



Cairns and Far North Environment Centre (CAFNEC) submission to the Senate Inquiry on the Adequacy of Management of the Great Barrier Reef

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Addressed to: Committee Secretary
Senate Standing Committees on Environment and Communications
Parliament House
Canberra

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Dear Senators,

The Cairns and Far North Environment Centre (CAFNEC) is the peak environment organisation for the region from Cardwell north to Torres Strait and from the coast, west to the Gulf of Carpentaria. CAFNEC is a non-profit, community organisation that has been operating for over 30 years with the aim of encouraging the community to value, protect and restore the natural environment.

We are pleased that this Inquiry is taking place and given our regional role draw the committee's attention particularly to the unprecedented large-scale development proposals Far North Queensland is now facing. This includes the proposed expansion of the Cairns Port in Trinity Inlet, to allow large cruise ships direct access the city wharf. Initial capital dredging of five million cubic metres would be required, followed by annual maintenance dredging of 580,000 cubic metres.

Great Barrier Reef (GBR) health is considered to be much better north of Cooktown than south, particularly for inshore reefs. It does not take a genius to identify that the key difference between these areas to date has been the absence of large scale land based activities adjacent to the reef north of Cooktown. There are now a number of concerning development proposals for this area including mining proposals, agricultural/pastoral activities and the associated devolution of legislative powers to local government and state government (for example, for regulation under the *Environmental Protection and Biodiversity Conservation Act 1999*). Of particular concern to us is the Wongai coal mining proposal which, if approved, will involve transshipping of coal in a particularly sensitive area of the GBR.

CAFNEC puts forward that maintaining northern reef health be a priority, to conserve existing ecosystem values and function and provide the basis for recovery of southern reefs. Prevention is more effective and less costly, than later attempts to restore an ecosystem.

We offer the following comments to the committee and refer you to the attached supporting documents. We thank you for your consideration of our submission.



Sincerely,

J. Coates on behalf of CAFNEC

Comments in relation to the terms of reference

a. management of the impacts of industrialisation of the reef coastline, including dredging, offshore dumping, and industrial shipping.

The Coastal Zone Strategic Assessment of the Great Barrier Reef (GBR) contains a good collation and assessment of the scientific knowledge of reef health. This information paints a disturbing picture of a reef in declining health and facing a range of threats. This emphasises the need for immediate and major action to reverse the negative trends and to protect the areas of the reef that remain in relatively good condition (mainly the northern, less populated areas). Management to date of development and other impacts has been inadequate to reverse the ongoing decline in reef health for southern and inshore areas.

CAFNEC considers the proposed Cairns Shipping Development Project (Trinity Inlet Dredging) to be unnecessary and a major risk to the health of the Inlet and GBR. The proposal is a costly tax payer funded project that has not demonstrated clear economic outcomes that would justify the risks involved. Real risks associated with dredging include impacts on the health of the GBR itself and the regional tourism and fishing industries that rely on the health of the GBR and Trinity Inlet.

Land based developments along the coast, combined with direct and cumulative impacts (such as dredging), have caused water quality decline, impacts of crown of thorn starfish, loss of seagrass and overall decline in reef health. The continued approvals and development seriously threatens the health and resilience of the reef, to recover from storms or have the ability to adjust to changing climatic patterns. Cumulative impacts and the effect of these on reef health are not being adequately considered in the impacts assessment process, or monitored in the long term.

In recent weeks we have seen the publishing by the State Government of its 'reef facts' website coordinated with a media blitz and TV ads by the Queensland Resources Council and an 'Australians for coal' website published by the Minerals Council of Australia. This spin campaign is misrepresenting the 'facts' and is a blatant attempt to divert attention away from the potential environmental harm of proposed port expansions and associated dredging programs along the Queensland coast, including Cairns port.

The key argument of the campaign is summarised in this excerpt from an ABC story:

QRC chief executive Michael Roche says the QRC's campaign draws on findings from Australian Institute of Marine Science (AIMS) research. The ads highlight scientific research that suggests



natural phenomenon like storms and the crown-of-thorns starfish are contributing to coral losses. "It was time to encourage Australians to find out for themselves the true facts about the health of the Great Barrier Reef and what are the true pressures on the Great Barrier Reef," he said.

The scientific research referred to here is the 2012 paper entitled "The 27-year decline of coral cover on the Great Barrier Reef and its causes".

What the spin campaign fails to acknowledge is that the opening paragraph of this paper points out that major risk factors for coral reefs include dredging and coastal development (such as ports). This paper looks at only three 'disturbance' causes of coral damage – cyclones, coral bleaching and crown of thorns starfish (COTS) predation, but does also discuss the underlying causes of increased COTS outbreaks and reduced coral resilience/recovery including poor water quality. Poor water quality causes include increased sediment, nutrient and toxin loads reaching the reef. Dredging suspends sediments, and can release nutrients and can release toxins into the reef environment.

Unprecedented amounts of proposed dredging in Queensland ports (at least 50 million cubic metres of dredging planned in the Reef's waters from Gladstone to Cairns), and the proposed increase in shipping, is an emerging threat that has only more recently received scientific attention. The lack of historical research in this area has led to the QRC making the statement "Neither an increase in shipping traffic nor port dredging has been scientifically recorded as contributing to coral cover loss or a historical decline in the environmental health of the GBR".

To dismiss these threats is to dismiss the opinion of most scientists including the more than 150 scientists from 33 respected scientific institutions who in June 2013 signed the 'Declaration by concerned scientists on industrial development of the Great Barrier Reef coast'. The scientists refer to the exact same research as the spin campaign (the AIMS 2012 paper) and other research before going on to state:

"As scientists, we therefore are concerned about the additional pressures that will be exerted by expansion of coastal ports and industrial development accompanied by a projected near-doubling in shipping, major coastal reclamation works, large-scale seabed dredging and dredge spoil disposal – all either immediately adjacent to, or within the Great Barrier Reef World Heritage Area."

Clearly the Industry campaign and the Government 'reef facts' website are not giving us the whole picture.

We draw the committee's attention to the following section of the legal advice by the Environmental Defenders Office (Queensland) in January 2014, published as part of the attached report to the UNESCO World Heritage Committee (WHC).

"The Mission Report and WHC Recommendations require the state party to prohibit development if it would impact individually or cumulative on the OUV (Outstanding Universal Value). The DCZPR (Draft Coastal Zone Strategic Assessment Program Report) does not provide any details on cumulative impact assessment, including the timeframe or clear objectives. The DCZPR indicates that Queensland will work closely with the Commonwealth and GBRMPA [Great Barrier Reef Marine Park



Authority] to ‘improve understanding of cumulative impacts within and adjacent to the GBR’ and ‘provide clearer guidance on how proponents and decision makers should address cumulative impacts in impact assessments.’”

We note the Queensland Government’s timetable is for Queensland to have approval powers for actions impacting on matters of national environmental significance (MNES) by September 2014, however the DCZPR does not indicate any commitments to implement cumulative assessment requirements before that time.

There is no legislative or policy framework that consider cumulative impacts, with the narrow exception of the Reef Water Quality Program. The DCZPR misleadingly suggests that the Draft Ports Strategy provides assessment of cumulative impacts, when it clearly does not. Figure 4.1 of the DCZPR is misleading in suggesting that cumulative impacts on MNES are ‘partially effective’. Most concerning is the limitation of the commitment to developing cumulative impact ‘guidelines’ for ‘proponents to consider’. ‘Discretionary guidelines for development proponents’ is not what the WHC recommended. Furthermore, guidelines are generally unenforceable and are discretionary in the way in which they may be satisfied.

Reform is needed to satisfy the concerns set out in the Mission Report and WHC Recommendations. There must be a legislative requirement for decision makers in Qld legislation (that will seek to be accredited to approve actions impacting GBR) and Commonwealth legislation to assess projects for their cumulative impacts and to protect OUV, not simply a commitment to provide guidelines on cumulative impacts.”

CAFNEC has serious concerns with the current trend in Queensland of approving projects with conditions without adequate consideration or knowledge on the effectiveness or practicality of these conditions, combined with a lack of political will and resourcing for the enforcement of these conditions. Similarly we are concerned with the move towards ‘offsets’ as a solution to environmental damage. Offsets that are unrealistic, have inappropriate timelines, are not enforced and are not backed by credible science. They will not achieve stated goals and are not an acceptable justification for allowing damaging coastal developments.

Port developments such as that proposed for Cairns are not adequately addressed by any of the existing or proposed plans, legislation, policies or activities. The description of port development and related activities such as dredging and shipping are not adequately dealt with in the strategic assessment documents, deferring either to the one of the two assessments or to the incomplete and inadequate draft Queensland ports strategy. The latter, in its current form, does not achieve the stated objective of ‘consolidation of port development around long-established major ports in Queensland’, due to the many loopholes in relation to exceptions and developments that have pending approvals.

It is our view that the commitment to limit future port developments to the existing port limits until 2022 is insufficiently explained to the point of being potentially misleading. Significant expansion of port capacity to accommodate new shipping berths could occur within the existing port limits at



locations where approval processes have already started. The majority of concern regarding port expansion on the Great Barrier Reef are in response to significant expansion of existing port limits. Also, the life of the strategic assessment program is 25 years, yet the port commitment is only to 2022, short of this timeframe. The reference to the draft port strategy is therefore misleading, does not adequately achieve objectives and does not align with the timeframes. “

This is symptomatic of the overall ‘business as usual’ approach of the Queensland Government, reflected in documentation that repeatedly points to one or another plan, strategy or other document without proper consideration of their effectiveness or required improvements. The approach of abdicating responsibility for, or examination of, important issues simply by reference to plans or policies that are often not effective or even in place does not stand up to proper scrutiny.

We have serious concerns regarding the “one stop shop” approach. The Queensland Government is either a vocal supporter of major economic developments or the actual proponent (in the case of the Cairns port, the government-owned corporation of Ports North). We believe delegating the assessment of projects that may significantly impact the reef to the Queensland Government will result in a conflict of interest. We have little confidence the Queensland Government will allocate the resources, or have the appropriate culture, to impose and enforce the conditions necessary to protect the Reef.

Community confidence in decision making around GBR protection is at a low point and huge improvements in consultation, research and policy will be required, to ensure that the problems came to light around the Abbot Point decision are not repeated (see section d below for further detail).

b. management of the impacts of agricultural runoff;

While CAFNEC applauds efforts to reduce agricultural runoff and the ongoing funding commitment to these programs, we note serious problems with the current programs designed to achieve reductions in agricultural runoff. Problems include a lack of enforcement of standards and inappropriate calculations of desirable nutrient loads for local conditions.

The current approved and proposed dredging and dumping programs adjoining the GBR are a massive ‘slap in the face’ to farmers and other land managers, who have been and still are being asked to change practices, to prevent sediment runoff to the reef. Evidence for this comes from the Local Marine Advisory Committee (LMAC) who recently wrote to the head of the Great Barrier Reef Marine Park Authority (GBRMPA), including the following section:

“A member from the agricultural sector questioned the point of many years of land management reforms at a farm-by-farm level to reduce sediment and nutrient export to the Great Barrier Reef when a single decision seemingly rendered these efforts useless. This member reported that this sentiment is now widespread following attendance at industry conferences addressing the export of nitrogen from agriculture to the Great Barrier Reef.



Our region has been identified as a hotspot in Queensland for Dissolved Inorganic Nitrogen export from our catchments contributing to infestations of Crown Of Thorns Starfish so it is critical that such gatherings are not distracted from the task of reducing exports to the Reef.”

c. management of non-agricultural activities within reef catchments impacting on the reef, including legacy mines, current mining activities and practices, residential and tourism developments, and industrial operations including Yabulu;

CAFNEC has concerns regarding the Cape York Regional planning process (Queensland) and impacts of future development on the adjacent GBR, as well as on natural and biodiversity values of Cape York itself. Last month, CAFNEC publically stated that following the planned repeal of four wild river declarations, that the protection of these (along with the Steve Irwin Reserve) as Strategic Environmental Areas (SEAs) is an adequate starting point for further planning. This is provided that the commitment to community and Traditional Owner consultation is upheld and that the underlying regulatory framework will protect important ecological, biodiversity and cultural values. Changes in land management practices under new legislative regimes are likely to negatively impact on reef health. The combined impact of:

- weakened legislation (for example under the Queensland *Vegetation Management Act 1999* and the *Water Act 2000*);
- devolving of regulatory powers to local and state governments (for example, under the Commonwealth *Environmental Protection and Biodiveristy Conservation Act 1999*); changes to process under the State Assessment and Referral Agency; and I
- regulation under the proposed Regional Planning Interests Act,

could lead to a potentially disastrous outcome for land management and hence reef health.

The extensive integrated food and energy developments proposed for the Gilbert and Mitchell catchments indicate what may lie ahead for the push to develop Northern Australia including the catchments adjacent the GBR. Approvals that result in large scale land clearing, damming of seasonal flow rivers and runoff from large agricultural and intensive animal husbandry concerns would pose significant threat, not only to the current natural values of the GBR, but its existence as an ecosystem in its current stable state (refer to Scheffer et al., 2001 ‘Catastrophic shifts in ecosystems’).

Changes to the Queensland legislation (for example, removal of protection for riparian vegetation, new exemptions for clearing and new ‘self assessable’ codes), can in itself have considerable negative consequences for land management, resulting in increases in erosion and sediment and nutrient run-off to the GBR. This will compound water quality decline and contribute to further decline in reef health.

Other proposals, such as the AQUIS casino development, have potential to exacerbate water quality impact on the GBR and there are serious concerns regarding the capacity of the current approvals regime to address these issues.



Climate change is a serious identified threat to reef health and not enough is being done to address this problem. While climate change is clearly a global problem there needs to be local action to contribute to the overall solution, particularly given Queensland's position as caretaker for the GBR. The impact of increased coal mining in the context of climate change as well as a driver for port developments and shipping increases should be considered.

d. ensuring the Great Barrier Reef Marine Park Authority has the independence, resourcing and capacity to act in the best interest of the long-term health of the reef;

CAFNEC has serious concerns regarding actual and perceived independence of GBRMPA and resourcing of the Authority. We contend that recent cuts to GBRMPA funding are very poorly timed: they come at a time when more resources are required to address the serious ongoing problems and threats faced by the GBR.

A number of public perceptions/opinions have emerged from the GBRMPA decision to approve Abbot Point dredge spoil dumping in the marine park, including that of a lack of community consultation prior to the decision. CAFNEC is concerned that there does not seem to be sufficient evidence to justify the Abbot Point decision or GBRMPA's independence, based on the following.

- Documents have come to light via Right to Information requests indicating that the Authority's experts recommended the permit not be issued.
- There is insufficient scientific information on the effects of sediment dumping in or near coral reef and seagrass ecosystems. Similarly, impacts on species associated with these ecosystems (such as reef fish and dugongs) is lacking. This should prevent increased dredge approvals until there is clear evidence that there is no impact to reef health, particularly while reef health is currently in decline.
- The perceived or real conflict of interest of GBRMPA board members with mining or other interests was not alleviated by an exonerating investigation or the subsequent divestment of some of the interests by a GBRMPA board member.

Community confidence in decision making around GBR protection is at a low point and huge improvements in consultation, research and policy will be required to ensure that problems that have come to light around the Abbot Point decision are not repeated.

CAFNEC together with other community members (as represented by the Local Marine Advisory Committee) have articulated some of these concerns in a letter to the GBRMPA board and we quote a section of that letter as follows:

"GBRMPAs position as gatekeeper of the Great Barrier Reef has taken an enormous hit within the community both in Australia and internationally. The ramifications for the tourism industry that underpins our regional economies are not lost on anybody. It was noted that, given the decision by the Department of the Environment to approve the port expansion in isolation of the GBRMPA



permit decision, the Authority needed to be proactive and inform the community of the context within which such as decision would be made. It was concluded, fairly or unfairly, that the GBRMPA apparently failed to grasp the ramifications of the position within which it found itself and, as a consequence, must now rectify greatly reduced confidence from the community to carry out its mandate.

The Cairns LMAC wants a strong and trusted advocate for the health and resilience of our Great Barrier Reef and we are concerned that the reputation of the Authority has been badly damaged. We believe that this could have been mitigated with the application of a little more foresight. Discussion in the media and more broadly in the community is now grossly over simplified and the Authority is being viewed poorly. The LMAC is exasperated that this situation was not foreseen and acted on.

We sincerely hope that this situation is rectified prior to any decision that is made around the expansion of the Cairns port. The augmentation of dredging activity in Cairns crosses jurisdictions but our community is concerned that decisions to be made within the jurisdiction of the GBRMPA remain divisive within our entire community. The Abbot Point situation cannot be replicated in our community where our economy functions on the domestic and international perception that our natural environment is in great condition and that we have world class management overseeing its well-being.

The LMAC was also dismayed that, given the number and magnitude of future port expansion decisions to be made, there was an absence of coordination between the decision to approve the port expansion at Abbot Point by the Department of the Environment and the subsequent decision to approve the permit for dredge spoil disposal within the marine park by the GBRMPA. The LMAC was concerned that this could signify isolation of the Authority by the Department, a situation that would be an unwelcome distraction from the vital work that the Authority undertakes as overseer of our World Heritage property on our behalf.”

CAFNEC has serious concerns regarding resourcing of GBRMPA to undertake it’s vital work. We encourage increased resourcing in the areas of compliance, ecological research into established and emerging threats including port expansion / shipping impacts and management, and fisheries management within the marine park.

On the issue of GBRMPA’s role and resourcing to address fisheries issues we again quote from the letter sent to the Board:

“The Cairns LMAC understands that the conservation of biodiversity within the Great Barrier Reef Marine Park is achieved to some extent from existing zoning arrangements. However, as more evidence emerges of the impacts of declining water quality and coastal development on inshore habitats, coupled with anticipated changes to our environment in the future, it has become critical that the management of fishing in these areas reflects these challenges.



It is time that the GBRMPA played a more assertive role in the management of fishing activity within the marine park. It is well understood by LMAC participants from the commercial fishing sector that the Authority plays a contributing, collaborative role in the development of Ecological Risk Assessments and other processes that lead to the management arrangements for commercial fisheries on the Great Barrier Reef and the Federal Government standards that apply for export eligibility from those fisheries. However, it is the opinion of the Cairns LMAC that the Authority needs to subject critical inshore areas within its jurisdiction to differential management arrangements designed to conserve biodiversity in these areas.

Members expressed dismay that, despite the Outlook Report 2009 stating that 'the remaining impacts of fishing and illegal fishing and poaching' was as a priority issue for the Authority in the subsequent five years, little progress had been visibly achieved in this period. The most pointed example presented was the manner in which inshore areas of the Great Barrier Reef were managed for the conservation of biodiversity by the Authority and how this meshed with the management of fisheries production by the Queensland Government. This extended to other critical habitats that supported both commercial and recreational fishing, including coral reefs.

The Cairns LMAC has grown weary of declarations that cross-jurisdictional issues will be addressed to accommodate regional issues etc. We are seeing numerous reports of the impacts of declining water quality on inshore habitats in addition to the longer-term impacts of reclamation and coastal development. These are clearly issues for the Queensland Government and hopefully will be addressed in the Long Term Sustainability Plan. However, issues surrounding the management of fishing in inshore areas remain unresolved and are becoming the cause of considerable frustration in our community."

e. the adequacy, timeliness and transparency of independent scientific work undertaken to support government decisions impacting the reef;

As the results of the Independent Inquiry into the Gladstone Harbour Bund Wall show, there has been, and continues to be, insufficient scientific work undertaken to support the decision making process, particularly around the impacts of dredging and spoil dumping.

More studies on dredge spoil components and their individual, combined and cumulative impacts are needed prior to any more approvals. The provision of timely public access to information, including scientific studies, related to dredging and other coastal development impacts has to date been woeful and massive improvement in this regard is necessary to contribute to restoration of public and international confidence in processes.

f. whether government decision processes impacting the reef are consistent with the precautionary principle;

CAFNEC does not consider government decision-making processes concerning the reef are consistent with the precautionary principle. The reasons for this are outlined in part in other sections of this submission and in attached documents. Furthermore, decision making is not consistent with



the principles of ecologically sustainable development (ESD), to which the precautionary principle is central.

We quote here from legal advice by Environmental Defenders Office (Queensland) January 2014 published as part of the attached Report to the UNESCO world heritage committee - Status of Implementation of Recommendations in World Heritage Committee Decision 36 COM 7B.8 and 37 COM 7B.10, Great Barrier Reef (Australia) and the March 2012 Reactive Monitoring Mission, and refer the committee to that document for further detail:

“There is still legislation in Queensland (mostly drafted in the early 1990s) which requires the State to apply some (but not all) of the principles of ESD. The best two examples of that are SPA (*Sustainable Planning Act* 2009) and the EP (Environmental Protection) Act. Apart from SPA and the EP Act, there has been a failure to introduce and implement ESD in all other planning legislation:

1. For most major projects affecting the GBR (port expansions, dredging, infrastructure, new resorts/casinos etc.) the prevailing legislation is the SDPWO Act – an Act where the Coordinator-General has unfettered power to approve projects, impose conditions, speed up processes all without being required to consider the principles of ESD.
2. SPA is due to be replaced in July 2014 and there are strong indications that the new – Planning for Queensland Development Act – will not integrate the principles of ESD nor place environment at the forefront of decision making. The *Transport Infrastructure Act* 1994 (Qld), the main Act dealing with Priority Port infrastructure (including ports on the GBR), does not have ESD as the object of the legislation. The word ‘sustainability’ does not appear once in that entire Act. The purpose in respect of ports is “to establish a regime under which a ports system is provided and can be managed within an overall strategic framework”
3. There is no ESD either in the new State Planning Policy (SPP) which seeks to regulate port and coastal development, which is said to provide: “a comprehensive set of principles which underpin Queensland’s planning system to guide local government and the state government in land use planning and development assessment.” ESD is not mentioned once in the entire SPP, despite a ‘requirement’ that the SPP advance the purposes of SPA which includes ‘ecological sustainability’.
4. Recent changes to the *Nature Conservation Act* 1992 (Qld) totally bypassed ‘ecologically sustainable use’ of nature to allow for “the use and enjoyment of protected areas” and the social, cultural and commercial use of protected areas (national parks). “

g. whether the strategic assessments currently underway are likely to protect the reef from further decline;

CAFNEC does not consider that the strategic assessments currently underway are likely to protect the reef from further decline. We refer the committee for our attached submission regarding the draft strategic assessment for further detail.



h. the identification and protection of off-limits areas on the reef coastline to help protect the health of the reef;

CAFNEC advocates a ban on new (non-maintenance) dredging and dumping in the World Heritage Area, effective immediately. Such a ban should not be withdrawn until conclusive evidence can be presented that the re-suspension of sediments from capital dredging programs can be undertaken with no impacts of World Heritage values. The use of offsets should not be an alternative; there has been no evidence of the benefits these provide. An offset approach also cannot replace loss of intrinsic natural or Outstanding Universal Values. This ban should be implemented with a concurrent review of the impacts of maintenance dredging with a focus on implementing practices that lead to a drastic reduction in impacts.

CAFNEC has concerns regarding proposed activities such as 'emergency grazing' in national parks as well as on national reserve system (NRS) properties (national parks which haven't yet been gazetted). This may increase sediment and nutrient loads reaching the reef.

Refer also section c – regional planning or any large scale development in Cape York or other catchments adjacent the reef, should not be allowed to be fast tracked. The precautionary principal must be applied, particularly in areas of limited scientific understanding of biodiversity and interactions of ecosystems that depend on each other (for example, reef and rainforest). These ecosystems and the health of these also support fishing and tourism industries throughout the north.

Identification and protections of off-limits areas on the reef coastline must be done together with the communities and Traditional Owners, such as under country-based planning.

i. consistency of efforts with the World Heritage Committee's recommendations on what is required to protect the reef;

CAFNEC does not consider that current efforts are consistent with the World Heritage Committee's recommendations on requirements to protect the reef. There is a non-precautionary approach to development approvals and an absence of clear action to ensure that no developments are permitted which create individual, cumulative or combined impacts on the Outstanding Universal Values (OUV) of the Great Barrier Reef World Heritage area and its long-term conservation.

Further examples/areas include:

- Efforts to address long term impacts on the reef from poor water quality, fall short of required targets.
- Expected new impacts on water quality from proposed port developments, increased shipping and land clearing / impacts on protected areas.
- Inadequate resourcing of programs to improve reef health.



- Inaction on developing legislative or policy frameworks (Australian or Queensland governments) that consider/assess cumulative impacts on the reef, with the narrow exception of the Reef Water Quality Program.
- Legislative and procedural changes that include the systematic weakening of and devolution of environmental protection laws; a move away from ecologically sustainable development principles; and the 'one stop shop' approach. The proposed delegation of approval powers from the Australian to the Queensland government are of great concern for reef protection.
- Inadequacies in the Draft Strategic Assessment for the GBR (more detail available in the attached submission to this process.)
- A failure to ensure all components of the OUV of the Great Barrier Reef are a clearly defined and are central to the protection and management of the property, as well as the catchments and ecosystems that surround it.
- Failure to address impacts of increased shipping on the reef including issues of underwater noise pollution. With a particular focus on failings of the Draft Queensland Shipping Management Plan and the draft Queensland Ports Strategy, this is expanded in the following paragraphs.

The draft Ports Strategy timeline is based on an insufficient timeline to effect change of any significance for the World Heritage Area and has a 'business as usual' approach to proposed port and shipping expansions in the region.

We draw the committee's attention to the following excerpt from the Legal advice by Environmental Defenders Office (Queensland) January 2014 published as part of the attached Report to the UNESCO world heritage committee - Status of Implementation of Recommendations in World Heritage Committee Decision 36 COM 7B.8 and 37 COM 7B.10, Great Barrier Reef (Australia) and the March 2012 Reactive Monitoring Mission.

"The draft strategy proposes the creation of five Priority Port Development Areas (PPDAs) around five existing ports, four of which are on the GBR coastline being Mackay/Hay Point, Gladstone, Townsville and Abbot Point. Problematically, the Draft Ports Strategy provides these ports with a 'licence to grow' and contemplates capital dredging and expansion within the PPDAs. The current draft port strategy is inconsistent with a suite of WHC recommendations including WHC 5.10 In particular:

1. Whilst there will be no further dredging outside of PPDAs, there are very broad exemptions for major projects which have already commenced to the planning (EIS) stage (see section on 'fast tracking of major projects' for examples);
2. The time frame of the Strategy is far too short (10 years) and not in keeping with the 25 year strategic assessment timeline;
3. The Ports Strategy is being completed before the Strategic Assessment and Long Term plan for managing the GBR is complete;



4. There is no requirement that port development be in accordance with the principles of ESD; and
5. The Draft Strategy does not adequately deal with the cumulative and combined impacts of port development in the strategy, as requested by the WHC.”

We refer the committee to the attached submission on the draft ports strategy for further details.

- j. the extent to which government decisions impacting the reef, including development of the strategic assessments and Reef 2050 Plan, involve genuine, open and transparent consultation with the Australian community, affected industries and relevant scientific experts, and genuine consideration of the broader community’s views in final decisions; and**

CAFNEC does not consider that the development of the strategic assessments incorporated sufficient consultation with the community or stakeholders including affected industries and relevant scientific experts, and genuine consideration of the broader community’s views in final decisions.

The Abbot Point decision referred to elsewhere in this document is a case in point of a lack of transparent consultation and provision of timely information, before, during and after dredging operations.

At this time CAFNEC has no confidence that the input that was provided to the strategic assessments by us and other community groups and members will be incorporated into the final draft. We have seen no consultation whatsoever on the reef 2050 plan.

- k. any other related matters.**