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To: Hon Tony Burke MP,
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PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600

13th March 2011

Objection to the development of Hummock Hill Island

Dear Hon Tony Burke MP,

I must admit that I am absolutely gutted by the Coordinator General's approval of the Hummock Hill Island development proposal. The Island is such a beautiful part of our coast, it deserves better. I find it distressing to think it may not be there for future generations.

White-anting of biodiversity sustaining ecosystems

As you are aware the region already suffers unreasonable industrial development pressure including unnecessary dredging in the Dugong protection area of Gladstone harbour. At what point do we say enough. Clearly environmental impact assessments and precautionary principles don't work to stem the white-anting of the biodiversity sustaining ecosystems in our care. Are you prepared to do the right thing and apply the law as intended for the protection of the environment?

Prostituting coastal ecosystems to fund unviable tourism venture

The basis for the HHI project is purported to be tourism, yet the project claims that residential development is "crucial" to the viability of the tourist development. This was a prominent consideration in the Coordinator General's approval but the substantiating material was not made public. The Coordinator General acknowledges that freeholding of crown land and subsequent real estate sales is required to fund the tourism component of the proposal because it cannot stand on its own feet. The project and the state government will effectively be prostituting our precious coastal ecosystems to prop up a questionable tourism venture. None of the benefits of state significance are uniquely linked to Hummock Hill Island and can be derived elsewhere. Developing Hummock Hill Island (HHI) erodes the very essence of its natural beauty and is counter to maintaining the area as an attractant for tourists. The Coliseum Inlet - Hummock Hill Island system has significant environmental sustainability value. Even in a reductionist "money making" sense, the relatively un-spoilt character of the area is far more important than the artificiality of golf courses, private airstrips and salt mining operations. Concatenating these artificial attractions and residential development to existing infrastructure elsewhere would significantly reduce the financial burden on society while preserving an environment infinitely more valuable.

Inappropriate authority to consider environmental values with intrinsic bias in favor of development

Declaring the project of state significance removed the epa as a concurrency agent. The very instrument charged with the protection of the environment, compelled to uphold our environmental laws no longer has a decisive role. The Coordinator General's office, representing Planning & Development for the Queensland government has a clear and obvious development agenda. This department also lacks the requisite skills to understand environmental finesse to make determinations on environmental impacts. This has led to undue bias and erroneous conclusions. e.g. the Coordinator General states that he is satisfied that surveys did not identify species of national significance and therefore the action poses no risk. This of course is wrong at many levels:

- 1) National significance is derived from the fact that we have driven species to the edge of extinction. They are per definition rare. Not finding them in remnant ecosystems typically known to represent their habitat is a statistical probability and by no means proof that they do not occur there or rely on that area.
- 2) We tabulate species on lists and label them “of concern” or “endangered”, but our capacity (funding levels) to accurately determine their condition at any one time is very uncertain.
- 3) Impacts are never limited to footprint.
- 4) Ecosystems are not defined by legal constructs. They function across legal and jurisdictional boundaries.

A competent environmentalist even someone with a genuine concern for the environment would understand this. It is unlikely that an EPA (*free of political interference*) would have erred in this regard. Black Breasted Button Quail are present on the island, claiming that they were not found within the “footprint” of the development is disingenuous. I am happy to provide the service of a competent bird atlaser to show you where they live, including the presence of their activity. I can also recommend a competent expert regarding the location of *Paradelma orientalis*. Both species are listed for protection and fall under your jurisdiction.

Lip service to public input

I cannot but conclude from the Coordinator General’s decision that he has not considered the matters I raise in my submission. If he had understood the information I provided, he could not in good conscience have approved the eis. I resubmit the document for your information and sincerely hope that you and your advisors give it better attention. I am more than willing to spend time with whoever it may concern, to ensure the principles are understood. (*HHI EIS Response Final.pdf*)

Gross errors in engineering calculations approved, salt mining approved.

On page 22 of my submission I provide an analysis of the water supply proposed, viz desalination. The engineering calculations are grossly erroneous, mistaking weekly evaporation rates for daily rates, resulting in proposed evaporation ponds undersized by orders of magnitude. Should evaporative salt recovery even be possible (*they also failed to consider precipitation*), the volume of salt they need to deal with amounts to 64 tons/day which the proponents suggest they could direct to land fill. While the supplementary eis euphemistically refers to the calculations as “preliminary” it fails to correct the error and ultimately is now approved without comment. I suspect that the object to have a zero brine return to the environment is designed to avoid triggering consideration of the impact on world heritage listed water. I hope you see through this distraction. Should the proponents implement the action as approved, it will result in unacceptable emissions of brine into the world heritage area. This clearly should not have been accepted and demonstrates a number of issues:

- 1) The technical detail of the eis is questionable as to its accuracy in fact.
- 2) The Coordinator General failed to detect basic errors of fact in the eis.
- 3) The Coordinator General failed to consider submissions from the public and thus breached the public consultation process required by the terms of reference.

Death by a thousand cuts

I made the point earlier that recent approvals for developments in our region represent a major assault on the environment. I am particularly disappointed in your approval of dredging in Dugong protection area of Gladstone. It is a substantial blunder given that the Queensland Government’s own analysis indicates that dredging is not required to accommodate the increased shipping for LNG. I hope that you at least acknowledge the erosion of Dugong habitat that will result from the dredging. Page 17 & 18 of my submission puts this in context with the Hummock Hill Island proposal. Sea-grass beds just 50 meters off the beach in front of the area earmarked for residential development were not identified in the eis. (*HummockHillIsland Seagrass & CoralReef within 50m of proposed development.pdf*) It highlights a negligent lack of understanding of the Dugong habitat in the region, let alone any understanding of impacts on it. Sea-grass beds were decimated by residential development at Poona. There is a very high likelihood that Dugong will be adversely affected should this development be allowed. The cumulative impacts on Dugong in the region will be substantial and must not be marginalized.

Plans? What plans?

The Coordinator General states that detailed environmental management plans adequately mitigate the risks identified. But when we actually look at the detail of these plans, they constitute little more than generic expressions of intent to monitor. Monitoring does not avoid harm. Seeing the decline of sea-grass proves that harm has occurred, not that it was avoided. Where the plans go beyond mere monitoring, measures will be taken to avoid repetition but no commitments are made to correct damage or to withdraw from the site if mitigation is deemed impractical.

Demonstrated behavior to circumvent regulation

On pages 28 to 30 of my submission I provide an analysis showing the unsuitability of the residential development of low lying land and in erosion prone areas. A storm surge of 5.5m such as that caused by Yasi's visit to Port Hinchinbrook would see significant parts of the proposed residential development inundated. This should have cast doubt in the Coordinator General's mind. However, I raise it here to draw your attention to the proponent's attempts to get around the requirements for buffering in erosion prone areas. They persist, even when their own consultant's report advises against it. This is most alarming given that the Coordinator General is relying on special conditions to deal with the inadequacies of the eis and here we see behavior with intent to seek a way around them.

Approval "conditions" are ineffectual

The Queensland system for the protection of the environment is woefully inadequate. Lungfish were rightfully deemed important enough to suspend the Queensland Government's Traveston Dam project. The Paradise Dam project did not afford this species similar prerogative; its eis was approved with conditions. I would have thought that to guarantee lungfish unimpeded ability to move up and down its habitat was a simple enough concept. Despite this, many days of wrangling between many lawyers in court, lungfish were still denied an adequately functioning fish-way. The judge gave weight to a candid comment by one of the "experts", stating in court **"It is often an iterative process in which cost efficiencies are balanced with ecological outcomes"**. We now have a legal precedent undermining every conditional eis. It has weakened the efficacy of conditions as protective mechanisms to address shortcomings of eia's. It elevates the need for rejection where eis' fail to address risks adequately.

Approvals with "conditions" facilitate substandard environmental impact assessment

By law the precautionary principle applies where full scientific understanding is not available. Environmental impact assessment should identify our level of understanding of the environment and what the consequences will be of any proposed action. If the action poses potential harm and there is scientific uncertainty, the action has to be refused. A problem arises when rejection conflicts with policy or any other ulterior motive in which case the Coordinator General issues an approval with "conditions" as we see with the approval of the HHI eis. Every condition imposed on an eis flags a failure of that eis to adequately address the risks. i.e. the more conditions the more compromises were made for approval. It demonstrates in my opinion, complicity with the proponents and the extent of abrogation of the Coordinator General's duty. The high number of conditions was used to somehow convince us that it represents a heightened protection of the environment when in fact it achieves quite the opposite.

Failure of the Queensland regulatory framework

The Coordinator General's decision cannot be challenged on merit and we are left to rely on the bureaucratic system to actually protect the environment and the people in it. Four Corners' "The Gas Rush" paints a disturbing picture of an environment on the run. The program showed the failure of the industry to declare fracking chemicals, failure to provide material safety data (MSDS), failure to account for the volumes of agents injected into aquifers, failure to declare license breaches, obfuscation and lying. The failure of the Queensland government to regulate is undeniable. The Coordinator General superimposing a huge number of special conditions for an already bumbling regulator to manage, in the midst of an industrial development boom can only result in disastrous consequences for the environment. In The Gas Rush case the regulatory failures concern a hazardous industry. It can be reasonably foreseen that a "benign" industry is likely to receive even less attention.

Interjurisdictional dysfunction

I felt a little embarrassed for that minister on Four Corners' "The Gas Rush" program when he floundered when asked to explain the MSDS breaches. My sympathy quickly dissipated when he played the "I am not the expert" card and blamed "relevant authorities", what a jelly back. Even though unacceptable, buck passing is a reality of the system, it can be reasonably foreseen that this will expose the heritage values of the Hummock Hill Island area to unacceptable risk viz. the inability of those in charge to accept accountability for implementing the principles of environmental protection.

Sweetheart dealing

I am aware of an operating smelter quite recently, in Queensland having bypassed their fume scrubbers for weeks apparently perfectly legal and within their permit to operate. Who writes these permits? When the ethereal "experts" in the relevant "authorities" of which their political leadership seem to know so little, draft up the

permits, how many of the Coordinator General's conditions will be negotiated away. How many of the conditions will be enforced only "if practical". Who balances *cost efficiencies with ecological outcomes*?

No evidence that Sophie's chosen one will be spared

I note the management plans include offsets to mitigate environmental damage. Offsets are an environmental Sophie's choice. It is a moral depravity to approve destruction of significant ecological systems on the basis that similarly endangered ecologies will be spared assault elsewhere. I challenge you to come up with one offset arrangement in Queensland that has maintained ecological values let alone one that has resulted in a net improvement of the environment. The HHI eis certainly does not provide such evidence. In the absence of demonstrated efficacy, offsets should be considered purely speculative and refused on precautionary principle. Their suggestion that the project will "enhance" the environment is downright offensive.

Many important reasons to preserve, no reason to sacrifice

There are very good reasons not to develop the island as I set out in detail in my submission. These include matters of national and international significance. (*Why Hummock Hill Island should be protected Main Map.pdf*) The reasons in support of the development of the HHI area are far from clear, even suspect, by the proponents own reckoning. Multiple failed attempts to develop in the past and the stigma associated with an over-industrialized Gladstone exposes the futility of the sacrifice asked of the Hummock Hill Island ecosystem. Opportunistically cashing in on freeholding of public land during a boom sentiment precipitated by irresponsible over-promotion of Gladstone's industry should not be facilitated by government, let alone promoted.

A matter of ecological sustainability

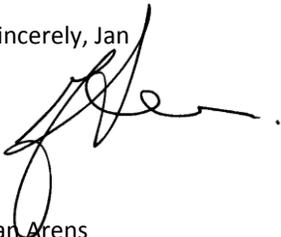
I ask that you not reduce your purview on the basis of "terms of reference" or a narrow interpretation of statute; I ask that you consider my submission holistically. We can reduce habitat to a cage and demonstrate scientifically that the cage will not harm the bird, but we hang an albatross around our neck by undermining the "self" in self sustaining. Sustaining a broken ecosystem relies on us spending our ever diminishing resources to prop it up, resources we don't even seem to have for flood & storm recovery. Hummock Hill Island is part of a coastal estuarine ecological system which for the time being still functions reasonably well. Pushing development of this type into the area cannot but have a significant impact. The white-anting will demand it's toll. The HHI eis makes no effort to tie the region's systems together. There is no scientific certainty that the proposed action will not irreversibly damage the self sustaining integrity of these ecological systems.

Obfuscating euphemisms

Terms like "minimal", "insignificant", "negligible" are used with disturbing regularity throughout the HHI eis and seis documents. They don't add value in any meaningful way and should be seen for what they represent - failure to quantify environmental impact. As a quantitative assessment of **environmental** impact, the HHI eis fails miserably. Emotively it seems to satisfy those with vested interest. It certainly "satisfied" the Coordinator General sufficiently to approve it, despite a dearth of scientific certainty.

Please don't let this happen.

Sincerely, Jan



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