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**SUBMISSION ON THE**
**PORT OF HASTINGS LAND USE AND TRANSPORT STRATEGY**

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A large-scale port development such as that proposed in the Port of Hastings Land Use and Transport Strategy (PoHLUTS) is inappropriate for Western Port Bay. The proposed development will extensively impact the marine and terrestrial environment, both which have high ecological values. Due to circulation patterns in Western Port, a large port development also increases the risk of widespread damage to the entire bay through turbidity, oil and chemical spills, as well as marine pests. The immense value and significance of Western Port's marine and coastal environment is evidenced by the fact that it is a Ramsar listed wetland, is part of the Mornington Peninsula and Western Port Biosphere Reserve, and also encompasses three Marine National Parks. The proposed development sites contain vegetation, fauna, and geological features of various local, regional, state and national significance. In addition, a large port and associated industrial precinct would conflict with recreation, tourism and coastal village lifestyle values of Western Port and surrounds.

Any development must go through proper planning and approvals process, including at least an ***up-front Environmental Effect Statement for the entire development***, and referral to the Federal Government for approval under the EBPC Act. The PoHLUTS does not heed the Victorian Coastal Strategy 2002 hierarchy of principles for coastal planning and management that states that priorities should be given to protecting significant environmental features before proceeding to 'suitable development'. This Land Use and Transport strategy does not prioritise the significant environmental features of Western Port, nor is the proposed development 'suitable' for such an important and sensitive area. Instead the strategy, in its initial assessment of 'options' clearly gives far heavier weight to economic factors than to the environment (see further comments below).

## Marine Impacts

Major issues in terms of the marine environment in the proposed PoHLUTS come from:

- Increased sediments in the water due to dredging and construction
- Increased risk of oil or chemical spills due to larger and more frequent ships
- Increased risk of exotic marine pests due to larger and more frequent ships

These are likely to severely impact marine flora and fauna, and inhibit essential ecosystem functions. In Western Port marine environment forms the basis of significant natural, social and economic values. The PoHLUTS states on p7 of the consultation draft that it will "Progress more detailed investigations to select the port layout options where marine environmental impacts can be mitigated." . This statement is inadequate, and disregards the marine significance of Western Port. It also disregards the fact that there has been no assessment of the possible marine impacts using any data when 'accepting' or 'rejecting' potential options and therefore any suggestion that the impacts can be 'mitigated' has no basis in science at this stage. Instead there is much science that indicates otherwise.

Any port development strategy must be dedicated to 'protect' and 'enhance' Western Port's marine environment which is of *local, state and international significance*. Instead the strategy talks of 'balancing' the evaluation criteria. This implies compromising the environment, rather than giving it priority – a position that will lead to long-term degradation of the Bay.

Seagrass

Seagrass is crucial to the ecology of Western Port. It is important in stabilizing sediments, nutrient cycling, providing nursery areas for fish breeding and bird feeding habitat. Over 70% of seagrass cover has been lost in Western Port and recent trials show that regeneration is difficult and unlikely. The remaining seagrass communities are threatened by high levels of sediment and nutrients flowing in from the catchment. Port dredging and construction works will not only directly remove areas of seagrass, it is likely to accelerate further decline in cover due to the disturbance and destabilization of soil and marine sediments, which smother the plants and effectively kill them. The Port Strategy claims to be acting on the principle of 'net gain' in vegetation. How will a 'net gain' of seagrass cover be achieved?

Birds

Western Port is home and refuge to numerous waterbird species. There are 29 species listed under the JAMBA agreement and 31 listed under CAMBA. Habitat disturbance, oil and chemical spills are likely to severely impact these animals. "*The wetlands in Western Port are listed under the Convention of International Importance 1971 (Ramsar Convention) and provide foraging, breeding and roosting grounds for 15,000 migratory birds also subject of international migratory bird agreements. Other bird …. species are listed under the Flora and Fauna Guarantee Act 1988 as 'threatened' and requiring protection*" (WSP 2000). Another very significant bird in Western Port is the Fairy Penguin, the key attraction of the Phillip Island Nature Parks which receive 626 000 visitors per year (PINP 2005).

Other marine fauna

Other significant marine fauna in Western Port include marine mammals such as seals, dolphins and whales, important recreational and commercial fish, as well as highly diverse and rare marine invertebrate communities and species. Two marine invertebrates are listed as vulnerable under the *Flora and Fauna Guarantee (1988)*.

Terrestrial Impacts

Development in the SUPA zones could require the removal of considerable amount of native vegetation, including rare, endangered and vulnerable EVCs. This is the case for both Crib Point and Long Island. Flora and fauna of state, national and international significance are found in the SUPA zone. In addition the road development, especially for the suggested thousands of trucks per day, will have significant impact on roadside flora.

Option development process

The option development process, and the proposed strategy (PoHLUTS) based on this, are both fundamentally flawed.

In the PoHLUTS**,** environmental policies are not expanded to the same extent as those supporting the development. e.g. appropriate sections of the State Planning Policy Frame (SPPF) in the Victorian Planning Provisions (VPPs) relating to marine and coastal protection and Ramsar sites are not included and yet the SPPF sections supporting the development are included. Similarly a minimal part of the Coastal Management Act relating to the environment is included but sections that could be interpreted as supporting the development are expanded more fully.

In the initial option development, it is a mystery as to how, in the absence of any data, Long Island was deemed to be 'satisfactory' for the environment (or for that matter Crib Point and Stoney Point) especially considering the statements about these affecting the seagrass, mangroves, currents in the Bay etc.

In subsequent development of more detailed options more environmentally friendly options appear to have been rejected on the basis of the economics of port operations. The cost of mitigation for the various options have not been included in the economic analysis. In addition, the value of the various aspects of the environmental affected or potentially lost have been assigned no monitory value in the assessments to date.

It is totally illogical that the options 'Long Island A' 'Long Island B' and 'Long Island C' are rated as 'potentially satisfactory', 'unsatisfactory' and 'potentially unsatisfactory' respectively (p 70-73) when the extent of damage to the sea grass would obviously be greatest in 'A' and least in 'B'. Thus the environmental ratings appear to quite subjective and to depend more on the perceived economic benefits of the various options than on the relative environmental impact.

It is telling that in the 'Preliminary Environmental Asessment" the section dealing with terrestrial flora and fauna (12.3.1) ends with sections on 'potential mitigation methods' and 'further investigation', but the section on the marine environment (12.3.2) has nothing on these. The implication is that mitigation will be difficult or impossible and the development should not proceed.

Conclusions

For the above reasons we believe the proposed development is totally inappropriate and that the process undertaken to date is seriously flawed with the environment not given the priority weighting that it deserves.

If, in spite of these comments the investigation is taken further then it must go through proper planning and approvals process, including at least an ***up-front Environmental Effect Statement for the entire development***, and referral to the Federal Government for approval under the EBPC Act. Any EES must include all options of lesser impact (not just the more economic ones) with the economic analysis including the cost of environmental mitigation including the full cost of offsets and the value of lost environmental assets. An examination of whether offsets are possible and practical is also essential. The effects of turbidity, loss of sea grass (direct and indirect), changes in currents, erosion etc. (on all options - not just the 'preferred' options) must be modelled in detail using valid data.

Lastly, the fact that this land including a sizeable chunk of Western Port Bay was zoned in 1967-1970 for possible industrial use and 'reclamation' does not support its development now. This was the same era in which the Little Desert was proposed to be cleared for sheep farming. All land containing native vegetation or other values should now be zoned Rural Conservation with a 40ha or greater minimum subdivision and the remainder zoned 'Green Wedge" with similar large subdivision size. This will maintain all land use options including environmental protection.

References

PINP 2005, *Phillip Island Nature Parks Annual Report*, Phillip Island Nature Parks, Cowes.
Western Port Seagrass Partnership (2000) Who, why, how.
***http://www.seagrass.com.au/pdfs/Background_Paper.DOC.pdf***