



CITY OF
Port Adelaide Enfield

Submission
Flinders Ports - EPA Licence Application for
Outer Harbor Dredging

December 2018

Introduction

The City of Port Adelaide Enfield welcomes the opportunity to provide input to this Environment Protection Authority (EPA) Licence Application process.

The comments made in this submission are consistent with Council's existing policy positions and strategic commitments that are contained in the following strategic documents:

- City Plan 2030
https://www.cityofpae.sa.gov.au/webdata/resources/files/Plan_CityPlan.pdf
- Economic Development Strategy and Action Plan
https://www.cityofpae.sa.gov.au/webdata/resources/files/Economic%20Development%20Strategy_2020-1.pdf
- Living Environment Strategy 2022
http://www.cityofpae.sa.gov.au/webdata/resources/files/Plan_EnvironmentalStrategy.pdf

In making this submission Council acknowledges the importance of a modern functioning freight and cruise ship terminal at Outer Harbor to the regional and State's economy and, the need for the required dredging of the Outer Harbor Channel. Council is equally committed to protecting:

- our unique estuarine and marine environments that will be impacted by these activities; and,
- the health and wellbeing of the local communities, including minimising impacts on those that access the Port River for business and/or recreational purposes (e.g. nature based tourism ventures, kayakers and boat users).

Council recognises that it is important that any development in the Port River minimises impacts on these sensitive environments, particularly given:

- the importance of the Adelaide Dolphin Sanctuary as a protected wildlife habitat but also as a tourism destination that is an important and growing part of the local economy; and,
- the deteriorating condition of the marine environment as identified in the 2017 Aquatic Ecosystem Condition Report for the Adelaide Metropolitan Nearshore Marine Biounit.

In providing this submission Council is also seeking reassurance from the EPA that all options for land-based disposal have been thoroughly investigated, noting that development approval for the marine based option has been already been given by the State Commission Assessment Panel (SCAP). The *EPA Water Quality Guidelines for Dredging and Earthworks* specify a preference for land-based disposal if feasible. Furthermore, the EPA's commissioned review of the land based options

for disposal concluded that if 'an ocean based disposal pathway did not exist, then land-based options are likely to be feasible but would be subject to a wide range of risks and substantial costs'. In keeping with contemporary waste management practice, Council's preference is that the 'spoil' is considered a 'resource' rather than 'waste' and options for its reuse in land-based solutions are fully investigated using a comprehensive cost benefit analysis that factors in the full cost impacts on environmental values.

Council is also specifically concerned about dredging in the Port River and the potential biosecurity risks posed by further outbreaks of the Pacific Oyster Mortality Syndrome (POMS) and the impacts this would have on the Gulf.

In reference to the licencing conditions, Council is supportive of the conditions that were outlined in both the SCAP determination of 18 January 2018 and the EPA Referral Response of 29 November 2017, which need to form the basis of the EPA Licence. Specifically, Council considers that the following matters need particular focus in the licence conditions.

Compliance

The need for the operations to demonstrate/achieve compliance with relevant water quality and marine protection standards, including:

- the EPA Water Quality Guideline for Dredging and Earthworks, noting the sensitivity of seagrasses to the impacts of increased turbidity that will result from the dredging; and,
- the management objectives of the Adelaide Dolphin Sanctuary, noting the need to minimise impacts on the local dolphin population.

Management planning and monitoring regime

The licence conditions need to reflect the EPA's advice in the development assessment process that stipulated the requirement for a comprehensive Dredging Management Plan (DMP) covering all aspects of the operation, which demonstrates a proactive approach to minimising environment impact during the dredging, transportation and disposal stages.

The DMP needs to address the mitigation of impacts on water quality, marine mammals, benthic communities, and seagrass. The appropriate 'cease operations' criteria need to be specified, when certain threshold conditions are observed or forecast. This should include consideration of weather conditions and managing the impacts of turbidity and the associated risk of 'plumes'.

The DMP must also identify how Flinders Ports operations will mitigate the risk of further dispersion of invasive species e.g. *Caulerpa taxiflora* and also the potential risks of exacerbating any further risks of POM outbreaks in the Port River and the Gulf St Vincent. A focus on the mitigation of these biosecurity risks is vitally important for the fishing and aquaculture industries in the region.

Other environmental risks that need to be addressed in the DMP include ensuring that any air quality and noise impacts are mitigated. It is understood that there are residential and industrial properties within a kilometre radius of the operations in Outer Harbor and the piling activities need to be managed to reduce noise impacts. This includes prohibiting piling on Sundays.

The above conditions should apply to all aspects of the operation with monitoring to occur throughout the impacted areas as part of an approved Environmental Monitoring Program, which should be independently verified.

Public reporting regime

Given the economic, social and environmental importance of the estuarine and marine environment in the Port River and estuary, a rigorous public reporting regime is critical and must be clearly specified in the licence conditions. This need is even more pressing given the high level of community investment in recent efforts to improve the ecological health of the marine environment, for example, the shellfish restoration trials being conducted by the Estuary Care Foundation.

As outlined in the EPA assessment of the development application the public reporting regime should include real time access to water quality data at monitoring sites that are located throughout the dredging sites, including the marine based disposal site. This public reporting regime needs to be designed to demonstrate compliance with any licence conditions and application of best practice technologies and management practice.

It is recommended that an online platform, similar to that used by the EPA for the noise reporting on the Lefevre Peninsula is used to provide public access to this real time data, with appropriate summary reporting that interprets this data for the lay public. These summary reports should also be made available through public libraries and other community facilities in the area.

Surveillance during operations

The EPA Licence should also give consideration to engaging Adelaide Dolphin Sanctuary management/volunteers as 'expert observers' during operations to ensure that 'stop work' procedures are activated when dolphins are in proximity to dredging and piling activities (latter causing under water noise impacts). Reliance on 'appropriately trained' dredging operators may not be an adequate solution. This matter was raised by community members that were present at Flinders Ports presentation to the Port Environment Forum in May 2018.

Stakeholder engagement

The licence also needs to specify the need for ongoing engagement with impacted communities and interest groups throughout the dredging process. It is recommended that regular liaison occur with Council's community engagement and communications staff on these matters.

In conclusion please note that as part of their stakeholder engagement Flinders Ports are presenting at an Elected Member workshop scheduled for 18 December.