the private developer. This includes on-going dredging and land management.
- The proponent, Walker Corporation are explicit, as the referral states, that it *'intends to seek declaration of the project as a 'coordinated project' under the State Development and Public Works' Organisation Act 1971 (SDPWO Act) to streamline environmental assessment processes'*.
- SIMO found the consultations held to date about this project have been perfunctory and unsatisfactory. These consultations were organised by the RCC with support from State Government.

Please contact the undersigned if you require any explication of the above matters.

Yours sincerely



Howard Guille
Secretary SIMO

From: s47F
Sent: Monday, 7 December 2015 5:47 PM
To: Greg.Hunt.MP
Subject: Comment on international significance of southern Moreton Bay. Qld.

Hon. Greg Hunt MP 7.12.15

Dear Mr. Hunt,

I wish to make some comments about the importance of Southern Moreton Bay where the Redlands City Council proposes to allow a very large development to go ahead.

My comments are:

Southern Moreton Bay's environment is significant for two reasons. It is a Ramsar wetland and also an important habitat for thousands of migratory shorebirds.

The Ramsar Convention was established in 1971 to protect wetland environments around the world. Australia is one of 168 countries to sign up. The Moreton Bay Ramsar site has been protected since 1993 because of its biodiversity including many vulnerable species.

The Bay's seagrass beds support a significant dugong population and many species of turtles including Green, Hawkesbill and Loggerhead.

Each year Moreton Bay is visited by 50,000 migratory shorebirds. During our warmer months - from October to April - more than 30 different shorebird species live in this area busy feeding to build up energy for their return trip along the East Asian-Australasian Flyway. Australia has signed agreements with China, Japan and Korea to protect many species of migratory shorebirds and their habitats.

The largest and most easily identified shorebird visitor to Moreton Bay is the critically endangered Eastern Curlew, notable for its long curved bill.

Please take note of how important the area of Moreton Bay where the Walker Toondah Harbour development is to the creatures that swim and fly and live in this area and do not allow this development to over-rule the RAMSAR Convention.

Yours sincerely,

s47F



From: s47F
To: [EPBC Referrals](#)
Subject: EPBC Referral 2015 7612 Toondah Harbour Project - comments by s47F
Date: Wednesday, 9 December 2015 4:38:59 PM
Attachments: [Comment on EPBC Referral.pdf](#)

Referrals Gateway
Environment Assessment Branch
Department of the Environment
Commonwealth Government of Australia
EPBC Act Referral - 2015/7612 Toondah Harbour Project

Please find attached my comments on this EPBC Referral.

I would be pleased to provide further information if required.

s47F



8 December 2015

Database and Internet Management Section
Approvals and Wildlife Division
Department of the Environment, Water, Heritage and the Arts
GPO Box 787
Canberra ACT 2601
Australia

Email: epbc.referrals@environment.gov.au
Fax: 02 6274 1789

Dear Sir/Madam,

Re: EPBC 2015/7612 Walker Group Holdings Pty Limited/Commercial
Development/Moreton Bay/Queensland/Toondah Harbour Project, Moreton Bay, Qld

I am a local Cleveland resident and bird watcher who frequently visits this site.

I consider that this action will have a significant impact on matters of national environmental significance.

Matters of National Environmental Significance

1. Wetlands of International Importance ('declared Ramsar wetland')

Without the aid of binoculars, most visitors to the Toondah Harbour area at low tide do not see the many shorebirds foraging on the mudflats, and amongst the seagrass (which I have heard described as green slime). They see only "filthy stinking mud that's dead", but as Richard Fuller, University of Queensland explains in his *Shorebird video* (<https://vimeo.com/107316197>) those mudflats are "teeming with invertebrate life" which attracts local and migratory shorebirds, and part of the reason why Moreton Bay is a declared Ramsar wetland.

A substantial part (73.8%) of the proposed development involves dredging and reclamation in this Ramsar site. At low tide, this area consists of exposed inter-tidal mudflats and seagrass beds, providing a foraging area for both local and

migratory shore- and seabirds, and turtles and dugongs. The Information Sheet on Ramsar Wetlands for Moreton Bay (<https://www.environment.gov.au/water/topics/wetlands/database/pubs/41-ris.pdf>) lists four main types of habitats for waders. Any potential loss of habitat due to the proposed development should only be measured with regard to similar intertidal mud and seagrass habitat on the western side of the Bay, and would result in a much higher percentage of habitat loss than that quoted in the referral notice.

The maps included in the referral attachments (e.g. Attachment B Local context) clearly show the development proposal exceeding the PDA boundary. Although the buildings would be inside the boundary, the reclaimed parklands would be outside, infringing even further on the Ramsar site.

The master plan (<http://www.toondah-harbour.com.au/downloads/master-plan-information-memorandum-2015-11-24.pdf>) shows possible 7 storey buildings within 250 metres of the Cassim Island roosting and nesting site, and carparks within 50 metres of the Nandeebie roost. Human activity, noise and light pollution from high-rises would surely affect birds and other animals using these areas. According to the Queensland Government's *Shorebird Management Strategy Moreton Bay* (<http://www.nprsr.qld.gov.au/parks/moreton-bay/pdf/shorebird-management-strategy.pdf>):

"Human activities can impact on shorebirds more than 200m away (Thompson 1992). Effects of disturbance vary among shorebird species. The eastern curlew, the largest and most threatened of Moreton Bay's migratory shorebirds, is the most readily disturbed (Thompson 1992). Disturbance can force shorebirds to abandon traditional roosts and may affect their use of whole estuaries."

Therefore, together with the removal or covering of foraging areas due to dredging and reclamation, it is highly likely that shorebirds (and seabirds) would abandon these feeding, roosting and nesting sites.

(For a local's view of the importance of Cassim Island, view Troy Robbin's video *Cassim Island: Beauty Preserved for Posterity* https://www.youtube.com/watch?v=0dLLuQ_G-TI .)

2. Listed threatened species and ecological communities

The proposed development will have a significant impact on the koala population in the Toondah Harbour area. Koalas have been observed in the last two years in G.J Walter Park, Shore Street East and Wharf Street corner, the former CSIRO site (<http://redlands2030.net/koala-got-away/>), and immediately south of the PDA in Nandeebie Park and adjacent private property. The main

access roads into the Toondah Harbour site and the proposed reclaimed site (Middle Street and Shore Street East) cross the koala habitat corridor. Heavy vehicle movements during construction over the proposed 20 year timeframe, and increased general traffic associated with accommodation and commercial activities would lead to increased vehicle strikes on koalas in Middle, Wharf and Shore Streets. More human (and dog) activity would inevitably stress the koala population and lead to stress-induced Chlamydia related diseases and death.

There would be a significant impact on the marine turtles and dugongs in this part of the Bay both during construction and the future due to the dredging and reclamation process, the loss of seagrass meadows, and increased boating activity when the marina is operational. Increased boat strikes and pollution from oil, antifouling and litter (particularly plastics) would have a detrimental impact on the turtle and dugong population.

According to Australian Soil Resource Information System mapping, (<http://www.asris.csiro.au/mapping/viewer.htm>), there is a high probability of Acid sulphate soils being disturbed during any dredging, reclamation or construction at the Toondah Harbour site. While acid sulfate soils are not explicitly addressed in the EPBC Act, actions which may expose or disturb such soil must be referred to the Minister if they are likely to have a significant impact on any matters of national environmental significance. Disturbance of ASS could impact on the adjacent area of subtropical and temperate coastal saltmarsh, and dredging could alter hydrology and currents and impact on the saltmarsh as well as have deleterious effects on fauna, flora and humans.

3. Listed migratory species

According to Queensland's Shorebird management strategy Moreton Bay (<http://www.nprsr.qld.gov.au/parks/moreton-bay/pdf/shorebird-management-strategy.pdf>):

"The loss of habitat through changes in land use practices is the most severe threat to the conservation of waterbirds (Asia-Pacific Migratory Waterbird Conservation Committee 2001)...There has been an unquantified but considerable loss of shorebird habitat in Moreton Bay in the last two decades, largely due to impacts associated with development of the coastal zone."

It is this incremental loss of shorebird habitat, and the cumulative impact, that concerns me most of all. Birdlife Australia makes this point in their *Migratory Shorebird Factsheet November 2014* (<http://birdlife.org.au/documents/Shorebirds-FactSheet.pdf>)

“While large scale habitat loss in SE Asia is likely to be the biggest factor contributing to the decline of migratory shorebirds, the incremental loss of habitat in Australia is also likely to be having an impact as many of our resident shorebirds are also declining.... Often, the loss of individual sites is not perceived to be significant because it is assumed that there’s ‘plenty of habitat elsewhere’. However, the cumulative impacts of these threats, including threats operating within Australia, are having a large impact on many shorebird species.”

Further information and research is detailed in the article in Appendix 1.

Despite the proponent’s claim of “low value foraging habitat for migratory shorebirds”, I have observed up to 16 species of birds, including the critically endangered Eastern Curlew, feeding on those mudflats and seagrass beds and another 4 species in the air. If those mudflats and seagrass meadows disappear under this proposed development, those birds will have to compete with other birds at other feeding grounds, thus putting those other areas under more pressure.

The proposed development including high rise buildings lies in the local flightpath of shorebirds, including Eastern curlews, whimbrels, bar-tailed godwits, grey-tailed tattlers, great knots and red-necked stints, moving between the feeding and roosting grounds of Point Halloran (Victoria Point) (and further south), Oyster Point, Empire Point and Wellington Point and further north.

Other matters of concern

The proponents, and indeed the State Government and Redland City Council, have refused to consider any other alternative sites such as the Raby Bay Foreshore which lies outside the Ramsar area, which would be closer to the Cleveland CBD and public transport such as rail and bus. Such options, including low impact onshore developments at Toondah Harbour, were raised by a group of architectural, planning and engineering professionals at a pro bono workshop (<http://redlands2030.net/alternative-plan-toondah-harbour/>).

As the Queensland Government strongly supports the proposed development, and has a poor track record when it comes to protecting the environment (<http://www.abc.net.au/news/2014-04-03/ehp-audit/5365540>), it would be in the Environment’s interest, and the National interest, if this development were to be assessed by the Federal Government, rather than allowing a vested State Government to be responsible for the project assessment under the Bilateral Agreement.

Yours faithfully,
s47F 

Appendix 1

WILSON, H. B., KENDALL, B. E., FULLER, R. A., MILTON, D. A. and POSSINGHAM, H. P. (2011), Analyzing Variability and the Rate of Decline of Migratory Shorebirds in Moreton Bay, Australia. *Conservation Biology*, 25: 758–766. doi: 10.1111/j.1523-1739.2011.01670.x

. Intercontinental migrants and Australian resident species occur at Moreton Bay, which is one terminus of the East Asian–Australasian Flyway and a Ramsar site. It supports up to 40,000 shorebirds in the summer and has internationally important numbers (>1% of the total flyway population) of 8 migratory shorebird species (Bamford et al. 2008; Oldland et al. 2008). There are numerous threats to migrant shorebird populations in Moreton Bay, and more generally in the flyway, including climate change, which may affect wetland breeding habitat in the Arctic (Klein et al. 2005); loss of stopover sites in mainland Asia (Barter 2002; Moores 2006), and reduction in area and quality of nonbreeding grounds, primarily in Australia (Environment Australia 1997). Migrant shorebirds worldwide seem particularly vulnerable to decline. Of 237 populations of migrant shorebirds for which data on trends in abundance exist, 52% are decreasing and 8% increasing (Wetlands International 2006). Two long-distance migrants endemic to the East Asian–Australasian Flyway and present in Moreton Bay have been listed recently as globally threatened by the International Union for Conservation of Nature (IUCN) (Great Knot [*Calidristenuirostris*] and Eastern Curlew [*Numeniusmadagascariensis*])

Species with strong declines in Moreton Bay, such as Red Knot (*Calidriscanutus*) and Bar-tailed Godwit, are concentrated at fewer sites in the nonbreeding season than many other species (Bamford et. al. 2008). An estimated 3.6% of the East Asian–Australasian Flyway population of Bar-tailed Godwit occurs at Moreton Bay. Moreton Bay is also the southernmost site with internationally important numbers of Whimbrel (1.5% of population). Declines in species' abundances near the limits of their nonbreeding distribution (Reid & Park 2003) are often the first signs of more widespread trends (Gosbell & Clemens 2006).

From: s47F
To: [EPBC Referrals](#)
Subject: EPBC Referral 2015 7612 Toondah Harbour Project - comments by s47F
Date: Wednesday, 9 December 2015 10:15:02 AM
Attachments: s47F [comments on EPBC Referral 2015 7162 Toondah Harbour Project.pdf](#)

Referrals Gateway
Environment Assessment Branch
Department of the Environment
Commonwealth Government of Australia
EPBC Act Referral - 2015/7612 Toondah Harbour Project

Please find attached my comments on this EPBC Referral.

I would be pleased to provide further information if required.

s47F



s47F



EPBC Referrals Gateway
Environment Assessment Branch
Department of the Environment
Commonwealth Government of Australia
GPO Box 787
Canberra ACT 2601

Dear Sir /Madam

Comments on EPBC Referral 2015/7612 Toondah Harbour Project

Please find attached my comments on EPBC Referral 2015/7612.

s47F



8 December 2015

Environmental impact of the proposed Toondah Harbour Project

In its Referral, Walker Corporation states:

“The proposed action will have a direct impact on the ecological character of a small portion (<0.13%) of the Moreton Bay Ramsar wetland...”.

This statement, while it may be mathematically correct, is quite misleading. The Moreton Bay Ramsar site is a collection of diverse ecosystems. The Federal Government’s [website](#) says of the Moreton Bay Ramsar site:

Wetlands on the site include seagrass and shoals in the eastern banks, tidal flats and associated estuarine assemblages within the Pumicestone Passage, mangroves and saltmarsh in the southern bay, coral communities of the eastern bay, freshwater wetlands and peatland habitats on the Bay Islands and ocean beaches and foredunes on Moreton island.

Walker Corporation notes, in its Referral, that the project will impact on many matters of national environmental significance including:

- Listed threatened species
- Migratory species
- Threatened ecological communities

Information provided in the Referral, including its attachments, shows that the proposed project will obviously impact on matters of national environmental significance. These impacts will occur within and adjacent to the Toondah harbour Priority Development Area (PDA) On this basis the project, if it were to proceed further, should be declared a Controlled Action.

However, there are many aspects of the Referral which suggest that a more appropriate outcome would be for the Department to counsel Walker Corporation to withdraw and reconsider its Referral. A few of these aspects are discussed below.

Seagrass

The Ecological studies report submitted by Walker Corporation as attachment G3 notes that:

“There are approximately 32.7 ha of seagrass within the PDA that are likely to be of high fisheries and aquatic ecological value.”

Walker Corporation’s proposed project would destroy almost all of this seagrass. In its Referral, Walker Corporation does not provide any justification for planning to cause such widespread environmental destruction. Nor does the project proponent offer any clue as to how such impacts might be avoided, reduced, mitigated or offset. Perhaps this is because there is no obvious way of offsetting the destruction of seagrass meadows.

Eastern curlew

The Federal Government recently upgraded the eastern curlew's conservation status from vulnerable to 'critically endangered'. This migratory shorebird is known to make use of habitat in and around the proposed development site for both feeding and roosting. If the development were to proceed then this species would likely be deprived of an important part of its habitat within the Moreton Bay Ramsar site. Walker Corporation's Referral does not adequately address the significance of the Toondah Harbour Project's likely impact on this critically endangered species.

Koalas

Remarkably, the proposed project intends to impact on koalas as well as the marine environment. It is difficult to imagine that any koalas would remain in this area if the project were to proceed as increased traffic, more people and more dogs would inevitably take their toll. While the local koala population may be only a small percentage of Australia's total koala population, the coincidence of this iconic marsupial right next to an area of Ramsar wetlands in a near urban accessible location is unique. More thought is required to preserve the local koala population in this part of Cleveland.

Toondah Harbour Priority Development Area (PDA)

The Toondah Harbour Priority Development Area (PDA) was established by the Queensland Government in accordance with the Economic Development Act 2012 (Qld).

The area of this PDA is shown in Figure 1.



Figure 1 Toondah Harbour PDA

The Government approved a [Development Scheme](#) for this PDA in in 2014. It included a Structure Plan which is shown below as Figure 2.



Figure 2 Toondah Harbour PDA Development Scheme Structure Plan

The location and scale of development proposed by Walker Corporation in its 'Master Plan' is inconsistent with the PDA boundaries and the approved Development Scheme.



Figure 3 Walker Corporation's proposed Master Plan for Toondah Harbour

The proposed development extends beyond the boundaries of the approved PDA. It appears that the project developer intends to reclaim land outside the PDA area to provide public space associated with commercial development inside the PDA area. There is currently no obvious legal basis for this proposed activity which would significantly impact on the Moreton Bay Ramsar site.

The amount of development proposed by Walker Corporation significantly exceeds that envisaged in the Development Scheme's Structure Plan and ignores a number of provisions set out in the Development Scheme relating to the environment, such as those noted in the table below:

Reference	Development Scheme Provision	Comment by Chris Walker
Vision statement 3.3.1 (page 6)	Development respects and values marine and land based ecology and seeks to protect matters of ecological significance.	The proposed development would obliterate the current marine environment in and around the PDA development area.
Natural Environment 3.4.4 page 9	The design, siting and layout of development has regard to the environment and: <ul style="list-style-type: none"> • seeks to first avoid, then minimise and mitigate impacts arising from development within the PDA to sensitive ecological values or Matters of State Environmental Significance within and adjoining the PDA including koala habitat, intertidal mudflats, mangroves, seagrass beds and fisheries 	The design, siting and layout of development shows no evidence that any effort has been made to avoid, minimise or mitigate environmental impacts.
Precinct 4 - Marina and water based development 3.3.5 (page 14)	Development occurring in areas of water including land reclamation must have regard to: <ul style="list-style-type: none"> • appropriate protection, mitigation or environmental offsets associated with impacts to areas or species of ecological significance 	The proposed development has no regard for the fact that it will obviously impact on areas of ecological significance
Development in the Moreton Bay Marine Park 5.3 (page 22)	Desired Outcome Protection of the marine environment: Development has sought to minimise impacts to the natural and cultural values of the marine park within the PDA and surrounding area and where appropriate, mitigation methods including opportunity for offsets have been investigated and have sought to enhance and protect marine park values.	The proposed development has clearly sought to maximise the opportunity for development – pushing beyond the approved PDA boundaries into additional areas of the Marine Park and Ramsar Site .

Public consultation

In section 2.6 of its Referral, Walker Corporation states that:

Prior to Walker's involvement in the project, extensive public consultation was undertaken by RCC and EDQ in preparing the Toondah Harbour PDA development scheme, including consultation with the Quandamooka People.

To put this statement into context, the consultation that was carried out related to a proposed development of a much smaller scale, as set out in the Draft Development Scheme. The consultation period was initiated in early January 2014 when many in the community were on holidays.

Furthermore, the consultation process, managed by the Redland City Council, was [fundamentally flawed](#) in that very little technical information was made publicly available. In particular, a report on the environmental aspects of the proposed draft development scheme was withheld from the public until well after the consultation period ended.

Suitability of Walker Corporation

The proposed project will impact on many matters of national environmental significance and their underpinning ecosystems. Clearly, it is likely that enormous environmental harm will be done if the referred project were to proceed.

If such a complex and challenging project were to proceed into a detailed investigation phase, the work should be undertaken by an entity with an impeccable record of environmental management and a well-established environmental policy and planning framework. The information provided by Walker Corporation in its referral indicates that it does not meet this requirement.

- Walker Corporation notes that its entities have previously been found guilty of illegal land clearing.
- Its environmental policy and planning framework appears to be limited to statutory compliance.

Responsibility for Assessment

In its Referral, Walker Corporation says that it:

...intends to seek declaration of the project as a 'coordinated project' under the State Development and Public Works Organisation Act 1971 (SDPWO Act) to streamline environmental assessment processes. It is proposed that the Coordinator-General's coordinated process will address the assessment requirements of the EPBC Act (if deemed a 'controlled action'), Marine Parks Act (excluding assessments for marine park permits) and development applications under the SPA.

This proposed approach is extremely questionable.

The Project is gestated under the Economic Development Act 2012. The Bilateral Agreement on assessment does not provide for the Queensland Government to conduct assessments of projects approved under the Economic Development Act.

Even if there is an available legal loophole to enable this project's approvals to be executed under the State Development and Public Works Organisation Act 1971, the Federal Government should exercise its right to oversee the EPBC Act assessment of this project.

The Queensland Government has a huge conflict of interest. It has been a strong proponent of this development and appears to have treated the project's environmental impacts with disdain. No reasonable person could consider the Queensland Government to be capable of overseeing a sufficiently fair and diligent environmental assessment. If the Federal Government were to allow Queensland to manage the environmental assessment process, any findings would lack credibility.

From: S. [REDACTED]
To: [EPBC Referrals](#)
Subject: EPBC Act Referral - 2015/7612
Date: Saturday, 5 December 2015 10:09:03 PM
Attachments: [L_RCC_EPBC_4Dec15.pdf](#)

Please find our submission attached.

Regards

S. 11C(1)(a) [REDACTED]

Wildlife Logan

PO Box 3340

Loganholme QLD 4129

Tel: S. 11C(1)(a) [REDACTED]

This email may contain privileged and/or confidential information intended only for the use of the addressee. If you are not the addressee, or the person responsible for delivering it to the person addressed, you may not use, copy or deliver this to anyone else. If you received this email by mistake, please immediately notify me by telephone. Thank you



4 December 2015

Referrals
Environment Assessment Branch
Department of the Environment
GPO Box 787
Canberra ACT 2601

Dear Sir or Madam

We make the following submission to the EPBC Act Referral - 2015/7612; Walker Group Holdings Pty Limited/Commercial Development/Moreton Bay/Queensland/Toondah Harbour Project, Moreton Bay, Queensland.

1. *The bilateral agreement between the Commonwealth and the State of Queensland is not applicable in this matter.*

The assessment of the project to date has been undertaken under the direction and provisions of the *Economic Development Act 2012*. Refer to item 8.1 References in the proponents 'Referral of proposed Action.' The *Economic Development Act 2012* is not a legal planning instrument recognised by the bilateral agreement. The *Economic Development Act 2012* gives the Minister broad powers to the extent that any decision made is not bound to adhere to requirements in relevant planning instruments, such as those mentioned in the Bilateral Agreement.

Economic Development Act 2012, which the Queensland Government initiated indicates the objective of the Queensland Government is about development and not about the protection of the environment as required by Section 5(a) of the bilateral agreement. All key environmental studies and considerations to date undertaken by the proponent and State Government have been undertaken under the provisions and guidance of the *Economic Development Act 2012*. Any studies and findings produced by the proponent in support of the referral are tainted by the pro-development focus of the *Economic Development Act 2012* and should accordingly be discounted.

As the *Economic Development Act 2012* is not recognised by the Bilateral Agreement, any material produced by the proponent under this legislation should not be considered and therefore the Referral should be rejected.

Wildlife Preservation Society of Queensland, Logan Branch Inc.
PO Box 3340, LOGANHOLME, QLD 4129
President: S. 11C(1)(a)
Secretary: Alan Grant 3299 4797

ABN 62 837 587 456
Facsimile: (07) 3829 9344
email S. 11C(1)(a)
email S. 11C(1)(a)

The Queensland Government has shown impotence and disregard for the protection of State and National matters of Environmental Significance. This is clearly reflected in the DRAFT local planning scheme for the Redlands, the local authority area in which the subject site is located. The State Government authorised the release of this draft legal planning instrument for public comment clearly understanding that it removed protection for koala habitat and encouraged intensive commercial development adjacent to the Moreton Bay RAMSAR site and Marine National Park (MN24). Both the koala and RAMSAR site are matters of National Environmental Significance. To date the Queensland Government has shown nothing but contempt for protecting Matters of National Significance.

Accordingly the Queensland Government is unsuitable to be engaged in the assessment of this proposed development.

We strongly **recommend** that this is a controlled action that should be subject solely to the scrutiny of the Commonwealth Government.

2. *A minimalist approach was adopted to the fauna and flora surveys. This is highlighted by an omission of a number of factors that impact upon matters of National Environmental Significance. The studies supporting this referral were completed over a 3 day period showing a failure to consider seasonal and climatic trends, which impact upon the presence of species and the health of species. The studies were undertaken between the 5 – 8th July, 2013. July is a period when migratory wader birds are chiefly absent from Moreton Bay and Australia and seagrass is at its lowest density due to cooler conditions and reduced daylight hours.*

The subject site supports dugongs, noted by the Citizen Science projects involving seagrass and mangrove monitoring. <https://wildlifebayside.wordpress.com/> Dugong feeding trails have been noted through adjacent seagrass meadows to the North of the proposed development and dugongs sited feeding 25 metres directly to the East of the Mangrove community found within the Southern section of the subject area. Green Turtles are commonly noted feeding on seagrass within the subject area.

The subject area is noted for supporting seagrass and mangrove habitat, both habitats are critical to a number of species listed as matters of National Environmental Significance, which includes Dugongs, Green Turtle and migratory wader birds. There is a reef (including coral communities) immediately adjacent to the North as highlighted by Map 9C, 2.8.3 'Areas of Coastal Biodiversity Significance', SEQ Regional Coastal Plan, Oct 2005. (See Fig. 2). The Moreton Bay Dredge Material Placement Study, Stage 2 Report likewise highlights the sparse coral communities in Figure 7.4 'Coral and Rocky Reef Communities', 28th June 2006 (See Fig. 1). The subject area is also noted as supporting critical shorebird habitat as highlighted by Map 9B, 2.8.3 'Areas of Coastal Biodiversity Significance', SEQ Regional Coastal Plan, Oct 2005. A critical migratory roost site is directly adjacent to the subject site to the South of the subject site. The mangrove communities located in the Southern section of the proposed development currently provide a buffer to human disturbance emanating from Toondah Harbour. Any development in this area is likely to have a negative impact upon these Significant Environmental values.

The subject site likely supports a population of Illidge's ant blue butterfly, *Acrodipsas illidgei*, listed as Vulnerable under the *Queensland Nature Conservation Act*. Refer to QLD Govt. <https://environment.ehp.qld.gov.au/species-search/details/?id=27#> Hagan (1980) – Recent records of *Acrodipsas illidgei* (Waterhouse and Lyell) (Lepidoptera: Lycaenidae)

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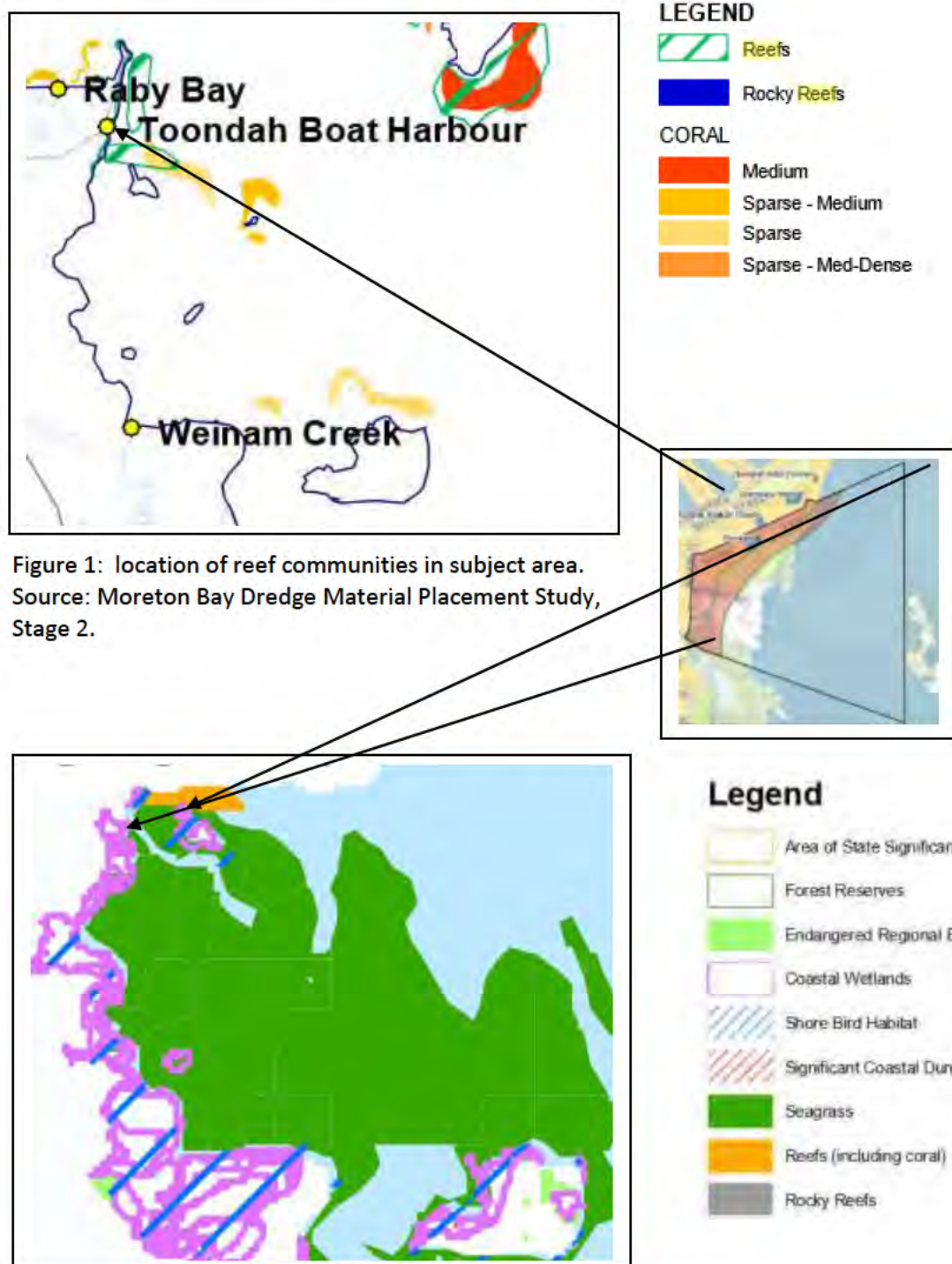


Figure 1: location of reef communities in subject area.
Source: Moreton Bay Dredge Material Placement Study, Stage 2.

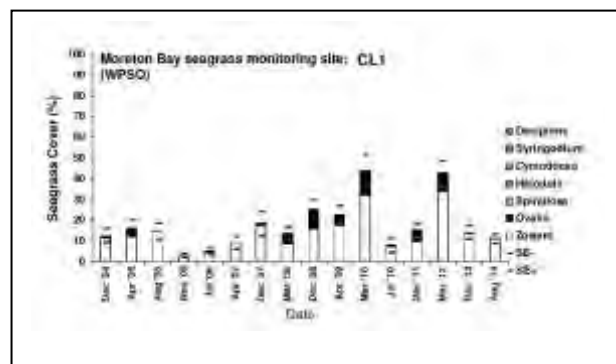
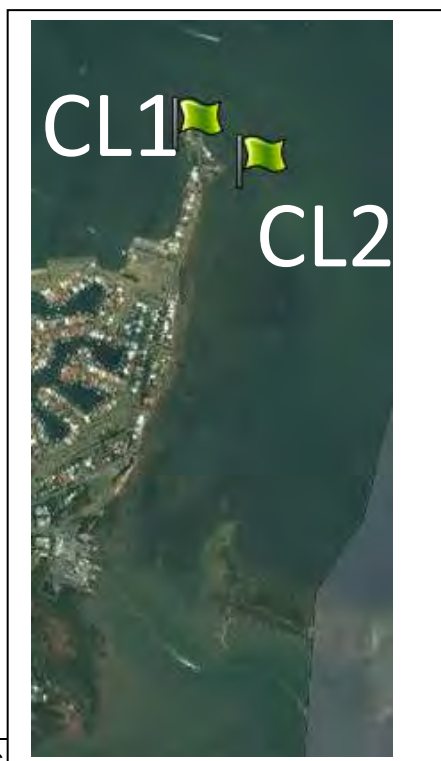
Figure 2: State Significant Coastal values. Seagrass, shorebird habitat and Reefs.
Source: SEQ Coastal Management Plan. Areas of state significance (Natural Resources), August 2003.

3. *The studies provided in support of the referral understate the value of ecosystems and species present.*

The proponent's studies (Pg. 13 Ecology study) seems to suggest that the loss of salt marsh communities is offset because similar habitat is nearby. This is an endangered ecological community subject to potential widespread loss due to sea level rise. Many studies and media articles highlight the varied important ecological services that salt marsh provide Laegdsgaard (2006) is a point in case. The proponent's studies fail to highlight this point.

The proponent's studies did highlight the high value seagrass in the Northern section of the subject area, a seagrass community utilised by dugongs based on sightings and feeding trails. Likewise the mangrove community in Southern section of the subject area was identified as having high value. Whilst these high values were identified as such on Page 13 the same study goes on further on Page 22 to suggest the seagrass is of marginal value. The schizophrenic tone of the subject studies is typical of EIS studies undertaken in Queensland as they wrestle with reporting ecological values and meeting customer expectations.

[WPSQ](#) seagrass monitoring program, which has been in progress since 2001 shows the area supports a healthy but dynamic seagrass community. Figure 3 shows our Cleveland seagrass monitoring sites, CL 1 and CL2. CL2 is closer to the subject site and is representative of the seagrass communities in that area. Dugong trails have been noted South of CL2. The fluctuations in seagrass density are not a factor that the proponent's study would identify in their 3 day study.



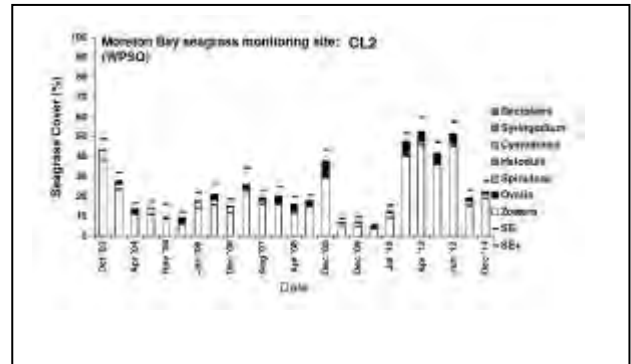
Summary data for Cleveland site 1.

Seagrass summary data for Cleveland site 2.

[Cleveland, QLD seagrass monitoring sites.](#)

Habitat loss and fragmentation are recognised by Queensland [Shorebird Management Strategy Moreton Bay](#) as threats to migratory species.

Fragmentation of habitat forces migratory species to forage further and disrupt foraging habits. Further, fidelity of long-distance migratory birds to sites in their non-breeding grounds can have a major influence on their foraging and roosting success and survival (Coleman & Milton, 2012). The subject areas supports **Critical Shore Bird Habitat** as shown in Map 9B, 2.8.3 'Areas of Coastal Biodiversity Significance', South-east Queensland Regional Coastal Plan. These impacts and issues are poorly defined in the proponent's studies.



The proposed development will result in increased boat traffic representing a significant threat to turtles and dugongs. Moreton Bay is recognised by the Queensland Government as having the highest number of [turtle fatalities due to boat strikes](#).

Despite our disappointment with the proponent's studies it does form the basis of a strong case as to why the Commonwealth should reject this proposal. There are a wide and diverse range of State and National Matters of National Significance that will be destroyed and or put under threat by the proposed development.

We **believe** the proponent's studies, inadequate as they are, and the material we have supplied provide a clear case to reject this proposal. The development has been clearly shown to have an unacceptable, significant and long term detrimental impact upon Matters of National Environmental Significance.

The referral documentation indicates the proponent was found guilty of clearing native vegetation without consent on a number of occasions. We raise **concerns** about their attention to protecting ecological values and the State Government's enthusiastic support.

We strongly **recommend** that the Commonwealth reject the urbanisation of a RAMSAR site, despite the fact it is inconsistent with the '[Wise Use](#)' principles of [RAMSAR](#) it sets a very dangerous precedent.

Yours faithfully

S. 11C(1)(a)

Wildlife Logan

References:

Coleman, JT and Milton, David A. *Feeding and roost site fidelity of two migratory shorebirds in Moreton Bay, South-Eastern Queensland, Australia*. Sunbird: Journal of the Queensland Ornithological Society, Vol. 42, No. 2, Dec 2012: 41-51.

Dunn, K.L., Kitching, R.L. and Dexter, E.M. 1994. *The National Conservation Status of Australian butterflies*. A report to Australian National Parks and Wildlife Service, Canberra ACT.

Hill, L. and Michaelis, F.B. 1988. *Conservation of insects and related wildlife*. Australian National Parks and Wildlife Service Occasional Paper No. 13.

Laegdsgaard, P. (2006). "Ecology, disturbance and restoration of coastal saltmarsh in Australia: a review." Wetlands Ecology and Management **14**(5): 379-399



From: CARP-Redlands [<mailto:contact@carp-redlands.org.au>]
Sent: Monday, 1 February 2016 1:00 PM
To: Hunt, Greg (MP)
Cc: EPBC.Referrals@environment.gov.au; s22 @environment.gov.au; s47F @ramsar.org; compliance@environment.gov.au
Subject: Stop the travesty that is the Toondah Harbour Proposed Development Scheme
(Reference: EPBC Act Referral - 2015/7612 - urbanisation of RAMSAR site - Moreton Bay, QLD - Walker Group)
Importance: High

FOR THE URGENT ATTENTION OF:

Hon Greg Hunt MP
Minister for Environment – Australian Federal Government

Dear Minister

We understand your government will soon make a decision with respect to the application by the Walker Group over Toondah Harbour, Queensland (EPBC Act Referral - 2015/7612 - urbanisation of RAMSAR site - Moreton Bay, QLD).

This application for development of the lands and marine park associated with Toondah Harbour

CANNOT BE ALLOWED TO PROCEED. There is simply no need and no justification for same – and it will cause untold and irreversible environmental damage in a sensitive and highly valuable marine ecosystem.

What is occurring is a grab for massive development rights on public open space land and on land to be reclaimed from the RAMSAR listed Moreton Bay – thinly veiled by Redland City Council as a necessary and fair exchange for an upgrade of the port facility.

Our community DOES NOT SUPPORT this development. It is neither necessary nor fair. All we want is a moderate upgrade of our ferry terminal – no more. We have been actively campaigning to STOP THE RORT , JUST FIX THE PORT.

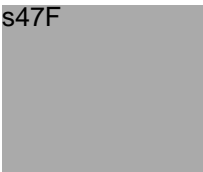
Below and attached you will find the submission made by the Wildlife Preservation Society Queensland Bayside Branch (WPSQBB) – which provides more details. We support the WPSQBB position and commend this information to you.

Please Minister Hunt, DO NOT APPROVE the Walker application now before the EPBC Act Referrals. Please - stop this travesty now.

We look forward to your favourable reply.

Kind regards –

s47F



Community Alliance for Responsible Planning (CARP) Redlands Inc

From: s47F
Sent: Saturday, 30 January 2016 5:15 PM
To: 'EPBC.Referrals@environment.gov.au' <EPBC.Referrals@environment.gov.au>
Cc: 'compliance@environment.gov.au' <compliance@environment.gov.au>;
s22 @environment.gov.au' <s22@environment.gov.au>;
s47F @ramsar.org' <s47F@ramsar.org>
Subject: RE: submission to EPBC Act Referral - 2015/7612 - urbanisation of RAMSAR site - Moreton Bay, QLD, - update 30 jan 2016

Referrals
Environment Assessment Branch,
Department of the Environment

Saturday, 30 January 2016

Dear Sir and Madam

We make further information available in support of our submission (4 Dec 2015) to the EPBC Act Referral - 2015/7612; Walker Group Holdings Pty Limited/Commercial Development/Moreton Bay/Queensland/Toondah Harbour Project, Moreton Bay, Qld.

In our submission we highlight the inaccuracy of data presented by the applicant.

We have received independent evidence from Healthy Waterways (<http://healthywaterways.org/>). This material shows that the subject site does support areas of significant seagrass particularly South of the subject channel (see Figure 1; *Halophila ovalis*, *Halophila spinulosa*). The species found by Healthy Waterways are diverse and unique. Samples collected from the Southern side of the channel within the subject site are perhaps some of the longest (approx. one metre) *Zostera muelleri* ssp. *capricorni* ever found and certainly longest in Moreton Bay. One of the researchers involved in the find has 20 + years of seagrass research experience. These species are utilised by Dugongs (Preen, 1995), a species protected by the EPBC Act. If you would like to confirm the seagrass find you should contact the Chief Scientist s47F at Healthy Waterways s47F [@healthywaterways.org](mailto:s47F@healthywaterways.org). F

We would like to highlight that the State Government and Council indicate the development is required as it's the only way to fund important Toondah Harbour improvements. However, the Federal and State government are capable of paying \$100 million per kilometre of road (Gateway Motorway; Hon. Warren Truss MP., 2014) to \$500 million per km of road (Airport Link Brisbane) but allegedly incapable of funding a \$50 – 100 million harbour upgrade. We suggest that it is very clear to the public that the protection of RAMSAR and Moreton Bay marine park values has a low priority within government.

We believe there is sufficient evidence to show that the material presented to the Federal Government by the applicant is fatally flawed. We believe there are no reasonable legal grounds available to the Federal Government to support this proposed application. Any favourable decision made by the Federal Government will have been based upon questionable or missing information and likely leave themselves open to challenge.

On the 2nd February the global community celebrates World Wetlands Day. World Wetland Day marks the date of the signing of the Convention on Wetlands, called the Ramsar Convention, on 2nd February 1971. On the 3rd February the Federal Government will need to determine if they allow the applicant to proceed to the next step towards their proposed development. The Federal Government will need to determine if they will put into motion the annexing of the Moreton Bay marine park, the destruction of seagrass meadows and migratory wader bird habitat to support the urbanisation of the Moreton Bay RAMSAR site to pay for a harbour upgrade. Such an approach is disgraceful and unwise. The community will be watching.

Yours sincerely

s47F

WPSQ Bayside Branch

Figure 1:

cid:image002.jpg@01D15B81.BDC4B8B0



cid:image004.jpg@01D15B81.BDC4B8B0

Reference:

Preen, A., 1995. Diet of dugongs: are they omnivores?. Journal of Mammalogy, pp.163-171.

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From: s47F
Sent: Saturday, 30 January 2016 6:15 PM
To: EPBC Referrals
Cc: Compliance; s22 s47F @ramsar.org
Subject: RE: submission to EPBC Act Referral - 2015/7612 - urbanisation of RAMSAR site - Moreton Bay, QLD, - update 30 jan 2016

Referrals
Environment Assessment Branch,
Department of the Environment

Saturday, 30 January 2016

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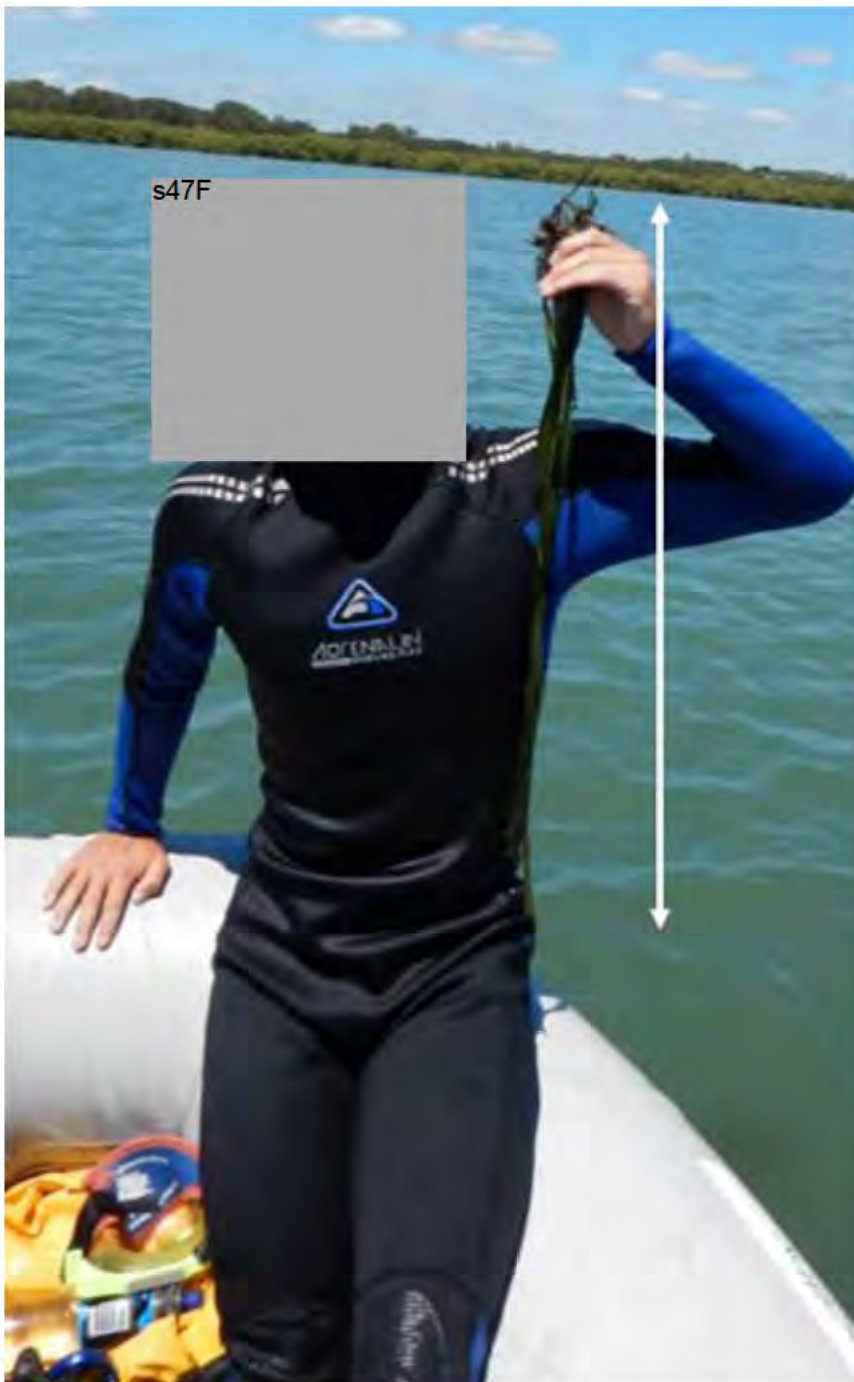
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s47F
WPSQ Bayside Branch

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Referrals
Environment Assessment Branch
Department of the Environment
GPO Box 787
Canberra ACT 2601

Friday, 4 December 2015

Dear Sir or Madam

We make the following submission to the EPBC Act Referral - 2015/7612; Walker Group Holdings Pty Limited/Commercial Development/Moreton Bay/Queensland/Toondah Harbour Project, Moreton Bay, Qld.

1. The bilateral agreement between the Commonwealth and the State of Queensland is not applicable in this matter.

The assessment of the project to date has been undertaken under the direction and provisions of the *Economic Development Act 2012*. Refer to item 8.1 References in the proponents 'Referral of proposed Action.' The *Economic Development Act 2012* is not a legal planning instrument recognised by the bilateral agreement. The *Economic Development Act 2012* gives the Minister broad powers to the extent that any decision made is not bound to adhere to requirements in relevant planning instruments, such as those mentioned in the Bilateral Agreement.

Economic Development Act 2012, which the Queensland Government initiated indicates the objective of the Queensland Government is about development and not about the protection of the environment as required by Section 5(a) of the bilateral agreement. All key environmental studies and considerations to date undertaken by the proponent and State Government have been undertaken under the provisions and guidance of the *Economic Development Act 2012*. Any studies and findings produced by the proponent in support of the referral are tainted by the pro-development focus of the *Economic Development Act 2012* and should accordingly be discounted.

As the *Economic Development Act 2012* is not recognised by the Bilateral Agreement, any material produced by the proponent under this legislation should not be considered and therefore the Referral should be rejected.

The Queensland Government has shown impotence and disregard for the protection of State and National matters of Environmental Significance. This is clearly reflected in the DRAFT local planning scheme for the Redlands, the local authority area in which the subject site is located. The State Government authorised the release of this draft legal planning instrument for public comment clearly understanding that it removed protection for koala habitat and encouraged intensive commercial development adjacent to the Moreton Bay RAMSAR site and Marine National Park ([MN24](#)). Both the koala and RAMSAR site are matters of National Environmental Significance. To date the Queensland Government has shown nothing but contempt for protecting Matters of National Significance.

Accordingly the Queensland Government is unsuitable to be engaged in the assessment of this proposed development.

We strongly **recommend** that this is a controlled action that should be subject solely to the scrutiny of the Commonwealth Government.

2. A minimalist approach was adopted to the fauna and flora surveys. This is highlighted by an omission of a number of factors that impact upon matters of National Environmental Significance. The studies supporting this referral were completed over a 3 day period showing a failure to consider seasonal and climatic trends, which impact upon the presence of species and the health of species. The studies were undertaken between the 5 – 8th July, 2013. July is a period when migratory wader birds are chiefly absent from Moreton Bay and Australia and seagrass is at its lowest density due to cooler conditions and reduced daylight hours.

The subject site supports dugongs, noted by the Citizen Science projects involving seagrass and mangrove monitoring. <https://wildlifebayside.wordpress.com/> Dugong feeding trails have been noted through adjacent seagrass meadows to the North of the proposed development and dugongs sited feeding 25 metres directly to the East of the Mangrove community found within the Southern section of the subject area. Green Turtles are commonly noted feeding on seagrass within the subject area.

The subject area is noted for supporting seagrass and mangrove habitat, both habitats are critical to a number of species listed as matters of National Environmental Significance, which includes Dugongs, Green Turtle and migratory wader birds. There is a reef (including coral communities) immediately adjacent to the North as highlighted by Map 9C, 2.8.3 'Areas of Coastal Biodiversity Significance', SEQ Regional Coastal Plan, Oct 2005. (See Fig. 2). The Moreton Bay Dredge Material Placement Study, Stage 2 Report likewise highlights the sparse coral communities in Figure 7.4 'Coral and Rocky Reef Communities', 28th June 2006 (See Fig. 1). The subject area is also noted as supporting critical shorebird habitat as highlighted by Map 9B, 2.8.3 'Areas of Coastal Biodiversity Significance', SEQ Regional Coastal Plan, Oct 2005. A critical migratory roost site is directly adjacent to the subject site to the South of the subject site. The mangrove communities located in the Southern section of the proposed development currently provide a buffer to human disturbance emanating from Toondah Harbour. Any development in this area is likely to have a negative impact upon these Significant Environmental values.

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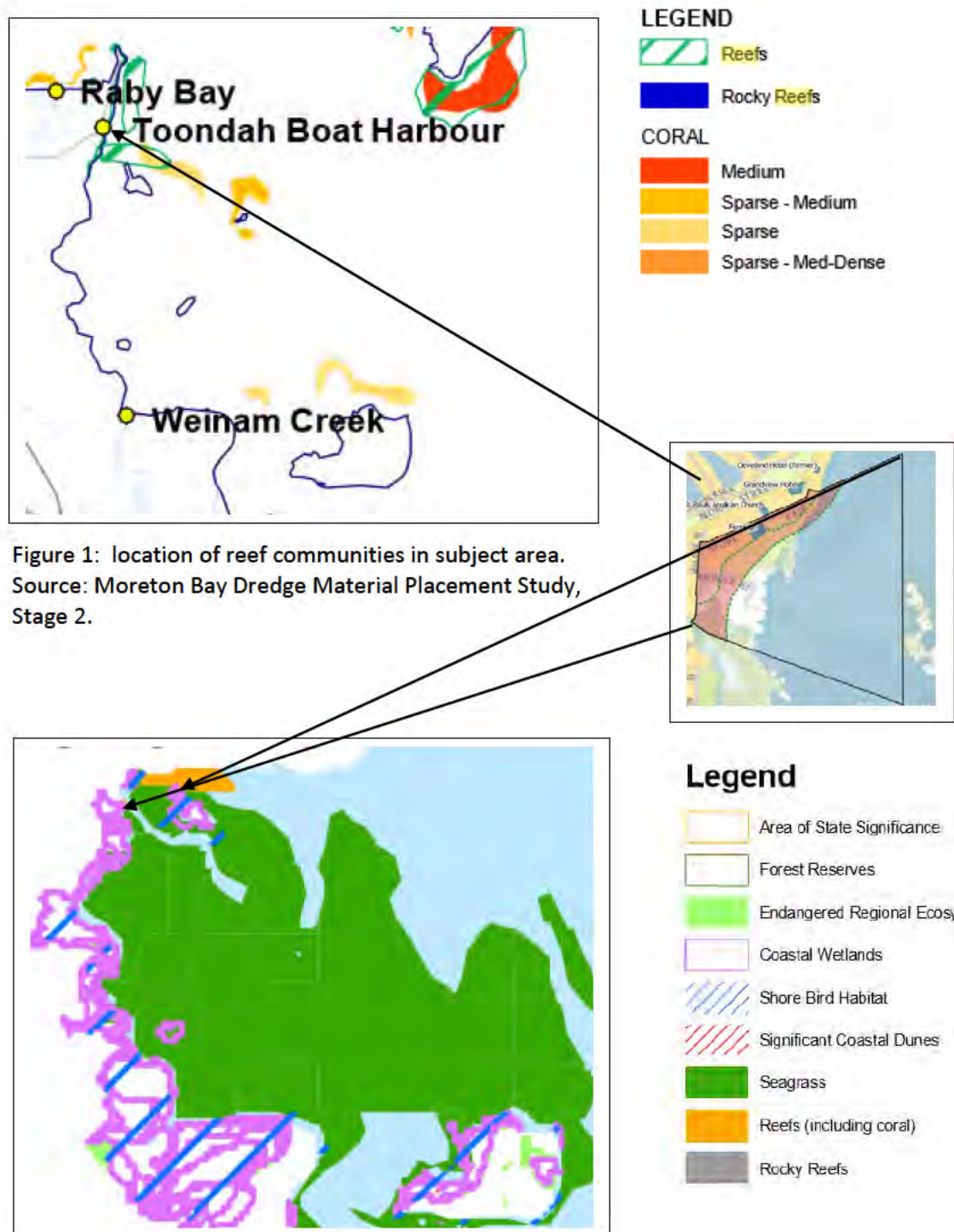


Figure 1: location of reef communities in subject area.
Source: Moreton Bay Dredge Material Placement Study, Stage 2.

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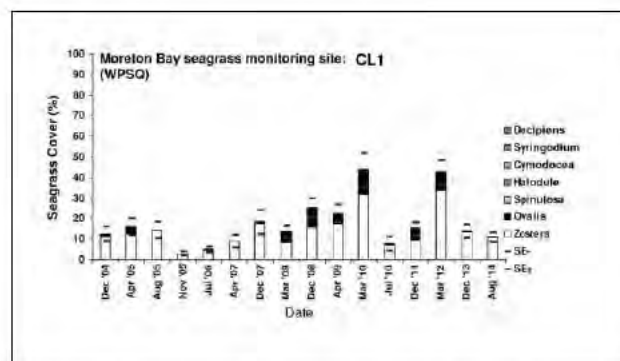
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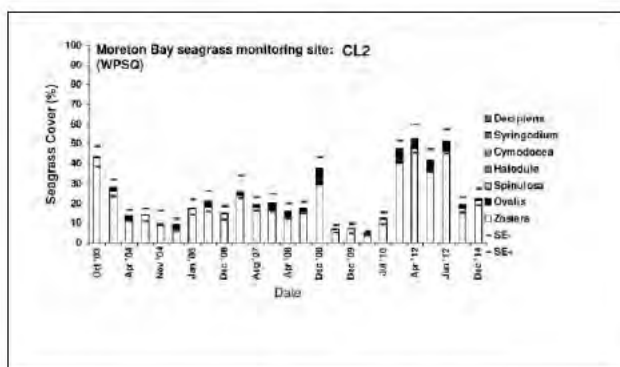
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Seagrass summary data for Cleveland site 1.



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s47F

Wildlife Preservation Society of Queensland Bayside Branch (QLD) Inc.

s47F

References:

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s22

From: s47F

Sent: Monday, 1 February 2016 9:18 AM

To: Greg.Hunt.MP@aph.gov.au; EPBC Referrals

Subject: Fw: submission to EPBC Act Referral - 2015/7612 - urbanisation of RAMSAR site - Moreton Bay, QLD, - update 30 jan 2016

Dear Sir

Please except this as a submission from s47F and I.

To: 'EPBC.Referrals@environment.gov.au' <EPBC.Referrals@environment.gov.au>

Cc: 'compliance@environment.gov.au' <compliance@environment.gov.au>; s22 @environment.gov.au' <s22@environment.gov.au>; s47F @ramsar.org' s47F @ramsar.org>

Subject: RE: submission to EPBC Act Referral - 2015/7612 - urbanisation of RAMSAR site - Moreton Bay, QLD, - update 30 jan 2016

Referrals
Environment Assessment Branch,
Department of the Environment

Saturday, 30 January 2016

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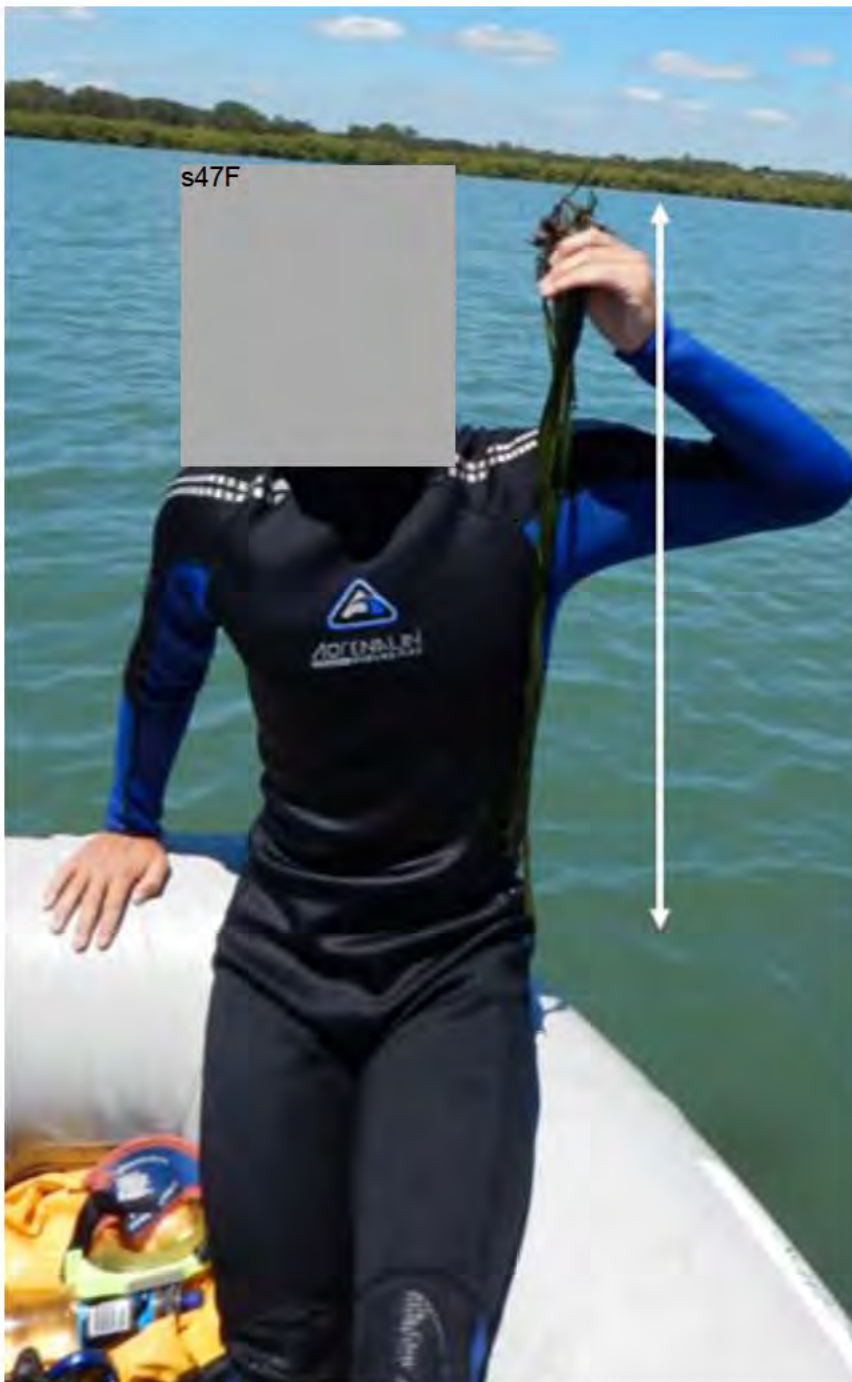
On the 2nd February the global community celebrates World Wetlands Day. World Wetland Day marks the date of the signing of the Convention on Wetlands, called the Ramsar Convention, on 2nd February 1971. On the 3rd February the Federal Government will need to determine if they allow the applicant to proceed to the next step towards their proposed development. The Federal Government will need to determine if they will put into motion the annexing of the Moreton Bay marine park, the destruction of seagrass meadows and migratory wader bird habitat to support the urbanisation of the Moreton Bay RAMSAR site to pay for a harbour upgrade. Such an approach is disgraceful and unwise. The community will be watching.

Yours sincerely

s47F

Figure 1:





Reference:

Preen, A., 1995. Diet of dugongs: are they omnivores?. *Journal of Mammalogy*, pp.163-171.

The Hon Warren Truss MP. 2014. Building Queensland's Transport Infrastructure for the 21st Century, http://minister.infrastructure.gov.au/wt/releases/2014/May/budget-infra_04-2014.aspx

Referrals
Environment Assessment Branch
Department of the Environment
GPO Box 787
Canberra ACT 2601

Friday, 4 December 2015

Dear Sir or Madam

We make the following submission to the EPBC Act Referral - 2015/7612; Walker Group Holdings Pty Limited/Commercial Development/Moreton Bay/Queensland/Toondah Harbour Project, Moreton Bay, Qld.

1. The bilateral agreement between the Commonwealth and the State of Queensland is not applicable in this matter.

The assessment of the project to date has been undertaken under the direction and provisions of the *Economic Development Act 2012*. Refer to item 8.1 References in the proponents 'Referral of proposed Action.' The *Economic Development Act 2012* is not a legal planning instrument recognised by the bilateral agreement. The *Economic Development Act 2012* gives the Minister broad powers to the extent that any decision made is not bound to adhere to requirements in relevant planning instruments, such as those mentioned in the Bilateral Agreement.

Economic Development Act 2012, which the Queensland Government initiated indicates the objective of the Queensland Government is about development and not about the protection of the environment as required by Section 5(a) of the bilateral agreement. All key environmental studies and considerations to date undertaken by the proponent and State Government have been undertaken under the provisions and guidance of the *Economic Development Act 2012*. Any studies and findings produced by the proponent in support of the referral are tainted by the pro-development focus of the *Economic Development Act 2012* and should accordingly be discounted.

As the *Economic Development Act 2012* is not recognised by the Bilateral Agreement, any material produced by the proponent under this legislation should not be considered and therefore the Referral should be rejected.

The Queensland Government has shown impotence and disregard for the protection of State and National matters of Environmental Significance. This is clearly reflected in the DRAFT local planning scheme for the Redlands, the local authority area in which the subject site is located. The State Government authorised the release of this draft legal planning instrument for public comment clearly understanding that it removed protection for koala habitat and encouraged intensive commercial development adjacent to the Moreton Bay RAMSAR site and Marine National Park ([MN24](#)). Both the koala and RAMSAR site are matters of National Environmental Significance. To date the Queensland Government has shown nothing but contempt for protecting Matters of National Significance.

Accordingly the Queensland Government is unsuitable to be engaged in the assessment of this proposed development.

We strongly **recommend** that this is a controlled action that should be subject solely to the scrutiny of the Commonwealth Government.

2. A minimalist approach was adopted to the fauna and flora surveys. This is highlighted by an omission of a number of factors that impact upon matters of National Environmental Significance. The studies supporting this referral were completed over a 3 day period showing a failure to consider seasonal and climatic trends, which impact upon the presence of species and the health of species. The studies were undertaken between the 5 – 8th July, 2013. July is a period when migratory wader birds are chiefly absent from Moreton Bay and Australia and seagrass is at its lowest density due to cooler conditions and reduced daylight hours.

The subject site supports dugongs, noted by the Citizen Science projects involving seagrass and mangrove monitoring. <https://wildlifebayside.wordpress.com/> Dugong feeding trails have been noted through adjacent seagrass meadows to the North of the proposed development and dugongs sited feeding 25 metres directly to the East of the Mangrove community found within the Southern section of the subject area. Green Turtles are commonly noted feeding on seagrass within the subject area.

The subject area is noted for supporting seagrass and mangrove habitat, both habitats are critical to a number of species listed as matters of National Environmental Significance, which includes Dugongs, Green Turtle and migratory wader birds. There is a reef (including coral communities) immediately adjacent to the North as highlighted by Map 9C, 2.8.3 'Areas of Coastal Biodiversity Significance', SEQ Regional Coastal Plan, Oct 2005. (See Fig. 2). The Moreton Bay Dredge Material Placement Study, Stage 2 Report likewise highlights the sparse coral communities in Figure 7.4 'Coral and Rocky Reef Communities', 28th June 2006 (See Fig. 1). The subject area is also noted as supporting critical shorebird habitat as highlighted by Map 9B, 2.8.3 'Areas of Coastal Biodiversity Significance', SEQ Regional Coastal Plan, Oct 2005. A critical migratory roost site is directly adjacent to the subject site to the South of the subject site. The mangrove communities located in the Southern section of the proposed development currently provide a buffer to human disturbance emanating from Toondah Harbour. Any development in this area is likely to have a negative impact upon these Significant Environmental values.

The subject site likely supports a population of Illidge's ant blue butterfly, *Acrodipsas illidgei*, listed as Vulnerable under the *Queensland Nature Conservation Act*. Refer to QLD Govt. <https://environment.ehp.qld.gov.au/species-search/details/?id=27#> Hagan (1980) – Recent records of *Acrodipsas illidgei* (Waterhouse and Lyell) (Lepidoptera: Lycaenidae) from the Brisbane area, Queensland, Aust. Ent Mag. 7(3), November, 1980. Beale & Zalucki (1995), Status and distribution of *Acrodipsas illidgei* (Waterhouse and Lyell) (Lepidoptera: Lycaenidae) at Redland Bay, southeastern Queensland, and a new plant-association record. Journal of the Australian Entomological Society 34: 163-168. These studies show that the subject site and adjacent areas have high potential to support further populations of this rare species. Hill & Michaelis (1988) identified urbanisation as a threat. Dunn *et al.* (1994) identified clearing, marina construction and land reclamation as threats. Damage and disturbance to mangrove habitats has affected *A. illidgei*, especially removal of old growth *Avicennia marina* (> ca 12 cm B.D.) and other vegetation (e.g eucalypts and casuarinas) growing near, or at the edge of, mangroves.

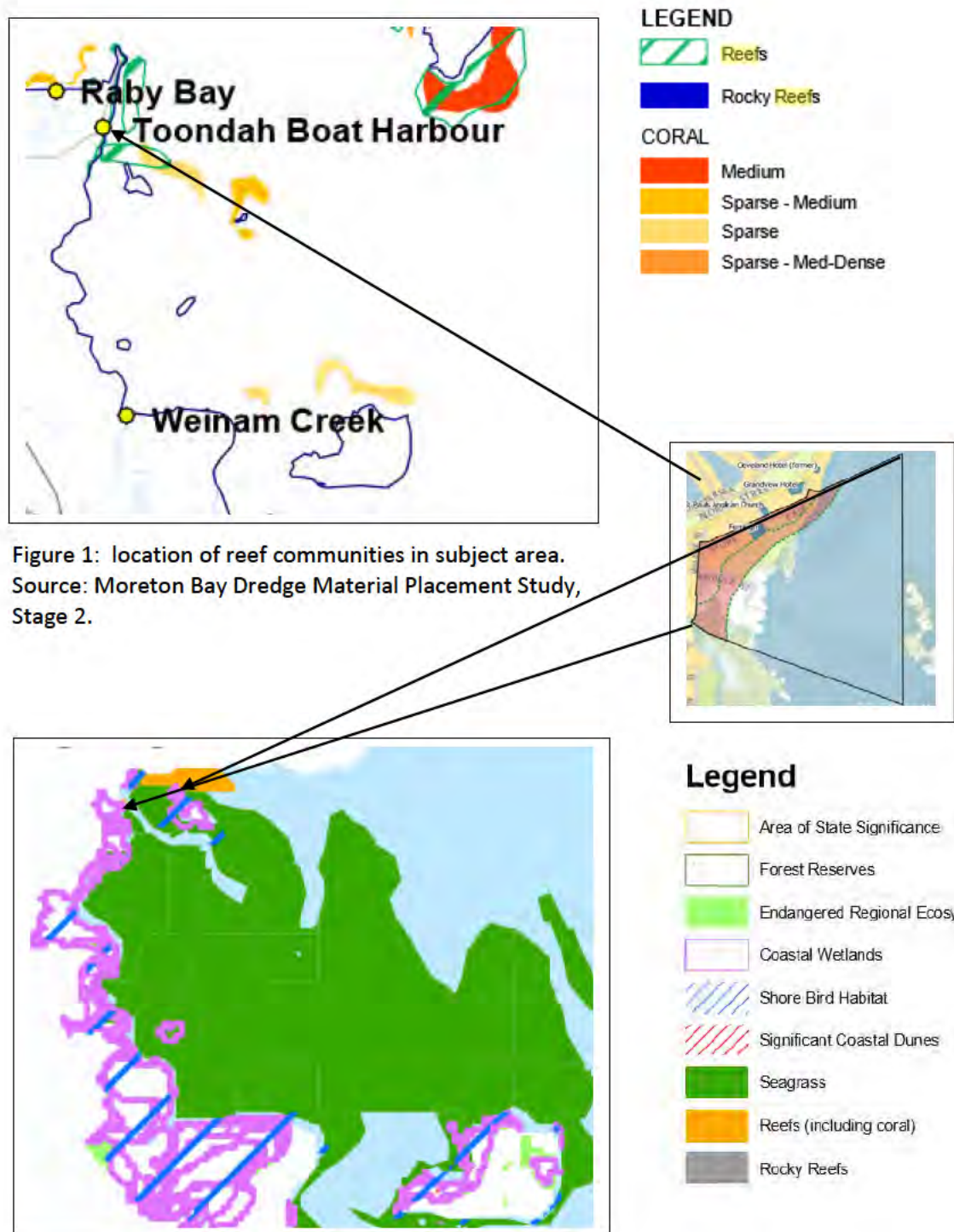


Figure 1: location of reef communities in subject area.
Source: Moreton Bay Dredge Material Placement Study, Stage 2.

Figure 2: State Significant Coastal values. Seagrass, shorebird habitat and Reefs.
Source: SEQ Coastal Management Plan. Areas of state significance (Natural Resources), August 2003.

3. The studies provided in support of the referral understate the value of ecosystems and species present.

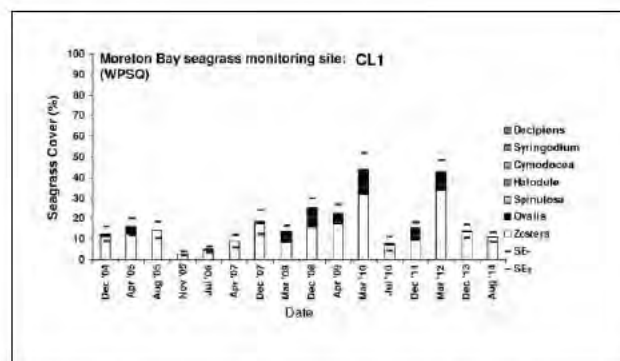
The proponent's studies (Pg. 13 Ecology study) seems to suggest that the loss of salt marsh communities is offset because similar habitat is nearby. This is an endangered ecological community subject to potential widespread loss due to sea level rise. Many studies and media articles highlight the varied important ecological services that salt marsh provide Laegdsgaard (2006) is a point in case. The proponent's studies fail to highlight this point.

The proponent's studies did highlight the high value seagrass in the Northern section of the subject area, a seagrass community utilised by dugongs based on sightings and feeding trails. Likewise the mangrove community in Southern section of the subject area was identified as having high value. Whilst these high values were identified as such on Page 13 the same study goes on further on Page 22 to suggest the seagrass is of marginal value. The schizophrenic tone of the subject studies is typical of EIS studies undertaken in Queensland as they wrestle with reporting ecological values and meeting customer expectations.

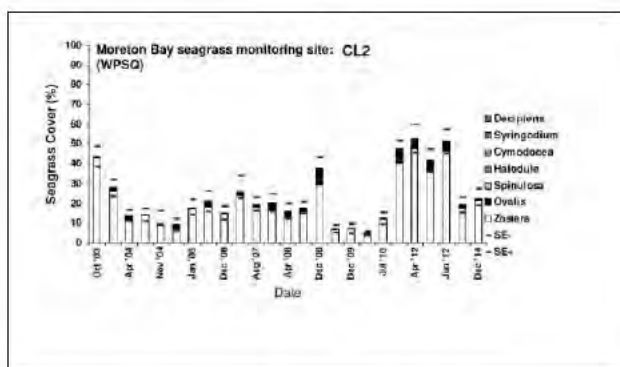
[WPSQ](#) seagrass monitoring program, which has been in progress since 2001 shows the area supports a healthy but dynamic seagrass community. Figure 3 shows our Cleveland seagrass monitoring sites, CL 1 and CL2. CL2 is closer to the subject site and is representative of the seagrass communities in that area. Dugong trails have been noted South of CL2. The fluctuations in seagrass density are not a factor that the proponent's study would identify in their 3 day study.



[Cleveland, QLD seagrass monitoring sites.](#)



Seagrass summary data for Cleveland site 1.



Seagrass summary data for Cleveland site 2.

Habitat loss and fragmentation are recognised by Queensland [Shorebird Management Strategy Moreton Bay](#) as threats to migratory species. Fragmentation of habitat forces migratory species to forage further and disrupt foraging habits. Further, fidelity of long-distance migratory birds to sites in their non-breeding grounds can have a major influence on their foraging and roosting success and survival (Coleman & Milton, 2012). The subject areas supports **Critical Shore Bird Habitat** as shown in Map 9B, 2.8.3 'Areas of Coastal Biodiversity Significance', South-east Queensland Regional Coastal Plan. These impacts and issues are poorly defined in the proponent's studies.

The proposed development will result in increased boat traffic representing a significant threat to turtles and dugongs. Moreton Bay is recognised by the Queensland Government as having the highest number of [turtle fatalities due to boat strikes](#).

Despite our disappointment with the proponent's studies it does form the basis of a strong case as to why the Commonwealth should reject this proposal. There are a wide and diverse range of State and National Matters of National Significance that will be destroyed and or put under threat by the proposed development.

We **believe** the proponent's studies, inadequate as they are, and the material we have supplied provide a clear case to reject this proposal. The development has been clearly shown to have an unacceptable, significant and long term detrimental impact upon Matters of National Environmental Significance.

The referral documentation indicates the proponent was found guilty of clearing native vegetation without consent on a number of occasions. We raise **concerns** about their attention to protecting ecological values and the State Government's enthusiastic support.

We strongly **recommend** that the Commonwealth reject the urbanisation of a RAMSAR site, despite the fact it is inconsistent with the '[Wise Use](#)' principles of [RAMSAR](#) it sets a very dangerous precedent.

Yours sincerely

s47F

Wildlife Preservation Society of Queensland Bayside Branch (QLD) Inc.

s47F

References:

Coleman, JT and Milton, David A. Feeding and roost site fidelity of two migratory shorebirds in Moreton Bay, South-Eastern Queensland, Australia. *Sunbird: Journal of the Queensland Ornithological Society*, Vol. 42, No. 2, Dec 2012: 41-51.

Dunn, K.L., Kitching, R.L. and Dexter, E.M. 1994. The National Conservation Status of Australian butterflies. A report to Australian National Parks and Wildlife Service, Canberra ACT.

Hill, L. and Michaelis, F.B. 1988. Conservation of insects and related wildlife. Australian National Parks and Wildlife Service Occasional Paper No. 13.

Laegdsgaard, P. (2006). "Ecology, disturbance and restoration of coastal saltmarsh in Australia: a review." *Wetlands Ecology and Management* **14**(5): 379-399

From: s47F

Sent: Monday, 1 February 2016 9:01 AM

To: EPBC Referrals

Subject: Fwd: submission to EPBC Act Referral - 2015/7612 - urbanisation of RAMSAR site - Moreton Bay, QLD (re-sent)

Subject: RE: submission to EPBC Act Referral - 2015/7612 - urbanisation of RAMSAR site - Moreton Bay, QLD

Referrals
Environment Assessment Branch,
Department of the Environment

Sunday, 31 January 2016

Dear Sir and Madam

RE: EPBC Act Referral - 2015/7612 - urbanisation of RAMSAR site - Moreton Bay, QLD

In relation to the **EPBC Act Referral - 2015/7612 of Walker Group Holdings Pty Limited/Commercial Development/Moreton Bay/Queensland/Toondah Harbour Project, Moreton Bay, Qld.**, I believe there is sufficient evidence to show that the material presented to the Federal Government by the applicant is fatally flawed. It appears that there are no reasonable legal grounds available to the Federal Government to support this proposed application. Any favourable decision made by the Federal Government will have been based upon questionable or missing information and likely leave themselves open to challenge.

As a s47F I am extremely concerned that our special Moreton Bay with its Ramsar site listing will be sacrificed for a dubious developmment that will not deliver its main purpose of Harbour upgrade.

I am reliant on the submission made by local group Wildlife Preservation Society of Queensland Bayside Branch (QLD) Inc.

and agree with their recommendation for a controlled action status that should be subject solely to the scrutiny of the Commonwealth Government . I attach the supporting information from WPSQ Bayside Branch, with permission.

Yours faithfully

s47F

A grey rectangular box redacting the signature of the sender.

Referrals
Environment Assessment Branch,
Department of the Environment

Saturday, 30 January 2016

Dear Sir and Madam

We make further information available in support of our submission (4 Dec 2015) to the EPBC Act Referral - 2015/7612; Walker Group Holdings Pty Limited/Commercial Development/Moreton Bay/Queensland/Toondah Harbour Project, Moreton Bay, Qld.

In our submission we highlight the inaccuracy of data presented by the applicant.

We have received independent evidence from Healthy Waterways (<http://healthywaterways.org/>). This material shows that the subject site does support areas of significant seagrass particularly South of the subject channel (see Figure 1; *Halophila ovalis*, *Halophila spinulosa*). The species found by Healthy Waterways are diverse and unique. Samples collected from the Southern side of the channel within the subject site are perhaps some of the longest (approx. one metre) *Zostera muelleri* ssp. *capricorni* ever found and certainly longest in Moreton Bay. One of the researchers involved in the find has 20 + years of seagrass research experience. These species are utilised by Dugongs (Preen, 1995), a species protected by the EPBC Act. If you would like to confirm the seagrass find you should contact the Chief Scientist s47F t Healthy Waterways s47F @healthywaterways.org).

We would like to highlight that the State Government and Council indicate the development is required as it's the only way to fund important Toondah Harbour improvements. However, the Federal and State government are capable of paying \$100 million per kilometre of road (Gateway Motorway; Hon. Warren Truss MP., 2014) to \$500 million per km of road (Airport Link Brisbane) but allegedly incapable of funding a \$50 – 100 million harbour upgrade. We suggest that it is very clear to the public that the protection of RAMSAR and Moreton Bay marine park values has a low priority within government.

We believe there is sufficient evidence to show that the material presented to the Federal Government by the applicant is fatally flawed. We believe there are no reasonable legal grounds available to the Federal Government to support this proposed application. Any favourable decision made by the Federal Government will have been based upon questionable or missing information and likely leave themselves open to challenge.

On the 2nd February the global community celebrates World Wetlands Day. World Wetland Day marks the date of the signing of the Convention on Wetlands, called the Ramsar Convention, on 2nd February 1971. On the 3rd February the Federal Government will need to determine if they allow the applicant to proceed to the next step towards their proposed development. The Federal Government will need to determine if they will put into motion the annexing of the Moreton Bay marine park, the destruction of seagrass meadows and migratory wader bird habitat to support the urbanisation of the Moreton Bay RAMSAR site to pay for a harbour upgrade. Such an approach is disgraceful and unwise. The community will be watching.

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s47F

WPSQ Bayside Branch

Figure 1:



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Referrals
Environment Assessment Branch
Department of the Environment
GPO Box 787
Canberra ACT 2601

Friday, 4 December 2015

Dear Sir or Madam

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1. The bilateral agreement between the Commonwealth and the State of Queensland is not applicable in this matter.

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We strongly **recommend** that this is a controlled action that should be subject solely to the scrutiny of the Commonwealth Government.

2. A minimalist approach was adopted to the fauna and flora surveys. This is highlighted by an omission of a number of factors that impact upon matters of National Environmental Significance. The studies supporting this referral were completed over a 3 day period showing a failure to consider seasonal and climatic trends, which impact upon the presence of species and the health of species. The studies were undertaken between the 5 – 8th July, 2013. July is a period when migratory wader birds are chiefly absent from Moreton Bay and Australia and seagrass is at its lowest density due to cooler conditions and reduced daylight hours.

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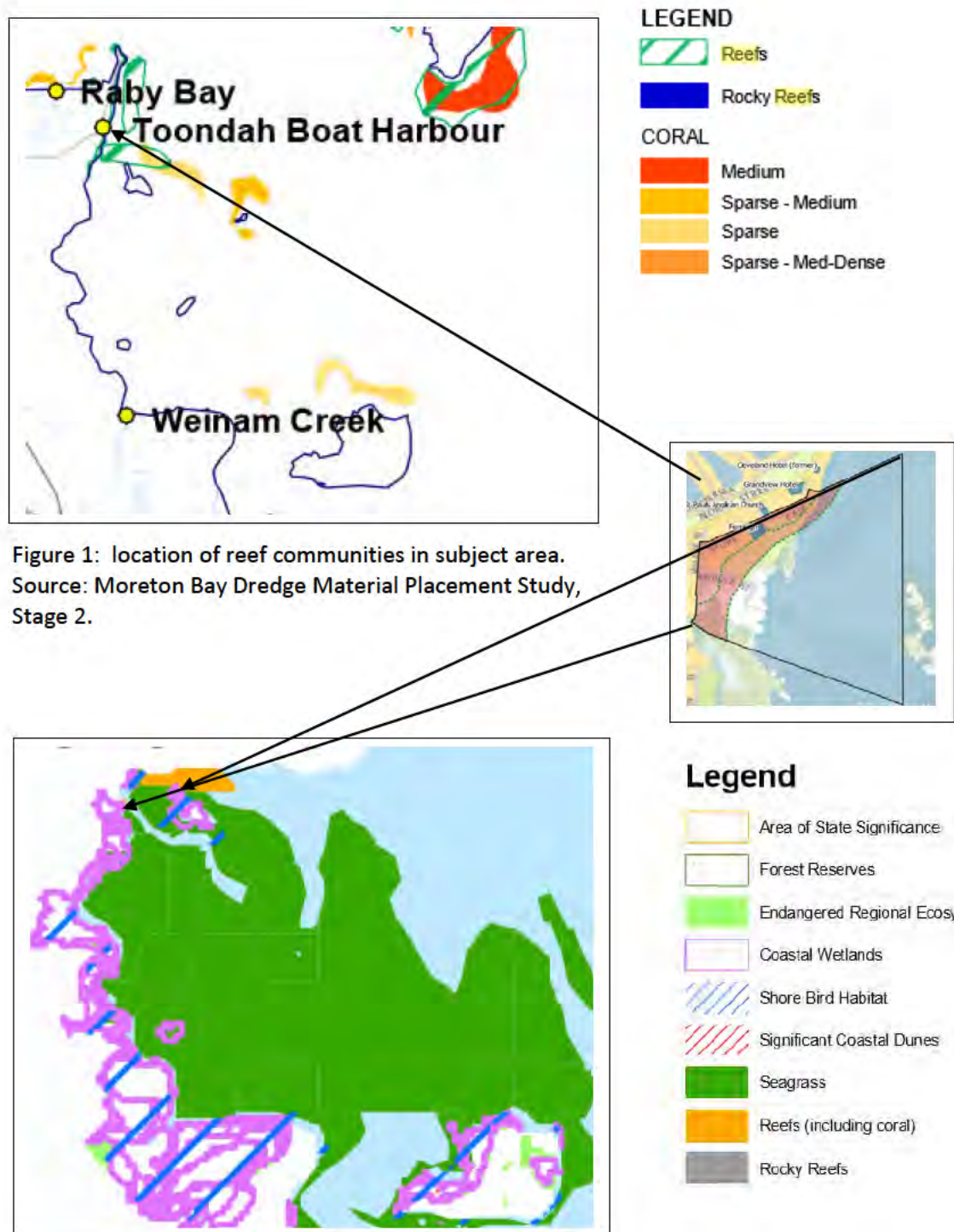


Figure 1: location of reef communities in subject area.
Source: Moreton Bay Dredge Material Placement Study, Stage 2.

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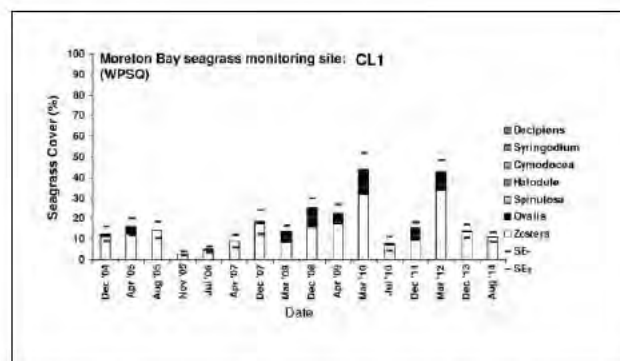
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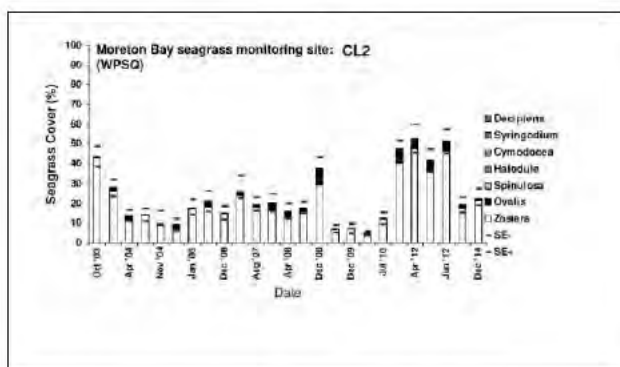
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[Cleveland, QLD seagrass monitoring sites.](#)



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We strongly **recommend** that the Commonwealth reject the urbanisation of a RAMSAR site, despite the fact it is inconsistent with the '[Wise Use](#)' principles of [RAMSAR](#) it sets a very dangerous precedent.

Yours sincerely

s47F

Wildlife Preservation Society of Queensland Bayside Branch (QLD) Inc.

s47F

References:

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Laegdsgaard, P. (2006). "Ecology, disturbance and restoration of coastal saltmarsh in Australia: a review." *Wetlands Ecology and Management* **14**(5): 379-399

From: S. 11C(1)(a)
To: [EPBC Referrals](#)
Subject: Referral - 2015/7612 by the Walker Group Holdings Pty Limited/Commercial Development/Moreton Bay/Queensland/Toondah Harbour Project, Moreton Bay, Qld.
Date: Monday, 1 February 2016 12:05:11 PM
Attachments: [Referrals EPBC.docx](#)

The attached correspondence is self explanatory but your acknowledgement would be appreciated

Regards

S. 11C(1)(a)



Referrals

Environment Assessment Branch,
Department of the Environment
EPBC.Referrals@environment.gov.au

1 February 2016

Dear Sir and Madam

We make further information available in support of our submission to the EPBC Act Referral - 2015/7612 by the Walker Group Holdings Pty Limited/Commercial Development/Moreton Bay/Queensland/Toondah Harbour Project, Moreton Bay, Qld.

In our submission we highlighted many issues of concern including the data presented by the applicant. Further, we convened a workshop on the project and its impacts on 30 January 2016, which attracted over 70 people many experts in their fields and others who were locals completely oblivious to the scale, nature and even location of the project. Most were and remain alarmed that a project of the scale envisaged could ever pass rudimentary tests of due diligence by the respective approval and land owning authorities (being primarily the Redlands city Council and the Queensland State Government). They are putting a heavy reliance on the efficacy of the Commonwealth Government to act responsibly in this matter.

We have learned of independent evidence from Healthy Waterways (<http://healthywaterways.org/>). This material shows that the subject site does support areas of significant seagrass particularly South of the subject channel (see Figure 1; *Halophila ovalis*, *Halophila spinulosa*). The species found by Healthy Waterways are diverse and unique. Samples collected from the Southern side of the channel within the subject site are perhaps some of the longest (approx. one metre) *Zostera muelleri* ssp. *capricorni* ever found and certainly longest in Moreton Bay. One of the researchers involved in the find has 20 + years of seagrass research experience. These species are utilised by Dugongs (Preen, 1995), a species protected by the EPBC Act. If you would like to confirm the seagrass find you should contact the Chief Scientist ^{s47F} at Healthy Waterways ^{s47F} [@healthywaterways.org](mailto:healthywaterways.org)).

Further we I learnt from ^{s47F} a world authority on coral, that:

- There is a huge amount of coral just off the foreshores in proximity of Toondah Harbour in Moreton Bay.
- ^{s47F} recently discovered a new coral, unique to Moreton Bay.

- Dredging creates sediment and stops sunlight getting to coral and his view was the risks to the corals of the Bay would be very high should massive dredging occur over the extended period (10-15 years) envisaged for this project.
- Without sunlight coral dies and without coral fish disappear and without fish Moreton Bay will be dead. And there will be no fishing industry.

We have also been informed that the State Government and Council indicate the development is required as it's the only way to fund important Toondah Harbour improvements. However, the Federal and State government are capable of paying \$100 million per kilometre of road (Gateway Motorway; Hon. Warren Truss MP., 2014) to \$500 million per km of road (Airport Link Brisbane) but allegedly incapable of funding a \$50 – 100 million harbour upgrade. We suggest that it is very clear to the public that the protection of RAMSAR and Moreton Bay marine park values has a low priority within government.

We believe there is sufficient evidence to show that the material presented to the Federal Government by the applicant is fatally flawed. We believe there are no reasonable legal grounds available to the Federal Government to support this proposed application. Any favourable decision made by the Federal Government will have been based upon questionable or missing information and likely leave themselves open to challenge.

On the 2nd February the global community celebrates World Wetlands Day. World Wetland Day marks the date of the signing of the Convention on Wetlands, called the Ramsar Convention, on 2nd February 1971.

On the 3rd February the Federal Government will need to determine if they allow the applicant to proceed to the next step towards their proposed development. The Federal Government will need to determine if they will put into motion the annexing of the Moreton Bay marine park, the destruction of seagrass meadows and migratory wader bird habitat to support the urbanisation of the Moreton Bay RAMSAR site to pay for a harbour upgrade. Such an approach is disgraceful and unwise. The community will be watching.

Yours sincerely

S. 11C(1)(a)
[Redacted]
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s22

-----Original Message-----

From: s47F

Sent: Monday, 25 January 2016 4:22 PM

To: EPBC Referrals; deputy.premier@ministerial.qld.gov.au

s47F

Subject: Toondah Harbor PDA Qld

Dear Sir / Madam,

Enclosed letter of objection to the above.

Yours Faithfully

s47F

s22

Legal Officer | Climate Change, Science and Corporate Legal Section General Counsel Branch
| Department of the Environment

a: GPO Box 787 CANBERRA ACT 2600

t: (02) 6274 s22 | e: s22 [@environment.gov.au](mailto:s22@environment.gov.au) P Save paper. Do you really need to
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consulting General Counsel Branch.

Re: Toondah Harbour 25 / 01 / 2016

Submission to Director of EPBC and Deputy Premier of Queensland
The EPBC Act referral, reference number 2015/7612 Walker Group Holdings Pty Ltd/Commercial Development/Moreton Bay/Queensland/Toondah Harbor Project, Moreton Bay, Qld.

Dear Sir / Madam,

I am an architect and urban designer who took part in a workshop at Cleveland in early 2014 during the calling of expression of interests for the Toondah Harbour Priority Development Area (PDA). The purpose of the workshop was to examine the merits or otherwise of the Newman Governments' briefing document.

The group found

1 There was a more suitable site for a marina village on the northern bay edge of the township of Cleveland where there has already been a 'man made' incursion known as the canal estate of Raby Bay, and the surrounds immediately west of the Cleveland Point peninsula where there is existing boating facilities. However, there was an acceptance of the fact that the Toondah ferry terminal needed to be upgraded and / or relocated.

2 The benefits of the north-bay edge include a northerly outlook and aspect with unfettered vistas across the northern 'fetch' of Moreton Bay. This location would be protected from southerly weather exposure. The location is close enough to the Cleveland town centre and residential to have synergetic affect on the commercial and village atmosphere thereby reinforcing businesses that are becoming unviable within the Cleveland town-ship. It appears that an options analysis was not carried out, in particular in relation to the urban consolidation of the Cleveland town core.

3 The proposed PDA site with commercial / retail is too far from the Cleveland town centre and will further exacerbate the continuing failure of the existing Cleveland commercial hub.

4 The PDA site is adjacent to world-listed wetlands (RAMSAR). Moreton Bay is an extremely sensitive and complex ecosystem.. in particular, bird and fish habitat, seagrass and mangrove stands.

Subsequently, the PDA was approved by the Newman Government and the tender was won by the Walker Group.

5 As a marina consultant I advised the working group that the cost of operational works (including dredging), infrastructure, and upgrading of the ferry facilities in the original briefing document did not stack up from a feasibility point of view. To become economically viable the proposed scheme now has now increased significantly in size without any Environmental Impact Study.

6 To further make the project viable, public assets have simply been handed over without cost to the preferred developer as well as loss of public amenity.

7 There has been no transparency and no public consultation, reminiscent of '*The don't you worry about that*' days of the Petersen / Hinze era.

8 The proposed marina, ferry terminal and general mixed use facilities are amateurish.

9 By inserting a high-density accommodation program, in the bay, beyond the shoreline, including high rise buildings in 'the mud', to avoid costly hydraulics problems there will need to be at grade podium car-parking with resultant bleak in-active streets.

10 The site is exposed to unfavourable SE aspect and southerly winds. The buildings and spaces will be exposed to the corrosive nature of the location and blustering southerly weather.

11 The scheme shows large revetment walls adjoining the bay with imported white sand infill and 'large out of scale' steps to an unshaded promenade. This is a scenario that is common to resort and water edge reclamation in third world countries and has no relationship to the intrinsic character, topography, history and ecology of Moreton Bay.

12 From a cultural point of view the vistas to and from the bay foreshore will be obliterated with very ordinary high-rise development.

Conclusion

This PDA proposal makes Queensland / Australia a laughing stock internationally and nationally. I know of no other situation in Australia where such a large development has taken place within such a large natural water body as Moreton Bay. The only other on this side of the world would be Hong Kong's Victoria Harbour which, unfortunately is rapidly vanishing before the world's eyes.

At the time, the Labor Party opposed the Newman Government PDA legislation because it made it very difficult for opponents of the scheme to appeal.

The Toondah Harbour proposal should be halted in its tracks and is a severe embarrassment to both the Queensland Labor Government and the Australian Federal Coalition. It is a short-term fix for Qld fiscal problems imposed by political growth economics. It is an extremely negative legacy for future generations.

Yours Faithfully

s47F



s47F

From: [SIMO Secretary](#)
To: [EPBC Referrals](#)
Cc: [Compliance; SIMO Secretary](#)
Subject: Update to our submission re Referral 2015/7612
Date: Tuesday, 2 February 2016 2:02:56 PM

s22

Since making our original submission, we have been made aware of further information about the marine environment in and around the RAMSAR sites that we believe will be adversely affected by the proposed development in Moreton Bay.

According to Healthy Waterways (<http://healthywaterways.org/>) the site has significant areas of sea grass. The species found by Healthy Waterways are diverse and unique. Samples collected from the Southern side of the channel within the subject site are perhaps some of the longest (approx. one metre) *Zostera muelleri* ssp. *capricorni* ever found and certainly longest in Moreton Bay. One of the researchers involved in the find has 20 + years of seagrass research experience. These species are utilised by Dugongs (Preen, 1995), a species protected by the EPBC Act. We believe that this additional information strengthens our original submission that the proposal is of national significance and should be subject to a EIS conducted under the Federal Act and not be left to the State of Queensland.

SIMO would be pleased if this could be passed on to the relevant decision-makers.

Howard Guille
SIMO Secretary

----- Original Message -----

Subject: RE: Submission re Referral 2015/7612 [SEC=UNCLASSIFIED]

Date: Mon, 7 Dec 2015 23:34:32 +0000

From: EPBC Referrals <EPBC.Referrals@environment.gov.au>

To: 'SIMO Secretary' <secretary@simo.org.au>

Mr Guille

Thank you for your submission, on behalf of SIMO, concerning the Toondah Harbour Project, Moreton Bay Qld (EPBC 2015/7612). Your submission has been forwarded to the assessment area.

s22

Referrals Gateway

This email has been checked for viruses by Avast antivirus software.
www.avast.com

From: S. 11C(1)(a)
Date: 31 January 2016 at 1:11:59 PM AEDT
To: <Greg.Hunt.MP@aph.gov.au>
Cc: <deputy.premier@ministerial.qld.gov.au>
Subject: URGENT: re EPBC Act: Toondah Harbour Project, reference no: 2015/7612

Dear Minister,

I know that submissions have closed on the above application and that your decision is imminent. However, yesterday, I was privileged to attend a workshop to critique the environmental implications of the Walker Group's Toondah Harbour Project. I learnt a great deal from experts about migratory birds and threatened species that rely on Moreton Bay for survival. If I had known this earlier I would have included it in my submission and my subsequent letter to the Prime Minister that was passed onto you to which Assistant Secretary Deb Callister responded on your behalf on 8 January 2016 (reference PDR: MC15-044275).

In particular, I learnt from s47F a world authority on coral, that:

- There is a huge amount of coral just off the foreshores here at Toondah Harbour in Moreton Bay.
- Two weeks ago s47F discovered a new coral, unique to Moreton Bay.

- Dredging creates sediment.
- Sediment stops sunlight getting to coral.
- Without sunlight coral dies.
- Without coral fish disappear.
- Without fish Moreton Bay will be dead.

Therefore, there will be no fishing industry and NO MORE JOBS that rely on the fishing industry in Moreton Bay.

I hope it is not too late for this important information to be considered.

Please do not allow the Redland City Council, the Queensland Government and the Walker Group to waste any more money on a project that could cause so much irreparable damage to the already fragile ecological environment of Moreton Bay.

Yours sincerely,

S. 11C(1)(a)

31 January 2016

From: s47F
Sent: Tuesday, 8 December 2015 10:05 AM
To: Greg.Hunt.MP
Subject: Toondah Harbour PDA

Dear Minister,
Could you please refer my email below to the Environment Assessment Branch?
Thank you.
s47F

Referrals
Environment Assessment Branch
Department of the Environment
GPO Box 787
Canberra ACT 2601

8 December 2015

Dear Sir or Madam,

I make the following submission to the EPBC Act Referral -2015/7612; Walker Group Holdings Pty Limited/Commercial Development/Moreton Bay/Queensland/Toondah Harbour Project, Moreton Bay, Qld.

The proposed development is one which will have significant destructive impacts on Moreton Bay.

The proposed development will involve the removal of mangroves, productive seagrass beds, fishing sites, dugong and wading bird habitat.

The dredging of vast areas of Moreton Bay will affect a much wider area with waste material.

The handing over of hectares of an Australian bay to developers is in itself a gross misuse of our natural environment.

I urge you to reject this development proposal which has such a tremendously negative impact on a sensitive, productive natural area.

Yours sincerely,

s47F

