

Submission to the Port of Hastings Corporation
on
The Port of Hastings Land Use and Transport
Strategy Consultation Draft



Birds Australia
CONSERVATION THROUGH KNOWLEDGE

March 2007

Birds Australia's submission on the Port of Hastings Land Use & Transport Strategy Consultation Draft.

Birds Australia is pleased for the opportunity to make a submission on the Port of Hastings Land Use and Transport Strategy Consultation Draft.

Birds Australia is a highly respected science-based conservation organisation. Birds Australia has a diverse, national membership of about 8,000 Australians. We have an extensive, ongoing program of research, including the peer reviewed ornithological journal *The Emu*. Thousands of volunteers contribute to the *Atlas of Australian Birds*, and thousands more are involved in the *Threatened Bird Network* and dozens of specialised projects, including several species recovery programs. The quarterly magazine *Wingspan* educates our members and the public on bird issues and research outcomes. Our Reserves and Observatories serve as educational centres and as land for conservation.

Birds Australia has a special standing in relation to the environmental values of Western Port Bay because of its expertise and research in relevant areas. For example, Birds Australia provides information to the federal Government on matters of national environmental significance under the EPBC Act¹ (e.g. migratory shorebirds), is involved with the identification of significant shorebird areas and oil spill response mapping of significant coastal bird sites. We also run a project mapping Orange-bellied Parrot habitat. Our Atlas of Australian Birds holds millions of spatially referenced bird records, including many from the Western Port area. Birds Australia has commented on many referrals under the EPBC Act, and has also assisted the Department of Environment and Heritage (Department of Environment and Water Resources) by providing expert opinion and data to aid the administration of the Act.

Birds Australia wishes to express its concern over potential threats posed by the proposed development on the environmental values of the region.

The natural values of Western Port Bay are exceptionally high and are irreplaceable. Western Port Bay is a Ramsar site, part of the East Asian-Australasian Shorebird Reserve Network, a major component of the Mornington Peninsula and Western Port Biosphere Reserve and under nomination as one of Birdlife International's Important Bird Areas (IBA). The natural values of Westernport Bay are unique. The bay contains the southernmost mangroves in the world, large areas of marine sub-tidal aquatic beds, coastal saltmarsh and very extensive seagrass beds associated with intertidal mudflats and sandflats. These habitats constitute critical foraging, roosting and breeding habitat for a large number of resident and migratory shorebird species.

Mangroves, seagrass and saltmarsh have been identified as among the most important habitats for providing essential ecosystem services such as water supply and regulation, disturbance regulation, nutrient cycling, waste treatment, habitat refugia, food production and recreational and cultural services.

¹ Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*

The natural values of the bay also provide significant economic input into the State economy. Birdwatchers from around the world visit the bay. The general vicinity of the bay is also home to significant numbers of seabirds, such as Little Penguins and Shearwaters, which support one of the best known and visited tourist attractions in the country.

In this submission, Birds Australia has not conducted a comprehensive review of the values and threats in the bay associated with the proposed development. However, we wish to highlight a number of issues which need to be considered carefully and thoroughly in the EES process².

Waders (Shorebirds)

The Western Port Ramsar site contains important foraging areas, high tide and other roosts, and breeding areas for a number of waterbird species including migratory waders (also known as shorebirds). The site is also an important drought refuge for waterbirds during the summer months as it provides habitat all year round. Western Port is one of the three most important sites in Victoria in terms of wader numbers and density, supporting approximately 10,000 birds of 37 species. It periodically supports more than 10,000 ducks and Black Swans.

The site supports more than 5% of the Victorian population of seven migratory shorebird species:

- Bar-tailed Godwit;
- Common Greenshank;
- Curlew Sandpiper;
- Double-banded Plover;
- Eastern Curlew;
- Red-necked Stint; and
- Whimbrel.

It is also an important breeding area for the Fairy Tern, Pied Oystercatcher, Pied Cormorant and Australian Pelican. French Island holds one of the largest breeding populations of Pied Oystercatchers in Victoria (Victorian Wader Study Group data). The Victorian Institute of Marine Science (VIMS 1996) has identified some 32 localities within the Western Port Ramsar site that are considered important. Localities of particular significance include: French Island north shore mudflats; Western Port north shore mudflats; Tea Tree Point mudflats; South-west French Island; Freemans Point to Blue Gum Point on French Island; mudflats from Sandy Point to Yaringa; Eastern mudflats (Yallock Creek, Stockyard Point and Pioneer Bay); GMH Drain/The Gurdies; Observation Point; and Bass River mudflats. Important high tide roosts include Rams Island, Chilcott Rocks, Tortoise Head, Long Island Point, Barralliar Island, Bunyip River

² The specific detailed information provided in the submission is considered to be preliminary and should not be relied upon as a basis for any EES review. Inquiries regarding access to datasets, maps and experts for consultation should be directed to j.oconnor@birdsaustralia.com.au

mouth, Yallock Creek mouth, Pelican Island, Stockyard Point and Reef Island. Many of these sites regularly host internationally significant numbers (i.e. > 1% of the East Asian-Australasian Flyway population) of migratory waders.

The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC) identifies Ramsar sites and migratory shorebirds as matters of national environmental significance for which the Commonwealth has a significant responsibility. Wise use principles extend beyond the Ramsar site boundaries. The EPBC Act sets out procedures for assessing actions with potentially significant impacts on Ramsar values, whether these actions are proposed within or outside site boundaries.

Several of the sites listed above must be considered under direct threat by the proposed development. However, Birds Australia considers that due to the unique tidal and 'circular' hydrology of the bay, all areas of the bay are potentially affected by pollutants such as oil spill or dredge spoil. These areas include the three Marine National Parks lying within the bay. Increased turbidity from dredging and artificially generated wave action must be considered as a threat to food chains throughout the bay, not only the immediate area surrounding and included in the proposed development. The effects on feeding habitats from increased suspension of contaminated sediments from dredging are unknown but potentially very serious. At Phillip Island, increased shipping movements in proximity to the Summerland penguin colony (26000 breeding birds), the largest colony of breeding Crested Terns in Victoria at the Nobbies and the world's second largest Australian Fur Seal Colony at Seal Rocks, correspond with increased risks. It is not known how the penguins will respond to increased turbidity in their feeding grounds caused by dredging.

Oil Spills

A major concern is oil spill modelling for Western Port indicating that in many scenarios even a moderate spill could not be prevented from spreading extensively around the bay and depositing on mangroves, seagrass and mudflats. One of the greatest risks to Little Penguins, as well as other wildlife such as Short-tailed Shearwaters and Australian Fur Seals, is the risk of contamination from oil pollution and associated chemicals. It is well known that waders also suffer oiling and that there is often little possible in the way of rescue and rehabilitation available for this type of bird. This is of great concern given the high numbers of these birds using the bay.

Although Australia has been fortunate enough to largely escape major oil spills in the past, over 1500 small spills are known to have occurred in Australian Waters between 1993 and 1998 (AMSA publication: *Oil Spills in the Australian Marine Environment: Environmental Consequences and Response Technologies*, unpublished).

While small oil spills do not have the dramatic consequences of major spills such as the Iron Baron spill off the Tasmania coast in 1995 which affected a large Little Penguin breeding colony, they can nonetheless have serious impacts on shorebirds and other wildlife. For instance, a spill of around 25,000 L of heavy fuel oil off the Bass Coast in February 2003 resulted in the oiling of Hooded Plovers, Little Penguins, Silver Gulls and

Pied Cormorants. The spill affected approximately 20km of coastline between Woolamai Beach, Phillip Island and the mouth of the Powlett River. The serious consequences of this relatively small spill highlight the dangers increased shipping traffic poses to a number of species.

Hydrodynamic modelling has indicated that a significant oil spill would be likely to affect a substantial portion of Westernport Bay. Modelling (SIMAP) indicates that an oil spill at or around Long Point would result in both entrained and surface oil affecting the entire western arm of the bay as well as the majority of the northern section. Other modelling commissioned by Westernport and Peninsula Protection Council (WPPC) suggests that in fact, the entire Bay could be affected after six weeks after a major oil spill at or around Hastings (see previous WPPC submissions).

Given the extremely dynamic nature of Westernport Bay it is critical that a full Environmental Effects Statement examine all possible oil spill scenarios, in particular worst case scenarios, and their potential bay-wide effects.

Orange-bellied Parrot

The Orange-bellied Parrot *Neophema chrysogaster* is listed as Critically Endangered under the EPBC Act. The species over-winters in coastal south-eastern Australia, primarily within 2 km of the coast and usually around bays, estuaries and lagoons, and especially islands and spits within these water bodies. Coastal saltmarshes form the principal habitat. Key food plants include Shrubby Glasswort *Sclerostegia arbuscula*, Beaded Glasswort *Sarcocornia quinqueflora* and Austral Sea-blite *Suaeda australis*. The species also occurs in adjacent coastal scrubs and dunes, such as melaleuca scrub, and low-lying saline pastures, where they feed on other plants such as Bidgee-widgee *Acaena novae-zeelandiae* and an array of salt-tolerant weeds and grasses. Areas fringing Western Port are known to support Orange-bellied Parrots (for a preliminary map, see Appendix 1). There are anecdotal records of the species occurring in the saltmarshes north of Hastings. This habitat is regarded as high-quality saltmarsh with low-level degradation. All key Orange-bellied Parrot food plants occur in the area and potentially suitable roosting habitat also exists in the form of Mangroves and Swamp Paperbark. The lack of 'confirmed' sightings of the species from the site is possibly attributable to poor survey coverage. Many areas in Western Port, especially the eastern fringes, have not been searched consistently so it is possible that the site is used more frequently than records suggest. Greater survey coverage of these areas is needed to fully assess the use of these areas by Orange-bellied Parrots.

Other Information Gaps and Key Issues

There are other areas of concern, many relating to the lack of research in assessing environmental effects in the Maunsell Report:

- In reference to marine pests the information in the Maunsell Environment Report is very scant. Further introductions of marine pests may affect the long term viability of invertebrate and vertebrate populations and could affect the food

sources of many bird species. The current information is not sufficient for basing an assessment on, and more research is needed.

- Western Port is an important spawning area for Anchovy, a major component in the marine food chain. Impacts on fish populations will need to be examined and this is not included in the Maunsell Report.
- More detailed surveys of the aquatic fauna in general, including aquatic invertebrates, are needed.
- Storm water and drainage management from the port is a concern and needs to be addressed.
- Short-tailed Shearwaters are attracted to light sources and are likely to hit structures. A state of the art lighting plan is needed to reduce this risk as much as possible.
- The consideration of terrestrial issues also needs to be included in the EES.
- Off-site impacts such as turbidity and oil spills mandate that the geographical scope of the EES include all areas that may be potentially impacted.

The Net Gain concept is intended to provide ecologically functional offsets to any environmental damage caused by a development. In addressing the loss of or damage to the unique habitats in Western Port Bay, any proposed offsets must be able to provide adequate replacements for the unique foraging, breeding and roosting habitats and the other unique ecosystem services originally provided. Unrelated offsets such as tree plantings cannot be considered adequate to these requirements.

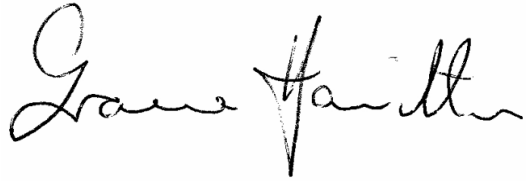
Conclusions

In closing, there appear to be a great number of unknowns which need to be thoroughly assessed for their potentially very serious environmental, cultural and economic effects to an area that has exceptionally high natural values. We strongly urge that the EES be expanded to consider the whole of Western Port Bay, both to adequately protect the values of the bay and to preserve the credibility of the consultation process. In addition we want the EES to thoroughly address the specific issues of concern which we have raised in this submission.

The planning principles of the Port of Hastings Land Use and Transport Strategy Consultation Draft include “environmental protection which aims to develop the port showcasing green technologies and international best practice in environmental management and community involvement and to recognise the environmental values of the Port of Hastings, including the Western Port Ramsar Wetlands”. We trust that these words will be put into practice at this important stage of the consultation and assessment process.

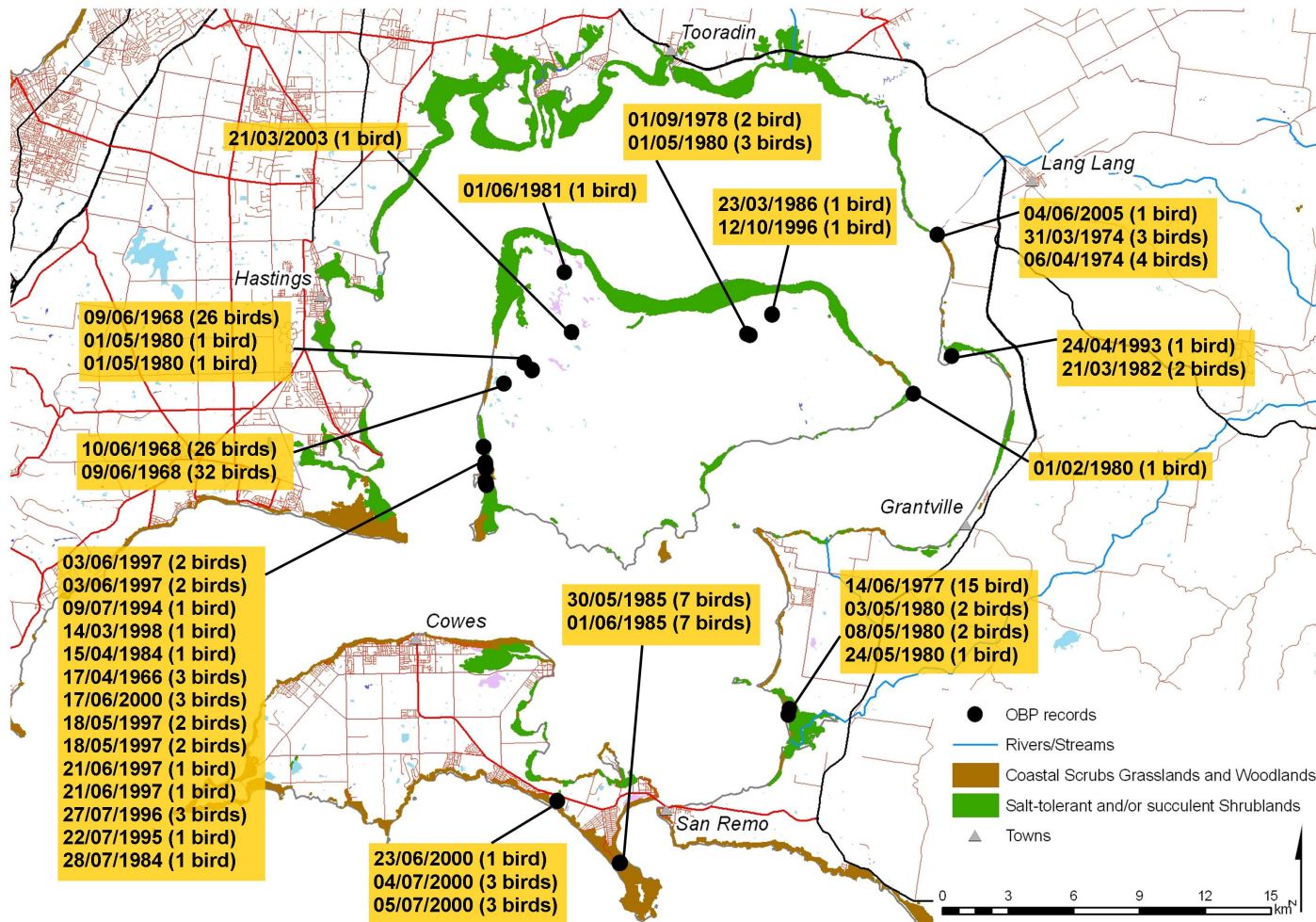
Should you require any further information on this submission please contact James O'Connor by email: j.oconnor@birdsaustralia.com.au

Yours Sincerely,

A handwritten signature in black ink that reads "Graeme Hamilton". The signature is written in a cursive style with a large initial 'G' and a long, sweeping tail on the 'n'.

Graeme Hamilton
Chief Executive Officer

Appendix 1



Known confirmed Orange-bellied Parrot records in Westernport. Copyright Birds Australia: Not to be reproduced or cited without permission. *Source:* Birds Australia/Orange-bellied Parrot sightings database.

