

RJ & VJ Ordway  
Lemon Tree Cottage  
PO Box 259  
Kingscote SA 5223

27th May 2019

Attention: Robert Kleeman,  
Unit Manager Policy and Strategic Assessment  
Planning and Development, Development Division  
Dept of Planning, Transport and Infrastructure  
GPO Box 1815  
Adelaide SA 5000  
via email to: [majordevadmin@sa.gov.au](mailto:majordevadmin@sa.gov.au)



Re: Smith Bay development proposal by Kangaroo Island Plantation Timbers

As 2<sup>nd</sup> Generation Soldier Settlers to Kangaroo Island – having lived and worked on KI for more than 60 years we have seen many changes. Some and good and some bad. The port proposal at Smith Bay is essential to the economy of the island and the residents. The forests are here! And they need to be harvested and the money put into our economy.

We drive past Smith Bay regularly and see the Abalone farm with all of its black shade cloth – and due to this it is not the prettiest of bays on KI and a port in this area is more welcome than any other sites mentioned in the EIS, especially the pristine sites of Cape Dutton and Vivonne Bay. It would be foolish to select Ballast Head or Kingscote for many reasons but especially because of the distance from the forests and the interaction the trucks would have with the general population as well as tourists.

There are more positives than negatives to come from getting the trees off of KI via Smith Bay and it is really important that it happens now (we can't afford to put KIPT off and wait for another company to come and revisit this issue). Our businesses (including restaurants and tourist attractions) struggle to be open all year and this affects tourists experience of the Island as well as our community. We need to increase the population of KI so that there is more money being spent in our community and the only way to do that is to develop this industry. Of course, we understand people need time off from their business but many operators here say they cannot afford to hire a manager in order to take holidays.

So many businesses on the island struggle for lack of critical mass. We believe a population boost would increase small business turnover and allow them to open all year round. We have adult children and their families who operate small businesses on KI and they understand and are affected by lack of critical mass – we need more people living in our community spending more money. Our grand children need to have a broad range of job opportunities on the island so that they can stay if they want too. The much needed population boost will enable our

schools to have more teachers and offer more subjects leading to better educational opportunities on the island. This means that less children will need to go away to boarding school. There are great facilities, such as Ag Science centre, Civil Construction and Food Processing Trade Training Centers at Parndana School which are currently underutilized.

I believe the forestry industry has the potential to stimulate the economy and improve the number of people living on the island. If the population of the Island can increase by 400-500 people because of the 200+ jobs on offer, that will not only benefit small business here but will also provide more people for our sports, community and service groups, such as CFS. Our volunteers are an integral part of our rural community and we need more of them, these new people will become a part of our communities and support our volunteers, as well shows, field days, markets and much much more.

The forestry industry has had a chequered past here and it is understandable that people are sceptical about its potential. However, the only thing standing in the way of getting this industry started is a way to export the millions of tonnes of timber now ready to harvest.

Export via Sealink is not possible – the cost is too high and the distance too great to transport timber to Port Adelaide. In any case, it is much better for Sealink to focus on what it does best – providing excellent service for tourists and local passengers.

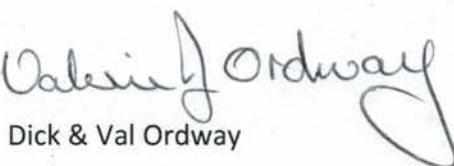
Some people we have spoken too have said they are concerned about the whales being impacted by ships at Smith Bay – we don't agree, Whales and Marine mammals interact with humans regularly. There are laws which Sealink and all companies involved in shipping follow – there are safe distances and requirements to adhere to, they are not generally too bothered by shipping activity as is seen in many other much busier areas.

The proposed development of a wharf at Smith Bay provides the perfect solution. Smith Bay meets all the criteria for development of an export facility – it is already an industrial site, it is an area of low population and low tourist visitation, and it is on the relatively safe North Coast and well protected compared with Cape Dutton.

I believe the Environmental Impact Statement addresses all the concerns of local residents and businesses. KIPT has assessed the impact on the abalone farm and will take measures to ensure it is not adversely affected.

The Island relies so much on seasonal business – both in tourism and in agriculture. The all-year-round forestry industry will bring much-needed, well-paying jobs and allow all businesses on the Island to prosper.

Yours sincerely,

  
for Dick & Val Ordway

**From:** [Melissa Pepper](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Submission comment, Kangaroo Island Plantation Timber Seaport Proposal  
**Date:** Monday, 27 May 2019 8:25:36 PM

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Dear Mr Kleeman, Minister for Planning, Transport & Infrastructure

I write to lodge a formal submission to Kangaroo Island Plantation Timbers' (KPT) proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After reading the EIS prepared by the proponent, I strongly believe that this development should not proceed at Smith Bay based on the following information.

### Biodiversity Issues Marine Fauna and Flora Impacts

Smith Bay is increasingly being recognised by the international conservation community as a Biologically Important Area (BIA). It is a habitat of critical importance to the endangered Southern Right Whale, and is a known calving area for mother Southern Right Whales on their migration to and from southern feeding grounds. Mothers are increasingly being observed birthing and resting in Smith Bay, departing once their young are strong enough to tackle the open water, resting on average 10-14 days, but as long as 4 weeks. Kangaroo Island Dolphin Watch volunteers have been collecting observational data in and around Smith Bay for the past 13 years. Over this time, 57 Southern Right Whales, including mother and calf pairs, and confirmed births, have for a period of time inhabited Smith Bay before continuing on their way. This totally refutes KI Plantation Timbers' EIS assertion, page 247, that there has only been a single whale sighting in Smith Bay.

Only 300 of the genetically different South Eastern population of the endangered Southern Right Whale are estimated to remain. This figure comes directly from Equinor's recent Environmental Plan for its proposed oil drill site in the Great Australian Bight, which is currently before the regulatory authority NOPSEMA. This is decline from the previous estimate of 500 remaining individuals, by Scientists Christopher Izzo and Bronwyn Gillanders, a decline of approximately 40%. It is largely unknown why this decline has occurred, however, human activities are believed to be a major factor. If we are to prevent an extinction event, we need to consider carefully the impacts of any development within their range, including the proposed port facility at Smith Bay. This is noted in the Commonwealth Conservation Management Plan for the Southern Right Whale 2011-2021, in which Interim Recovery Objective No.5 states, "Anthropogenic threats are demonstrably minimised". The proponent KPT has failed to both recognise Smith Bay as a critical habitat for Southern Right Whales, or

demonstrate how it will adequately minimise the impacts of its operations on Southern Right Whales.

Smith Bay has a rocky reef that runs parallel to the coast, with large coral bommies recently discovered during AusOcean surveys that are estimated to be 400 years old. In sandy areas close to shore are critical seagrass habitats, of seagrass species *Posidonia sinuosa* and *Amphibolis* spp, both of ecological importance. These ecosystems will be destroyed by KPT's dredging operations. Some 100,000 cubic metres of seabed will need to be dredged to convert this shallow bay into a deep water port. This equates to a direct loss of approximately 10.2ha of mixed habitat, including seagrass, which will have a subsequent impact on marine species that call Smith Bay home, including the iconic Leafy Sea Dragon.

Dashwood Bay is directly to the west of Smith Bay, and is a known rest area for Bottlenose Dolphins, with pods of 100 individuals or more frequently observed, including several new born calves. These dolphins migrate up and down the north coast of the island, including in and around Smith Bay. There is 13 years of observational data from Kangaroo Island volunteers as evidence of this. Dolphins are particularly vulnerable to boat-strikes. The significant increase in frequency and size of marine vessels in and around Smith Bay will impact upon these resident populations of Bottlenose Dolphins.

To highlight the importance of Smith Bay and its adjacent bays, 46 listed threatened or listed migratory marine species have been recorded within 10km of Smith Bay. Nationally threatened species include the Southern Right Whale, Humpback Whale, Blue Whale, Australian Sea Lion, Great White Shark, Loggerhead Turtle, Leatherback Turtle and Green Turtle.

The biodiversity of Kangaroo Island's north coast, in particular Smith Bay and adjacent bays will be considered by the IUCN's Important Marine Mammal Areas taskforce in 2020, following nomination by KIVH Dolphin Watch. The international conservation community is recognising Smith Bay and the north coast of Kangaroo Island's conservation value, we here in South Australia need to recognise its importance and protect it accordingly.

#### Terrestrial Fauna and Flora Impacts

One impact of KPT's operations that has not been adequately addressed is how the proponent plans to manage the koala population within its plantations during and post harvest. An overpopulation of koalas has been managed within native bushland on Kangaroo Island since 1994 through translocation, sterilisation, and more recently conceptive implants. Whilst the koala population in native bushland has stabilised, the overall population on the island has increased due to the additional food provided by the plantation's Tasmanian Bluegums, not a traditional food source of KI koalas, but one which they have adapted to eat. Soon

however, a large chunk of the habitat and food source of KI koalas will be cut down and turned into woodchips, placing enormous stress on the population and native habitat that remains. There will simply not be enough food for these koalas.

While we are fortunate to have a currently thriving population of koalas on the island, at a national level koala levels are rapidly declining due to habitat destruction, with the Australian Koala Foundation recently announcing that less than 80,000 koalas remain in the wild, of which it is conservatively estimated more than 30,000 live here on Kangaroo Island. Koalas may not be native to Kangaroo Island, however the island is one of the last strongholds of the species, and we have a responsibility to protect this stronghold. The koala is also a major natural attraction for visitors to the island. The sight of starving koalas on the side of the road due to declining food sources, a sight that we have seen before on the island prior to the introduction of the koala population management program, is neither ecologically sound given the species threatened status, nor economically sound given the koala's status as a tourism drawcard. While this is not directly related to the proposed site of Smith Bay, it is related to the proponents overall operational plan, and is a question that should be addressed regardless of site location.

The size and frequency of road transport required to transport harvested logs to the port site, will have a significant impact on Kangaroo Island's wildlife. The island has an abundance of wildlife, as shown by its moniker, 'the zoo without fences'. A B-double truck, the preferred type of vehicle proposed by KPT, cannot and will not safely be able to avoid wildlife on the road. The frequency, number and size of trucks will see significant numbers of wildlife become roadkill, with up to 200 heavy vehicle trips per day, 24 hours per day, seven days a week. That equates to a frequency of 1 truck every 22 minutes along the transport route. KPT has stated that up to 21 of the endangered KI Echidnas will die each year from its road transport operations. This is a significant number for a species that only produces one offspring per breeding cycle. And what of the endangered Rosenberg Goanna? Another species particularly vulnerable to falling victim to roadkill due to its habit of using the roads heat to thermo-regulate. Kangaroo Island is the last stronghold for this species. An alternative location, closer to the plantations, reducing distance travelled, and away from wildlife hotspots on the mid-north coast, would reduce this impact.

### Transport Impacts

Some transport impacts have been outlined above, however others exist. KPT transport operations to the proposed site will see an 81% increase in traffic along the North Coast Road, which is a major tourist route. Tourists travelling this route will have a heavy vehicle truck passing at speed every 22 minutes. This is not the experience people come to Kangaroo Island to enjoy. This should not be underestimated given the islands drawcard, and marketability by SA Tourism as its jewel in the crown. There are also genuine safety concerns, especially

as Kangaroo Island roads do not have the capacity to support heavy traffic 24 hours a day, seven days a week. Significant surface wear will occur, including rutting, potholing and corrugations with rate payers to cover the maintenance. It is questionable as to whether the Kangaroo Island Council has the capacity to carry out these increased works. The noise pollution created by the proposed transport operations is also a genuine concern.

## Employment

There argument that this development will create much needed local employment opportunities is debunked by KPT themselves, who state in their EIS that 120 jobs will be created, but only 20 of these will be available to locals, with the vast majority of the technical workforce to be imported.

Instead the proposed development threatens genuine local jobs at local businesses such as the neighbouring Abalone farm, and holiday accommodation such as Molly's Run, as well as marine tourist operators such as Kangaroo Island Marine Adventures, through its environmental and social/lifestyle impacts.

## Marine Pests

The introduction of marine pests into the currently pest free environment of Smith Bay from ship ballast water and biofouling is a significant threat, with up to 20 vessels per year releasing ballast and up to 40 tugs per year arriving from South Australian and Victorian waters. Known pests that are present in Port Adelaide, for example, that could easily be transported to pest free Smith Bay include, the European Green Shore Crab, and introduced Pacific Oysters potentially contaminated with Pacific Oyster Mortality Syndrome. While other marine pests in wider South Australian and Australian waters that are of particular concern to Smith Bay are Abalone Viral Ganglioneuritis and Perkinsus olseni, both of which can cause mortality in Abalone, and significantly impact the neighbouring Yumbah Abalone farm, a \$30 million export business and employer of 30 locals. KPT's response to this is threat is inadequate. It has not stated any specific mitigation methods

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

As an islander, I love my island home. I have travelled the world and been fortunate to see many beautiful places, but known as beautiful as this little stretch coast I call home. I have in my travels also seen many places destroyed forever by inappropriate development. I, like most islanders are not against development, this is not an anti-development submission, but rather a request for appropriate development. I do not believe the proposed Smith Bay Port development and its associated

operations to be appropriate for this location.

Thank you for taking the time to consider my objection this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully,

Melissa Pepper

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**From:** [Tristan Herbert](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 2:31:33 PM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Tristan Herbert

**From:** [Samantha Parr](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 2:35:09 PM

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**From:** [Jo Martin](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 2:38:15 PM

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Yours faithfully

Jo Martin

████████████████████  
████████████████████  
May 28<sup>th</sup> 2018

## Kangaroo Island Plantation Timbers Environmental Impact Statement Response



### **Introduction:**

**I am a passionate long term Citizen Science volunteer and foundation member of Kangaroo Island / Victor Harbor Dolphin Watch** - an award winning, data rich, citizen led, volunteer project in operation for nearly 14 years in our region.

*We have been voluntarily monitoring dolphin populations in South Australia, on Kangaroo Island since 2005 and Victor Harbor since 2011. Developing understandings of custodianship of these fascinating creatures and their habitats, dolphins are monitored unobtrusively, minimising impacts and behavioural change, collecting vital baseline data to globally inform practise.*

*Scientists and dedicated volunteers of all ages collaborate on effective “Citizen Science” in surveys on Eco Tourism vessels: Kangaroo Island Marine Adventures and The Big Duck Boat Tours, Victor Harbor, plus land-based monitoring, contributing a staggering number of hours over nearly 14 years. Images and video footage are collected, identifying individual dolphins by distinctive dorsal fins and body markings.*

*Vital data is recorded on movements and habitats, creating a sustainable, longitudinal study of extraordinary international significance.*

### **Our Dolphin Watch Charter:**

- reengaging volunteers of all ages in education
- contributing to knowledge and understandings about Cetaceans in our environment
- developing a baseline position with respect to population groups and habitat
- protecting dolphins, whales and their habitat
- assisting other schools / communities to develop Cetacean protection and study programmes
- providing personal growth and leadership opportunities for youth

**Our longitudinal Citizen Science project operates in collaboration with Whale and Dolphin Conservation** - the world's leading charity dedicated to matters of Cetacean welfare. Our ethos and core business is whale and dolphin conservation, locally and globally. Protecting Cetaceans and their preferred, critical habitats around the coastline of Kangaroo Island and the Fleurieu region is an imperative.....including Smith Bay!

**There are considerable, wide ranging issues and major concerns with the Smith Bay port proposal** leading to this response to the EIS. As Citizen Science volunteers we share myriad concerns regarding this critical habitat for Cetaceans and the extraordinary marine biodiversity of the pristine, North Coast of Kangaroo Island.

### **Southern Right Whale Distribution:**

As stated in the EIS Executive Summary, *“Smith Bay lies within an area described as the ‘core coastal range’ for Southern right whales.”*

The proponents also state on page 247 of the EIS proper, *“Of the 110 sightings from Kangaroo Island recorded by the South Australian Whale Centre at Victor Harbor, 16 were from the north coast and only one was from Smith Bay.”*

**Had they accessed data from the SA Museum, into which the South Australian Whale Centre feeds, they would have found more comprehensive data.**

As the maps included on page 6 show there have been at least 2 and possibly more sightings in Smith Bay. Map 2 shows diagrammatically there have been at least 2 events but does not provide data on higher numbers.

### **Smith Bay - a Biologically Important Area for Southern Right Whales**

**Intensive analysis of data provided by community members, business owners, landholders and citizen scientists have provided a much clearer picture of the real situation.**

There have been **69 large whales recorded in Smith Bay in the last 12 years, with 57 of them confirmed as Southern Right whales.** The data has been substantiated and significantly increased by regular sightings by Kangaroo Island Marine Adventures Skipper Andrew Neighbour and crew, since commencing Ecotourism marine tours and Dolphin Watch surveys along the North Coast in 2006.

Undoubtedly there have been many more sightings over the years as a large number of locals admit to keeping quiet about the whale visitations, desiring to not draw attention and resultant disturbance to this critical habitat – **one of Kangaroo Island’s best kept secrets!**

Map 2 also clearly indicates a number of other sightings in the Smith Bay area and the presence of these animals in close proximity to Smith Bay gives cause for concern as they will also be impacted upon directly by the proposed developments in Smith Bay.

**Attendance to the Conservation Management Plan for the Southern Right Whale 2011-2021**, is necessary as Smith Bay is an area of consistent visitation, breeding and resting during the whale season. It is emerging as a site of possible recolonisation following the decimation of the population as a result of whaling and as such is emerging as a Biologically Important Area for Southern right whales.

Such is the importance of Kangaroo Island’s North Coast, and Smith Bay in particular, the area has been nominated to the IUCN as an **Important Marine Mammal Area** for designation in 2020.

*Communications from co-chairs of the IMMA’S task force, Erich Hoyt and Giuseppe Notarbartolo di Sciara, indicate this designation is under consideration and given the importance of the habitat to dolphins and whales, this status is highly likely to be conferred.*

**The numbers of south-eastern population Southern Right whales has dropped to critical levels in spite of their endangered status,** listing in the MNES, and protection afforded under the EPBC Act 1999. The loss of a single whale from this population will have effects at the population level and possibly precipitate an extinction event.

This situation is simply untenable and should lead to the **Precautionary Principle** being applied.

### **Smith Bay - Critical Habitat for Bottlenose Dolphins**

**The Cetaceans – both whales and dolphins, which inhabit and migrate through the Smith’s Bay Area of the North Coast of Kangaroo Island are entitled to much greater consideration than that currently afforded them by the KI Plantation Timber’s Referral.**

*We are aware through our association with the SA Museum and our familiarity with their data, together with data collected regarding observations by eco-tourism operator, and our associate and*

operational partner Kangaroo Island Marine Adventures, that there is **very high likelihood of interactions with whales and dolphins in this precinct.**

*Our extensive data collection and analysis of nearly 14 years of Citizen Science monitoring dolphin populations and movements through this area, clearly illustrates **the vital importance of maintaining the migratory pathway between North Cape and Dashwood Bay** - both critical sites, which lay either side of Smith Bay.*

### **Kangaroo Island / Victor Harbor Dolphin Watch Data Summary:**

1. **Surveys commenced in Nov. 2005** with the 1<sup>st</sup> Dashwood Bay survey in May 2007
2. **49 Surveys** have been conducted at Dashwood Bay to date – each survey covers adjacent Smith Bay
3. **97.96% Bottlenose Dolphin sightings in Dashwood Bay** and regularly on the edge or in Smith Bay. ie 1 survey with no sightings in 2009
4. **Bottlenose Sightings Numbers on surveys:**
  - 1 survey: 0 sightings
  - 14 surveys: >25 dolphins
  - 23 surveys: 26 > 50
  - 11 surveys: 51 >
5. **Numbers are increasing** with 6 surveys recordings 70 > 100+ dolphins!
6. **High numbers of calf / juvenile sightings** in this monitoring area - new calves are regularly sighted and females often observed interacting with and teaching the calves and juveniles.
7. **High levels of residency and significant transience along the North Coast** between North Cape and Dashwood Bay. Both areas are resting / feeding / mating / socialising / nursery sites for Bottlenose dolphins, plus a large number of visiting or transient Bottlenose dolphins on occasions, which is steadily increasing.

This data conclusively indicates a very important **“migratory corridor.”**
8. **Transience analysis** in Oct. 2015 indicated high levels of transience:
  - 27.7% of Dashwood Bay dolphins had been sighted in both sites
  - 54.1% of North Cape dolphins had been sighted in both sites
9. Ongoing data collation and analysis currently being undertaken in 2019 is indicating much higher levels of transience ie regular movements along the North Coast through Smith Bay.
10. Occasional **Shortbeaked Common dolphins** are sighted along the North Coast.

### **Conclusion**

The proponents can and should relocate their planned facility to a site, through which they will not cause impacts with such possible dire consequences, and endeavour to seek alternative methods to remove the plantations.

**It is what both Environmental Law and common sense require.**

**Undoubtedly Smith Bay is a biodiversity Hot Spot and a critical habitat for Cetaceans,** along with many other species and incredible marine biodiversity.

There is just too much at stake in creating a deep sea timber export port in this diverse and pristine area including extensive habitat loss for many species of conservation concern including a number of rare or endangered species.

Kangaroo Island **AND** Smith Bay in particular – too precious to lose!!

Thankyou for your consideration.

Phyll Bartram

*Kangaroo Island / Victor Harbor Dolphin Watch Volunteer*



## **Australian Southern Right Whale Distribution Maps:**

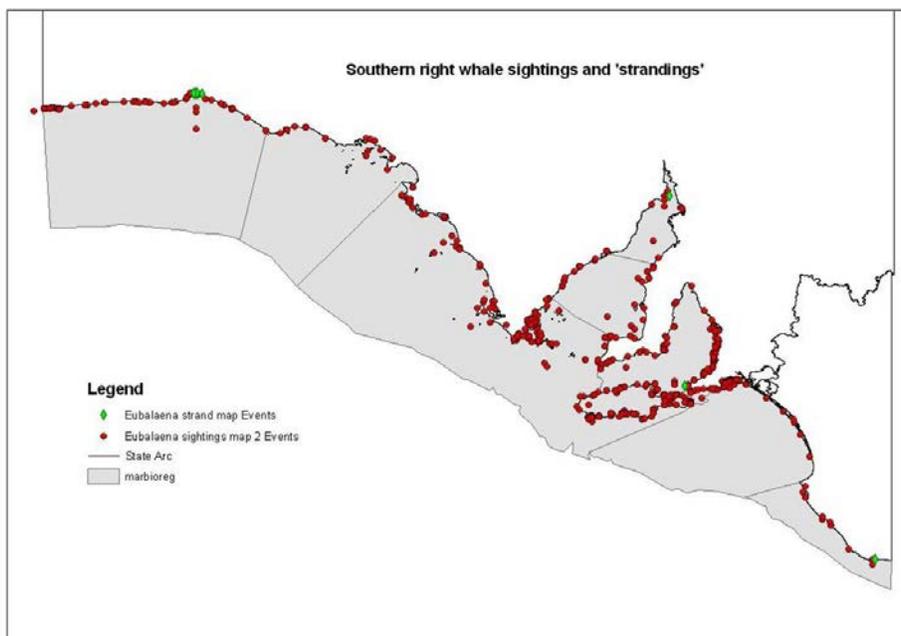
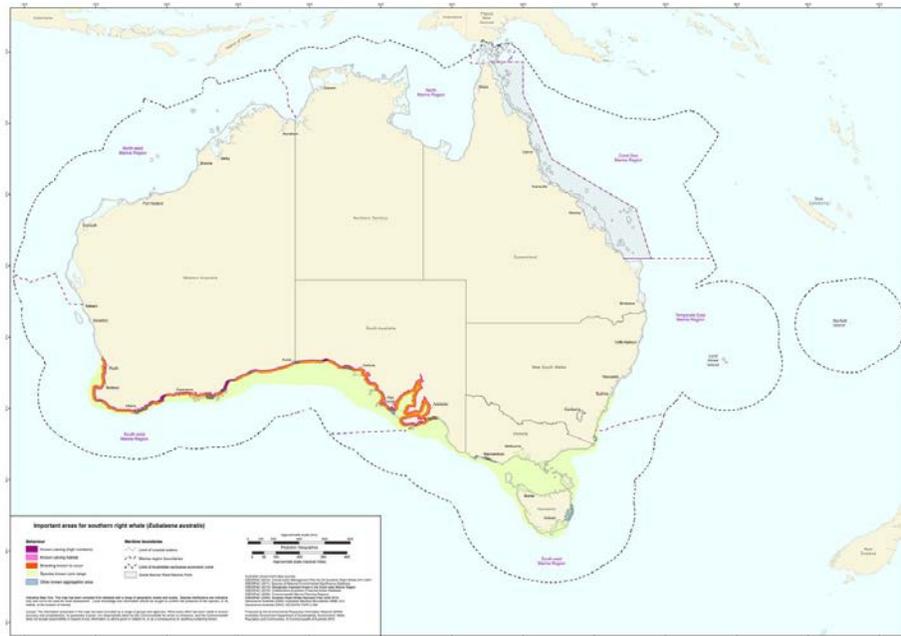
Figure 1. Australian distribution of the southern right whale (top).

Map downloaded from Department of Environment website

<http://secure.environment.gov.au/coasts/species/cetaceans/australia/index.htm>.

Recorded sightings and strandings of southern right whales in South Australia included in the databases of the South

Australian Museum (as of 2007) (bottom). Figure from Kemper (2008).



**From:** [admin](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Cc:** ["Ki Oysters"](#)  
**Subject:** Submission on EIS for proposed plantation timber port at Smith Bay on Kangaroo Island  
**Date:** Tuesday, 28 May 2019 9:34:05 AM  
**Attachments:** [image001.gif](#)  
[signed\\_eis\\_submission.pdf](#)

---

Please find attached our submission on the EIS for the proposed plantation timber port at Smith Bay on Kangaroo Island.

1. As oyster farmers located in Eastern Cove near Ballast Head, we understand that this EIS is based on the proposed location for a port at Smith Bay, however we are also aware that other submissions from the community are proposing Ballast Head as a 'better' option. Therefore, we would like to make very clear that a port located at Ballast Head would destroy our oyster farm due to a range of environmental impacts. Many of which may be similar to those raised in the EIS or subsequently by Yumbah but also some very different impacts due to the nature of the species we farm. The Ballast Head location would most likely have a higher risk to the species that we farm and is definitely not a 'better' option without serious impacts. We note that it was stated in the Main Report 3.5 Ballast Head Revisited that "it might also have been necessary to compensate the oyster leaseholder" should Ballast Head be selected as the location for this port. We would seek guarantee of compensation should Ballast Head become the preferred site as our business could no longer operate in Eastern Cove.
2. As oyster farmers and KI Bay Representatives in the South Australian Oyster industry, we also have significant concerns regarding the increased risks to marine biosecurity from the introduction of marine pests through any international port development in our region. e.g. POMS (Pacific Oyster Mortality Syndrome). Although there is much to learn about POMS, one of the significant risk factors identified by the Australian POMS Response Plan is shipping and international vessels. We would therefore seek evidence of adequate processes being adopted to guarantee that there is no increased biosecurity risk.
3. As oyster farmers in the Kangaroo Island Aquaculture Industry we would also not want to see any increased turbidity or sediment levels affecting the water quality in ports around Kangaroo Island. There is a risk that any significant disturbance of the benthic environment may stir up potentially toxic phytoplankton cysts, known to cause issues with oyster health and human consumption issues.
4. As oyster farmers and also tourism operators on the island, we do not profess to be experts outside of the scope of our business, e.g. forestry or abalone farming. We do support developments on the island if they are indeed a positive, sustainable addition to the Island's economy and ecosystems, however, not at the cost of existing, sustainable businesses.

Ken Rowe  
Director  
Kangaroo Island Shellfish  
0427233886

*Amanda Rowe*

Mobile: 0428 338 808

Email: [admin@kishellfish.com.au](mailto:admin@kishellfish.com.au)

LinkedIn: <https://www.linkedin.com/in/amanda-rowe-8728b0133/>



28 May 2019



Minister for Planning  
c/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport and Infrastructure (DPTI)  
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Email: admin@kishellfish.com.au  
ABN: 19 620 105 811

**RE: SUBMISSION ON THE ENVIRONMENTAL IMPACT STATEMENT FOR PROPOSED PLANTATION TIMBER PORT AT SMITH BAY ON KANGAROO ISLAND**

Please find following a submission from Kangaroo Island Shellfish Pty Ltd on the EIS for proposed Plantation Timber Port at Smith Bay on Kangaroo Island.

1. As oyster farmers located in Eastern Cove near Ballast Head, we understand that this EIS is based on the proposed location for a port at Smith Bay, however we are also aware that other submissions from the community are proposing Ballast Head as a 'better' option. Therefore, we would like to make very clear that a port located at Ballast Head would destroy our oyster farm due to a range of environmental impacts. Many of which may be similar to those raised in the EIS or subsequently by Yumbah but also some very different impacts due to the nature of the species we farm. The Ballast Head location would most likely have a higher risk to the species that we farm and is definitely not a 'better' option without serious impacts. We note that it was stated in the Main Report 3.5 Ballast Head Revisited that "it might also have been necessary to compensate the oyster leaseholder" should Ballast Head be selected as the location for this port. We would seek guarantee of compensation should Ballast Head become the preferred site as our business could no longer operate in Eastern Cove.
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4. As oyster farmers and also tourism operators on the island, we do not profess to be experts outside of the scope of our business, e.g. forestry or abalone farming. We do support developments on the island if they are indeed a positive, sustainable addition to the Island's economy and ecosystems, however, not at the cost of existing, sustainable businesses.

Kind regards

Ken and Amanda Rowe  
**KANGAROO ISLAND SHELLFISH PTY LTD**  
**0427 233 886**

# **Kangaroo Island Plantation Timbers Environmental Impact Statement - A response from Whale and Dolphin Conservation (Australasia)**

May 2019

This response addresses the potential impact of the proposal on several whale species. We understand that dolphins, in particular, are being addressed by others

Criteria to be addressed:

## **EPBC Act - Matters of National Environment Significance (MNES)**

### **Coast and Marine**

Our first area of concern centres around the Marine Ecological Assessment commissioned by Kangaroo Island Plantation Timbers (KIPT). It is noted that the consultant, SEA Pty Ltd, conducted three surveys over four days in the months of August and November. (1) We believe that the survey period and timeframe could have been extended to give a more realistic environmental 'snapshot' of a project assessed as a 'major development' pursuant to s.46(1) of the *Development Act 1993 (the Act)*. (2) Section 46 ensures that matters affecting the environment, the community or the economy to a significant extent are fully examined and taken into account in the assessment of the proposal. It is noted that southern right whales (Endangered) have a significant presence in SA waters migrating from May to November each year. Blue whales (Endangered) travel between November and April, while humpbacks (Vulnerable) have been recorded all year round. (3)

Smith Bay lies on the north coast of K.I. between the State's Encounter Marine Park and the Southern Spencer Gulf Marine Park. This area is 'described as the 'current core coastal range' for southern right whales' and the National Conservation Values Atlas identifies the entire coastline of Kangaroo Island, to a distance of 1.5 km offshore, as seasonal calving habitat for the southern right whales. (4)

Southern right whales are frequently reported close inshore on the southern and northern coasts of Kangaroo Island during the migration season, and females with calves have been observed in sheltered bays. (4) The north coast of K. I. and southern coast of Yorke Peninsula have had visitations from cows and calves for up to several weeks. (5)

The Atlas of Living Australia includes more than 400 sightings of southern rights off Kangaroo Island, divided approximately evenly between the north and south coast. (1)

In 2016 the proponent submitted a referral under the *Environment Protection and biodiversity Conservation Act 1999* (EPBC Act) to the Commonwealth. The Minister's response was to determine that the Smith Bay Wharf Development was a controlled action and required

assessment and a decision on approval. The Minister cited that that "the proposed action is likely to have a significant impact on the following matters protected by the EPBC Act:

- Listed threatened species and communities (sections 18 & 18A)
- Listed migratory species (sections 20 & 20A)
- Commonwealth marine areas (sections 23 & 24A)

Based on the information available in the referral, the proposed action is likely to have a significant impact on, but not limited to, the following matters of national environmental significance (amongst others):

- The proposed action is likely to have a significant impact on two EPBC Act listed threatened species; the endangered and migratory Southern Right Whale (*Eubalaena australis*) and the endangered Kangaroo Island Echidna (*Tachyglossus aculeatus multiaculeatus*)." (7)

Whale and Dolphin Conservation believes that, in light of Commonwealth concerns, there are issues under the criteria under the Act. These include actions that:

- lead to a long-term decrease in the size of a population;
- reduce the area of occupancy of the species;
- disrupt the breeding cycle of a population;
- interfere with the recovery of the species. (4)

## The construction phase

The proponent has recognised that potential impacts to southern right whales during construction could come from piling activity which would increase underwater noise levels (2), highlighting that impact piling potentially resulting in permanent hearing damage to southern right whales within 900 metres of the piling, and temporary hearing damage within 6.5 km of piling. (1) This is a serious threat that the proponent has attempted to mitigate against by:

- ceasing piling if trained observers detected the presence of a whale within 1 km of the construction site
- limiting piling to daylight hours so whales could be seen
- implementing a soft-start procedure for the commencement of piling activity. (4)

These measures only partially mitigate the issue of damaging sound and do not take into account visual deterioration in bad weather and whales swimming under the surface, particularly deep diving species such as sperm and beaked whales who are occasional visitors to the North coast. (5)

The proponent also states effects on the southern right whale during construction of the port are expected to be minor, and entail temporary behavioural changes in response to construction noise (4) and that the species would divert to other areas of the coast. Unfortunately, the effect on migrating whales could well be disorientating, effecting its ability to detect prey or predators. Calves would also be more vulnerable if affected by noise. It could be argued that the outlined

threat of sound impact would trigger at least one of actions under the Act.

Another mitigating measure outlined by the proponent is that piling should be scheduled to occur outside the months when cetaceans may be present in or near the project area. (8) This would be difficult to predict as the migration seasons for the southern right and blue whales complement each other and can cover most of the year. Humpbacks have been recorded in SA waters all year round. (3)

### **Increased shipping**

It is concluded by the proponent that the risk to the southern right whale from KIPT shipping operations would be negligible. (1)

Southern right whales are considered vulnerable to vessel strike due to their presence in near-shore waters during critical life phases such as breeding, slow swimming behaviour and time spent on the surface. (1)

The major problem with records of collisions to date is the vast knowledge gaps, especially concerning true numbers of vessel strikes on different species. Despite the obligation under the *EPBC Act 1999* to report any collisions that may result in a cetacean being injured or killed, it is likely that some go undetected or are not reported. It is difficult to reach conclusions on the rate of vessel strike in Australia based on data that are incomplete and potentially biased and non-representative. (1)

The steady increase over the past decade in shipping activity in Australia and the predicted escalation in the future, coinciding with the growth in the southern right whale's south-west population, suggest the probability of vessel collisions with this species will also increase. (1)

The development would contribute an additional 10–20 shipping movements a year to the existing shipping, cruise ship and ferry activity. (4) A small increase in shipping along the southern Australian coastline has the potential to result in death of an individual whale through vessel strike. (1) By its very nature this would mean an increased risk to whales migrating through the Bay, particularly to calves.

It is also noted that connectivity of coastal habitat may be disrupted by human activities, however, an impact assessment should consider the importance of connecting habitat as well as aggregation areas. A research project is being undertaken to develop a large-scale spatially and temporally explicit model that can reliably predict modern-day habitat uses and potential resettlement areas. (1)

### **References**

1) *Smith Bay Draft Environmental Impact Statement - January 2019 - Appendix I - Marine Ecological Assessments*

2) *Executive Summary And The Proponent's Case For The Development - January 2019*

- 3) *SA Whale Centre - sightings log*
- 4) *Smith Bay Draft Environmental Impact Statement - January 2019 - Appendix K - Matters of National Environmental Significance*
- 5) *Marine Mammals of Gulf St Vincent, Investigator Strait and Backstairs Passage - C. Kemper, M. Bossley and P. Shaughnessy 2008*
- 6) *Atlas of Living Australia (ALA) - 2018*
- 7) *DoEE Referral Decision on EPBC/2016/7814*
- 8) *Smith Bay Draft Environmental Impact Statement - January 2019 - Appendix N - Noise and Vibration*

**From:** [Kristina Spasova](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 2:47:41 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Kristina Spasova

**From:** [Lachlan Turner](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 2:50:14 PM

---

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Yours faithfully,

Lachlan Turner

Lachlan Turner

**From:** [Jack Gilford](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 2:51:41 PM

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- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

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- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
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- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Jack Gilford

**From:** [Fiona Borg](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 2:54:09 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Fiona Borg

**From:** [Jennifer Duigan](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 2:55:21 PM

---

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**From:** [Matt Noonan](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 3:01:20 PM

---

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Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Matt Noonan

## **Submission Cover Sheet:**

**Submission on Smith Bay, Kangaroo Island - Deep Water Port Facility**

### **Contact Details**

<b>Name of Author:</b>	Janice Baird
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<b>Date:</b>	28 May 2019

Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport and Infrastructure  
GPO Box 1815  
ADELAIDE SA 5000

Email: [majordevadmin@sa.gov.au](mailto:majordevadmin@sa.gov.au)

28 May 2019

Dear Minister

Re: Smith Bay, Kangaroo Island - Deep Water Port Facility

I would like to thank the Department of Planning, Transport and Infrastructure (**DPTI**) and the Department of Environment and Energy (**DoEE**) for consulting the public on the environmental impact statement (**EIS**) of Kangaroo Island Plantation Timbers Ltd (**KIPT**) in relation to the deepwater port and associated infrastructure in Smith Bay on Kangaroo Island (**proposal**).

This submission makes the following key points:

1. KIPT substantially misrepresented the number of MNEs that may be affected by the proposal.
2. Once KIPT was aware of the known, likely, or potential presence of MNEs in the environment that may be affected (**EMBA**) by the proposal, it had an obligation to carry out detailed surveys, in accordance with best practice standards and DoEE survey guidelines. KIPT and its consultant, EBS Ecology, substantially failed to fulfill this requirement.
3. KIPT and EBS' failure as set out in 3 above, should be grounds for DPTI and DoEE to apply the precautionary principle in determining whether MNEs are present in the EMBA.
4. KIPT, for the most part, has failed to evaluate or address the environmental impacts and risks associated with the proposed action in relation to MNEs. It has also failed to take into account Significant Impact Guideline 1.1 in relation to making such evaluations.
5. The proposed development will have a significant impact on MNEs in the EMBA.
6. KIPT has failed to demonstrate that potential impacts and risks of the proposed action have been reduced to as low as reasonably possible (**ALARP**).
7. The proposed is inconsistent with Australia's international obligations under the *Convention on the Conservation of Migratory Species of Wild Animals*

**(Bonn Convention)**,<sup>1</sup> Japan Australia Migratory Bird Agreement (**JAMBA**),<sup>2</sup> the China-Australia Migratory Bird Agreement (**CAMBA**)<sup>3</sup>, the Republic of Korea-Australia Migratory Bird Agreement (**ROKAMBA**)<sup>4</sup> and the Agreement on the Conservation of Albatrosses and Petrels (**ACAP**)<sup>5</sup>.

For the reasons above, it is submitted that that the South Australian Minister for Planning, under s 115 and sch 8 cl 20 of the *Planning, Development and Infrastructure Act 2016* (SA) should not approve the proposed action. It is further submitted that the Commonwealth Minister for Environment, under s133(7) of the *Environment Protection and Biodiversity Act 1999* (Cth) (**EPBC Act**) should refuse to approve, for the purposes of a controlling provision, the taking of the proposed action by KIPT.

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<sup>1</sup> *Convention on the Conservation of Migratory Species of Wild Animals*, opened for signature 3 June 1992, 331 UNTS 327 (entered into force 21 March 1994)

<sup>2</sup> *Japan-Australia Migratory Bird Agreement*, developed 6 February 1974 (entered into force 30 April 1981)

<sup>3</sup> *China-Australia Migratory Bird Agreement*, developed 20 October 1986 (entered into force 1 September 1988)

<sup>4</sup> *China-Australia Migratory Bird Agreement*, developed 6 December 2006 (entered into force 13 June 2007)

<sup>5</sup> *Agreement on the Conservation of Albatrosses and Petrels* (entered into force 1 February 2004) art 3(1)(a).

## 1. KIPT substantially misrepresented the number of Matters of National Environmental Significance (MNEs) that may be affected by the proposal.

On 14 December 2016, the Commonwealth Minister for the Environment made a decision under s 75 of the Environment Protection and Biodiversity Conservation Act 1999 (**EPBC Act**) determined that the proposal was likely to have a significant impact on the following protected matters:

- Listed threatened species and communities (sections 18 and 18A);
- Listed migratory species (sections 20 and 20A); and
- Commonwealth marine areas (sections 23 and 24A).

The Commonwealth Environment Minister found that the proposal was likely to have a significant impact on, but was not limited to, the following MNEs:

- the endangered and migratory Southern Right Whale (*Eubalaena australis*);
- the endangered Kangaroo Island Echidna (*Tachyglossus aculeatus multiaculeatus*);
- the vulnerable Hooded Plover (eastern) (*Thinornis rubricollis rubricollis*)
- the endangered Southern Brown Bandicoot (eastern) (*Isodon obesulus obesulus*).

In June 2017, the Development Assessment Commission (**DAC**) published guidelines to set the level of assessment for the proposed action (**Guidelines**). Guideline 1.3 requires KIPT to “describe the environment and management practices of the proposal site and the surrounding areas and other areas that may be affected by the proposal”. The term “environment” is defined by the DAC as the “environmental (biological and physical), social and economic effects associated with the development and the means by which those effects can be managed.”<sup>6</sup>

KIPT is therefore required by the Guidelines to provide information regarding all MNEs that the proposed action may have a significant impact upon for the purpose of providing the Commonwealth Environment Minister with sufficient information whether or not to approve the proposed action under Part 9 of the EPBC Act.

In the EIS, KIPT stated that 78 MNEs were listed in the Protected Matters Search. Of these, it provided that 68 were either “not present”, “unlikely to be present” or “potentially present but unlikely to be affected by the proposal.” The only 4 species that it identified as potentially at risk of significant impact were those specified by the Commonwealth Environment Minister.

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<sup>6</sup> Development Assessment Commission, *Guidelines for the preparation of an Environmental Impact Statement: Deep water port facility at Smith Bay, Kangaroo Island* (June 2017) 3.

It is submitted that KIPT misrepresented how many MNES the proposal may have a significant impact on by:

- Omitting information on biologically important areas (BIAs) that may, likely, or were known to occur in the proposal area. These included information on the following BIAs, as set out in the Protected Matters Report:
  - Antipodean Albatross *Diomedea antipodensis* - Foraging, feeding or related behavior likely to occur within area.
  - Southern Royal Albatross *Diomedea epomophora* - Foraging, feeding or related behavior likely to occur within area.
  - Wandering Albatross *Diomedea exulans* - Foraging, feeding or related behavior likely to occur within area.
  - Northern Royal Albatross *Diomedea sanfordi* - Foraging, feeding or related behavior likely to occur within area.
  - Shy Albatross *Thalassarche cauta cauta* - Foraging, feeding or related behavior likely to occur within area.
  - White Capped Albatross *Thalassarche cauta steadi* - Foraging, feeding or related behavior likely to occur within area.
  - Australian Fairy Tern *Sternula nereis nereis* – Breeding likely to occur within area.
  - Loggerhead Turtle *Caretta Caretta* – Breeding likely to occur within area.
  - Osprey *Pandion haliaetus* – Breeding known to occur within area.
- Representing that MNES are “not present”, “unlikely to be present”, “potentially present” or had a “possible-fly over” presence when they are known to be present in the proposal area. These included:

Table 1: Comparison between known MNE presence as stated in the Protected Matters Search Results and KIPT’s representations in the EIS

	Name	EPBC Act Status	Type of Presence (Protected Matters Search)	KIPT representation
1.	<i>Ardenna carneipes</i> Flesh-footed shearwater	Migratory	Species or species habitat <b>known</b> to occur within area	Possible- fly over
2.	<i>Chelonia mydas</i> Green Turtle	Vulnerable, Migratory	Species or species habitat <b>known</b> to occur within area	Potentially present

	Name	EPBC Act Status	Type of Presence (Protected Matters Search)	KIPT representation
3.	<i>Dermochelys coriacea</i> Leatherback Turtle	Endangered	Species or species habitat <b>known</b> to occur within area	Unlikely to be present
4.	<i>Pachyptila turtur subantartica</i> Fairy Prion (Southern)	Vulnerable	Species or species habitat <b>known</b> to occur within area	Possible – fly over
5.	<i>Pandion haliaetus</i> Osprey	Migratory	Breeding <b>known</b> to occur within area	Possible – fly over
6.	<i>Phoebastria fusca</i> Sooty Albatross	Vulnerable, Migratory	Species or species habitat known to occur within area	Possible – fly over
7.	<i>Pultanea villifera</i> var. <i>gladbrescens</i> Yellow Bush-pea, Splendid Bush-pea	Vulnerable	Species or species habitat <b>known</b> to occur within area	Unlikely

- Representing that MNES are “not present”, “unlikely to be present”, “potentially present” or had a “possible-fly over” presence when they were likely to be present in the proposal area. These included:

Table 2: Comparison between known MNE presence as stated in the Protected Matters Search Results and KIPT’s representations in the EIS

	Name	EPBC Act Status	Type of Presence (Protected Matters Search)	KIPT representation
1.	<i>Botaurus poeciloptilus</i> Australian Bittern	Endangered	Species or species habitat <b>likely</b> to occur within area	Unlikely to be present
2.	<i>Calidris canutus</i> Red Knot, Knot	Endangered	Species or species habitat <b>likely</b> to occur within area	Potentially present
3.	<i>Calidris ferruginea</i> Curlew Sandpiper	Critically Endangered	Species or species habitat <b>likely</b> to occur within area	Potentially present
4.	<i>Calyptorhynchus lathamii halmaturinus</i> Glossy Black-	Endangered	Breeding <b>likely</b> to occur within area	Potentially present

Name	EPBC Act Status	Type of Presence (Protected Matters Search)	KIPT representation
Cockatoo (Kangaroo Island), Glossy Black-Cockatoo (South Australian)			
5. Caretta caretta Loggerhead Turtle	Endangered, Migratory	Breeding <b>likely</b> to occur within area	Unlikely to be present
6. <i>Diomedea antipodensis</i>  Antipodean Albatross	Vulnerable, Migratory	Foraging, feeding or related behavior <b>likely</b> to occur within area	Unlikely to be present
7. <i>Diomedea exulans</i>  Wandering Albatross	Vulnerable, Migratory	Foraging, feeding or related behavior <b>likely</b> to occur within area	Unlikely to be present
8. <i>Diomedea sanfordi</i>  Northern Royal Albatross	Endangered, Migratory	Foraging, feeding or related behavior <b>likely</b> to occur within area	Unlikely to be present
9. <i>Sternula nereis nereis</i>  Australian Fairy Tern	Vulnerable	Breeding <b>likely</b> to occur within area	Possible (coastal)
10. <i>Thalassarche cauta</i>  Shy albatross, Tasmanian shy albatross	Vulnerable, migratory	Foraging feeding or related behavior <b>likely</b> to occur within area	Possible – fly over
11. <i>Zoothera lunulata halmaturina</i>  Bassian Thrush (South Australian)	Vulnerable	Species or species habitat <b>likely</b> to occur in area	Unlikely to be present

- Representing that the EMBA does not contain habitat critical to the species in relation to the Ruddy Turnstone, the Red-necked Stint and the Sharp-tailed Sandpiper, when it is part of habitat has been identified as an Internationally Important Habitat for shorebirds in the East Asian – Australasian Flyway as defined by the Ramsar Convention and the Industry Guidelines for Avoiding, Assessing and Mitigating Impacts on EPBC Act Listed Migratory Shorebirds.
- Representing that the threatened ecological community (TEC) of Kangaroo Island Narrow-Leafed Mallee was not present when a 4.57 hectare patch of Kangaroo Island Narrow-Leafed Mallee that occurred “south of the study area” met the requirements of a protected ecological

community.<sup>7</sup> EBS Ecology did not define their study area, however, it stated that the 4.57 hectare patch of the TEC was outside the “direct impact area of the project” and “unlikely to require clearing” (see s 2.1 below for further discussion).<sup>8</sup> Despite KIPT/EBS Ecology’s assertions that the TEC was not present on site, the 2018 EBS Ecology Report specifically provides “that “The *Eucalyptus cneorifolia* (Kangaroo Island Narrow-leaf Mallee) Mallee covers an area of 4.75 ha (Figure 12). This vegetation association 6 meets the condition requirements as the EPBC listed Kangaroo Island Narrow-leaved Mallee (*Eucalyptus cnerofolia*) Woodland TEC. This TEC is listed as critically endangered.”<sup>9</sup>;

- Excluding relevant information regarding species presence from DoEE Recovery Plans and Conservation Advices;
- Excluding relevant information regarding species presence from SPRAT and BirdLife International Distribution Maps;
- Excluding relevant information regarding species presence from the Great Australian Bight Research Program regarding species distribution and foraging behavior;<sup>10</sup>

For the reasons above and those set out in Table 2 below, it is submitted that the proposal may significantly impact 43 MNES, not 4 MNES as represented by KPT. KIPT’s failure to include and consider all 43 MNES as potentially being affected by the proposal, constitutes a substantial failure to describe the environment that may be affected by the proposal, as required by Guideline 1.3.

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<sup>7</sup> Kangaroo Island Plantation Timbers, ‘Draft Environmental Impact Statement’ (January 2019) Appendix J3, 5.

<sup>8</sup> Kangaroo Island Plantation Timbers, ‘Draft Environmental Impact Statement’ (January 2019) Appendix J2, ii.

<sup>9</sup> Ibid 26.

<sup>10</sup> Bailleul, F., Goldsworthy, S.D., Rogers, P.J., MacKay, A.I., Jonsen, I., Hindell, M. and Patterson, T. (2017). Identifying biologically important areas for iconic species and apex predators in the Great Australian Bight. Final Report GABRP Project 4.2. Great Australian Bight Research Program, GABRP Research Report Series Number 23, 116pp.

Table 3: Critically Endangered, Endangered Species and Vulnerable Species that may be affected by the proposal

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
Birds					
1.	<i>Arenaria interpres</i> Ruddy Turnstone	Migratory Wetland	Species or species habitat <b>likely</b> to occur within area	<p>Potentially present but unlikely to be affected by the proposal: EBS Ecology (2018) assessed this coastal species as being potentially present in the study area; however the site does not contain critical habitat for the species and the proposal is unlikely to have a significant impact on habitat availability.</p> <p>The species has recent records within the coastal zone near the study area (ALA 2016) and could fly over the site.</p>	Disagree with KIPT's assessment that the site does not contain critical habitat. The site is part of an ecological unit that has been identified as an Internationally Important Habitat for shorebirds and contains critical habitat. See s 5.2.2 below for detailed discussion.
2.	<i>Botaurus poiciloptilus</i> Australian Bittern	Endangered	Species or species habitat <b>likely</b> to occur within area	<p>Unlikely to be present: EBS Ecology (2018) assessed this species as unlikely to inhabit the study area. There are two sub-populations, one in south-west Western Australia and one across south-eastern Australia from south-east Queensland to south-east SA (Garnett et al.</p>	<p>Disagree with KIPT's assessment that the species is "unlikely to be present". Species and species habitat are likely to occur within area for the following reasons.</p> <ul style="list-style-type: none"> <li>The 2019 DoEE Conservation Advice for <i>Botaurus poiciloptilus</i> provides that "in South Australia, it is confined to the south-east, ranging north to the Murray River corridor and</li> </ul>

Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
			2011). The Australian Bittern inhabits shallow, vegetated freshwater or brackish swamps, favouring those dominated by sedges, rushes and/or reeds (Garnet et al. 2011) Based on these habitat preferences, this species is unlikely to occur in Smith Bay.	the Adelaide region, and west to the southern Eyre Peninsula and <u>Kangaroo Island</u> . <sup>11</sup> It further provides that the Australian Bittern occurs along coastal areas such as coastal NSW, in the north-west coastal regions of Tasmania, and on the islands of the Bass Strait. <sup>12</sup> <ul style="list-style-type: none"> <li>The Protected Matters Report provides that the species or species habitat is <u>likely</u> to occur within the area.</li> </ul>
3.	<i>Calidris acuminata</i> Sharp-tailed Sandpiper	Migratory wetland	Species or species habitat <b>likely</b> to occur within area  Potentially present but unlikely to be affected by the proposal: EBS Ecology (2018) assessed this coastal species as being potentially present in the study area; however the site does not contain critical habitat for the species and the proposal is unlikely to have a significant impact on habitat availability.  There are no recent records of this species along the coast near the study area; the most recent was on 29 October 2012 near a salt lagoon on the North Coast Road, adjacent to the Bay	Disagree with KIPT's assessment that the site does not contain critical habitat. The site is part of an ecological unit that has been identified as an Internationally Important Habitat for shorebirds and contains critical habitat. See s 5.2.2 below for detailed discussion.

<sup>11</sup> Department of Environment and Energy, *Conservation Advice: Botaurus poiciloptilus* (18 January 2019) 2.

<sup>12</sup> Ibid.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
				of Shoals (ALA 2016) These birds could fly over the study area.	
4.	<i>Calidris canutus</i> Red Knot, Knot	Endangered	Species or species habitat <b>likely</b> to occur within area	<p>Potentially present but unlikely to be affected by the proposal: EBS Ecology (2018) assessed this coastal species as potentially being present in the study area; however, the site does not contain critical habitat for the red knot and the proposal is unlikely to have significant impact on habitat availability.</p> <p>The species has recent records within the coastal zone near the study area (ALA 2016). It might fly over the study area but is unlikely to use it as critical habitat.</p>	<p>Disagree with KIPT's assessment that the species is only "potentially present". Species and species habitat are <u>known</u> to occur within area for the following reasons.</p> <ul style="list-style-type: none"> <li>• The species is <u>known</u> to occur within the area as it has recent records within the proposal area, as set out in the Atlas of Living Australia (see Fig 1 below).</li> <li>• The EBS Ecology 2018 Survey (App J2) did not specify any reasons for finding that that the Red Knot would only have a "fly-over" presence in the proposal area.</li> <li>• The 2016 DoEE conservation advice for <i>Calidris canutus</i> provides that "in South Australia, the species is found mostly from The Coorong, north and west to the Yorke Peninsula and Port Pirie." Kangaroo Island is well within this vicinity.</li> <li>• The SPRAT Database Distribution Map for the Red Knot includes the proposal area (see Fig 2 below).</li> <li>• The Protected Matters Report provides that the</li> </ul>

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<p>species or species habitat is <u>likely</u> to occur within the area.</p> <ul style="list-style-type: none"> <li>The proposal is likely have a significant impact on the Red Knot because there is a real chance or possibility that it will fulfill significant impact criteria as set out in Significant Impact Guideline 1.1. This is further discussed in s 5.2.2 below.</li> </ul>
5.	<i>Calidris ferruginea</i> Curlew Sandpiper	Critically Endangered	Species or species habitat <b>may</b> occur within area	Potentially present but unlikely to be affected by the proposal. EBS Ecology (2018) assessed this species as potentially being present in the study area, but the site does not contain its critical habitat and the proposal is unlikely to significant affect habitat availability. In South Australia, curlew sandpipers inhabit widespread coastal and sub-coastal areas east of Streaky Bay. Important sites include ICI and Price Saltfields, and the Coorong. Occasionally they live in inland areas south of the River Murray and elsewhere (DoEE2017). Records on Kangaroo Island are	Disagree with KIPT's assessment that the species is only "potentially present". Species and species habitat are <u>likely</u> to occur within area for the following reasons: <ul style="list-style-type: none"> <li>The proposal area is an environment preferred by Curlew Sandpipers. As stated by the KIPT "the species prefers intertidal mudflats in <u>sheltered coastal areas</u>". The proposal area in the north coast of Kangaroo Island is a "moderate-to-low-energy environment as it is largely sheltered by prevailing south-westerly swells".<sup>13</sup></li> <li>As stated by the KIPT "curlew sandpipers inhabit widespread coastal and sub-coastal areas east of Streaky Bay. Important sites include ICI and Price Saltfields, and the Coorong." It is likely that Curlew Sandpipers are</li> </ul>

<sup>13</sup>Kangaroo Island Plantation Timbers, 'Draft Environmental Impact Statement' (January 2019) 233.

Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
			<p>concentrated around Pelican Lagoon and Shoal Bay on the north-east coast and inland lakes; there are no records of this species in Smith Bay (ALA, 2016)</p> <p>This species prefers intertidal mudflats in sheltered coastal areas, such as estuaries, bay, inlets and lagoons, and also around non-tidal swamps, lakes and lagoons near the coast (DoEE 2017). Curlew sandpipers forage on mudflats and nearby shallow water. Based on these habitat preferences, this species is unlikely to occur in Smith Bay.</p>	<p>be present in the proposal area because it is a coastal area east of Streaky Bay and in proximity to the Coorong.</p> <ul style="list-style-type: none"> <li>The marine habitat contains food that the Curlew Sandpiper is known to forage for. The 2015 DoEE Conservation Advice for <i>Calidris ferruginea</i> provides that “this species forages mainly on invertebrates, including worms, molluscs, crustaceans, and insects, as well as seeds.” Surveys of the marine habitat surrounding of seagrass communities around Kangaroo Island record a rich diversity of marine invertebrates.<sup>14</sup> Further, taxa recorded during marine surveys of the proposal area include records of a wide variety of marine invertebrate.<sup>15</sup> Based on these foraging preferences, it likely that species and species habitat occurs within the area.</li> <li>The proposal is likely have a significant impact on the Curlew Sandpiper because there is a real chance or possibility that it will fulfill significant impact criteria as set out in Significant Impact Guideline 1.1. This is further discussed in s 5.2.2 below.</li> </ul>

<sup>14</sup> Ibid 235.

<sup>15</sup> Ibid 240.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
6.	<i>Calidris ruficollis</i> Red-necked Stint	Migratory wetland	Species or species habitat <b>likely</b> to occur within area	<p>Potentially present but unlikely to be affected by the proposal: EBS Ecology (2018) assessed this coastal species as being potentially present in the study area; however the site does not contain critical habitat for the species and the proposal is unlikely to have a significant impact on habitat availability.</p> <p>Although there are no recent records of this species, the Atlas of Living Australia recorded an individual on 6 February 1984 at the northern end of Emu Bay, 6 km east of the study site (ALA 2016). This coastal species could fly over the study area. This is discussed in more detail in Chapter 13 – Terrestrial Ecology.</p>	Disagree with KIPT's assessment that the site does not contain critical habitat. The site is part of an ecological unit that has been identified as an Internationally Important Habitat for shorebirds and contains critical habitat. See s 5.2.2 below for detailed discussion.
7.	<i>Calyptorhynchus lathamii halmaturinus</i> Glossy Black-Cockatoo (Kangaroo Island), Glossy Black-	Endangered	Breeding <b>likely</b> to occur within area	<p>Potentially present but unlikely to be affected by the proposal: EBS Ecology (2018) assessed this subspecies as being present in the study area: however, the site does not contain critical habitat for the cockatoos and the proposal is unlikely to have a</p>	<p>Disagree with KIPT's assessment that the species is only "potentially present". Species and species habitat are <u>should be assumed</u> to occur within area for the following reasons:</p> <ul style="list-style-type: none"> <li>• Contrary to KIPT's assertion that there is "no sheoak (<i>Allocasuarina verticillata</i>) feeding habitat on site", both the EBS 2016 and 2018</li> </ul>

Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
Cockatoo (South Australian)			<p>significant impact on habitat availability. There are no suitable old-growth tree hollows at Smith Bay to provide breeding habitat, and no sheoak (<i>Allocasuarina verticillata</i>) feeding habitat. The closest suitable breeding and feeding habitat is likely to be on the hills approximately 1 km west of the site (EBS Ecology 2018). This is discussed in more detail in Chapter 13 – Terrestrial Ecology.</p>	<p>survey recorded <i>Allocasuarina verticillata</i> as part of the flora recorded on site.<sup>16</sup> Further, the vegetation condition of Vegetation Association Condition 5, which contains the <i>Allocasuarina verticillata</i> was assessed with an SEB score of 6:1, which is a “moderate” condition”</p> <ul style="list-style-type: none"> <li>• The 2005-2010 Recovery Plan for the South Australian Subspecies of the Glossy Black-Cockatoo provided that “All the mapped <i>Allocasuarina verticillata</i> habitat on Kangaroo Island may be regarded as critical to the survival of the SA Glossy Black-Cockatoo.” As such, the presence of <i>Allocasuarina verticillata</i> on site constitutes critical habitat for the SA Glossy Black Cockatoo.</li> <li>• The Protected Matters Report provides that the breeding is <u>likely</u> to occur within the area.</li> <li>• The 2016 and 2018 EBS Ecology surveys were not robust evaluations conducted in accordance with the DoEE’s Survey Guidelines for Australia’s Threatened Birds. See further discussion of this in Table 4 below. Accordingly, <u>the precautionary principle should apply and species presence on the site should be assumed.</u></li> </ul>

<sup>16</sup> Kangaroo Island Plantation Timbers, ‘Draft Environmental Impact Statement’ (January 2019) Appendix J2, 19.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
8.	<i>Diomedea antipodensis</i>  Antipodean Albatross	Vulnerable, Migratory	<b>Foraging, feeding or related behavior likely to occur within area</b>	Unlikely to be present: EBS Ecology (2018) assessed this species as unlikely to be present in the study area. The antipodean albatross is endemic to New Zealand; however it forages widely in open water in the south-western Pacific Ocean, Southern Ocean and Tasman Sea (DoEE 2017). It is a marine, pelagic, aerial species, so is unlikely to occur in the study area.	Disagree with KIPT's assessment that the species is "unlikely to be present". Species and species habitat are <u>likely</u> to occur within area for the following reasons: <ul style="list-style-type: none"> <li>EBS Ecology 2018 Survey (App J2) did not state that the species was unlikely to be present in the study area. To the contrary, p 14 of the Survey stated that "Pelagic seabirds have not been included within Section 5.1.4 as <u>they are expected to occur within the project area.</u>"</li> <li>The National Recovery Plan for Threatened Albatrosses and Giant Petrels 2011-2016 states that "all waters within Australian jurisdiction can be considered foraging habitat, however <u>the most critical foraging habitat is considered to be those waters south of 25 degrees where most species spend the majority of their foraging time.</u>" The proposal area encompasses waters south of 25 degrees and therefore contains critical foraging habitat for the Antipodean Albatross.</li> <li>The Protected Matters Report provides that the foraging, feeding or related behavior is <u>likely</u> to occur within the area.</li> </ul>
9.	<i>Diomedea exulans</i>	Vulnerable, Migratory	<b>Foraging, feeding or</b>	Unlikely to be present: EBS Ecology (2018) assessed this	Disagree with KIPT's assessment that the species is "unlikely to be present". Species and species habitat

Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
Wandering Albatross		<b>related behavior likely to occur within area</b>	species as unlikely to be present in the study area. The southern royal albatross breeds on Adams, Disappointment and Auckland islands, south of New Zealand, but forages widely off the shores of Southern Australia, New Zealand and Chile (Garnet et al. 2011). It is a marine, pelagic, areal species so is unlikely to occur in the study area.	<p>are <u>likely</u> to occur within area for the following reasons:</p> <ul style="list-style-type: none"> <li>• EBS Ecology 2018 Survey (App J2) did <u>not</u> state that the species was unlikely to be present in the study area. To the contrary, p 14 of the Survey stated that “Pelagic seabirds have not been included within Section 5.1.4 as <u>they are expected to occur within the project area.</u>”</li> <li>• The National Recovery Plan for Threatened Albatrosses and Giant Petrels 2011-2016 states that “all waters within Australian jurisdiction can be considered foraging habitat, however <u>the most critical foraging habitat is considered to be those waters south of 25 degrees where most species spend the majority of their foraging time.</u>” The proposal area encompasses waters south of 25 degrees and therefore contains critical foraging habitat for the Antipodean Albatross.</li> <li>• SPRAT Information on the Wandering Albatross provides that “The Wandering Albatross feeds mainly in pelagic, <u>offshore and inshore waters.</u> It feeds from the sea surface or just below it, or makes shallow dives from heights of 2-5 m (Harper 1987; Voisin 1981).”</li> <li>• As stated by KIPT, the Wandering Albatross “forages widely off the shores of <u>Southern</u></li> </ul>

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<p><u>Australia</u>, New Zealand and Chile (Garnet et al. 2011)."</p> <ul style="list-style-type: none"> <li>The Protected Matters Report provides that the foraging, feeding or related behavior is <u>likely</u> to occur within the area.</li> </ul>
10.	<p><i>Diomedea sanfordi</i></p> <p>Northern Royal Albatross</p>	Endangered, Migratory	<p><b>Foraging, feeding or related behavior likely to occur within area</b></p>	<p>Unlikely to be present: EBS Ecology (2018) assessed this species as unlikely to be present in the study area. The northern royal albatross ranges widely over the Southern Ocean and feeds regularly in Tasmanian and South Australian waters, and less frequently in New South Wales Waters (DoEE 2017). It is a marine, pelagic, aerial species and so is unlikely to occur in the study area.</p>	<p>Disagree with KIPT's assessment that the species is "unlikely to be present". Species and species habitat are <u>likely</u> to occur within area for the following reasons:</p> <ul style="list-style-type: none"> <li>EBS Ecology 2018 Survey (App J2) did <u>not</u> state that the species was unlikely to be present in the study area. To the contrary, p 14 of the Survey stated that "Pelagic seabirds have not been included within Section 5.1.4 as <u>they are expected to occur within the project area.</u>"</li> <li>The National Recovery Plan for Threatened Albatrosses and Giant Petrels 2011-2016 states that "all waters within Australian jurisdiction can be considered foraging habitat, however <u>the most critical foraging habitat is considered to be those waters south of 25 degrees where most species spend the majority of their foraging time.</u>" The proposal area encompasses waters south of 25 degrees and therefore contains critical foraging habitat for the Antipodean Albatross.</li> </ul>

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<ul style="list-style-type: none"> <li>The Protected Matters Report provides that the foraging, feeding or related behavior is <u>likely</u> to occur within the area.</li> </ul>
11.	<i>Halobaena caerulea</i> Blue Petrel	Vulnerable	Species or species habitat <b>may</b> occur within area	Possible (fly-over): EBS Ecology(2018) assessed this species as possible (fly-over) in the study area. The blue petrel inhabits a few rock stacks off Macquarie Island, as well as numerous other subantarctic islands in the Indian and Atlantic oceans (Garnet et al. 2011). It forages throughout the Southern Ocean (Garnett et al. 2011). It is a marine, pelagic and aerial species and is unlikely to be affected by the proposal.	<p>Disagree with KIPT's assessment that the species is "possible (fly-over) in the study area". Species and species habitat are <u>likely</u> to occur within area for the following reasons:</p> <ul style="list-style-type: none"> <li>The EBS Ecology 2018 Survey (App J2) did not specify reasons for finding that the Southern Giant Petrel would only have a "fly-over" presence.</li> <li>EBS Ecology 2018 Survey (App J2), p 14 stated that "Pelagic seabirds have not been included within Section 5.1.4 as <u>they are expected to occur within the project area.</u>"</li> <li>The BirdLife International Distribution Map for the Blue Petrel (see Fig 3 below) includes the proposal area.<sup>17</sup></li> <li>The Protected Matters Report provides that species or species habitat <u>may</u> occur within area.</li> </ul>
12.	<i>Limosa lapponica baueri</i>	Vulnerable	Species or species habitat	Unlikely to be present: EBS Ecology (2018) assessed this	Disagree with KIPT's assessment that the species is "unlikely to be present". Species and species habitat

<sup>17</sup> Birdlife International, *Datazone* <<http://datazone.birdlife.org/species/factsheet/blue-petrel-halobaena-caerulea/distribution>>.

Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
	Bar-tailed Godwit ( <i>baueri</i> ), Western Alaskan Bar-tailed Godwit		<p><b>may</b> occur within area</p> <p>species as unlikely to be present in the study area. The western Alaskan bar-tailed godwit breeds in north-eastern Siberia and north-western Alaska, and winters in eastern Australia and New Zealand (Garnett et al. 2011). In Australia, this species prefers muddy coastlines, estuaries, inlets, mangrove-fringed lagoons and sheltered bays (Garnett et al. 2011). Based on these habitat preferences, this species is unlikely to occur in the study area.</p>	<p>are <u>likely</u> to occur within area for the following reasons:</p> <ul style="list-style-type: none"> <li>• The EBS Ecology 2018 Survey (App J2) did not specify reasons for finding that the Bar-tailed Godwit (<i>baueri</i>) was “unlikely” to be present.</li> <li>• The 2016 DoEE Conservation Plan for <i>Limosa lapponica baueri</i> provides that “the bar-tailed godwit (both subspecies combined) has been recorded in the <u>coastal areas</u> of all Australian states. ...In South Australia it has mostly been recorded around <u>coasts from Lake Alexandrina to Denial Bay.</u>”<sup>18</sup> The proposal area is coastal area that is within this vicinity.</li> <li>• The 2016 DoEE Conservation Plan for <i>Limosa lapponica baueri</i> provides that “The bar-tailed godwit (western Alaskan) occurs mainly in coastal habitats such as large intertidal sandflats, banks, mudflats, estuaries, inlets, harbours, coastal lagoons and bays. It has also been recorded in coastal sewage farms and saltworks, saltlakes and brackish wetlands near coasts, <u>sandy ocean beaches, rock platforms, and coral reef-flats</u> (Higgins &amp; Davies 1996).”<sup>19</sup></li> </ul>

<sup>18</sup> Department of Environment and Energy, *Conservation Advice Limosa lapponica baueri* (5 May 2016) 2.

<sup>19</sup> Ibid 3.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<ul style="list-style-type: none"> <li>The Protected Matters Report provides that species or species habitat <u>may</u> occur within area.</li> </ul>
13.	<p><i>Limosa lapponica menzbieri</i></p> <p>Northern Siberian Bar-tailed Godwit, Bar-Tailed Godwit (menzbieri)</p>	Critically endangered	Species or species habitat <b>may</b> occur within area	<p>Unlikely to be present: EBS Ecology (2018) assessed this species as unlikely to be present in the study area.</p> <p>This species is found along most coastlines of Australia, but particularly in north-west Western Australia (Garnett et al. 2011). A coastal species, it prefers muddy coastlines, estuaries, inlets, mangrove-fringed lagoons and sheltered bays (Garnett et al. 2011) Based on these habitat preferences, this species is unlikely to occur in Smith Bay.</p>	<p>Disagree with KIPT's assessment that the species is "unlikely to be present". Species and species habitat are <u>likely</u> to occur within area for the following reasons:</p> <ul style="list-style-type: none"> <li>The EBS Ecology 2018 Survey (App J2) did not specify reasons for finding that that the Northern Siberian Bar-tailed Godwit was "unlikely" to be present.</li> <li>The 2016 DoEE Conservation Advice for <i>Limosa lapponica menzbieri</i> provides that "The bar-tailed godwit (both subspecies combined) has been recorded in the coastal areas of all Australian states...In South Australia it has mostly been recorded around <u>coasts from Lake Alexandrina to Denial Bay.</u>"<sup>20</sup> The proposal area is coastal area that is within this vicinity.</li> <li>The 2016 DoEE Conservation Advice for <i>Limosa lapponica menzbieri</i> provides that "The bar-tailed godwit (northern Siberian) occurs mainly in coastal habitats such as large intertidal sandflats, banks, mudflats, estuaries, inlets, harbours, coastal lagoons and bays. It</li> </ul>

<sup>20</sup> Department of Environment and Energy, *Conservation Advice Limosa lapponica menzbieri* (5 May 2016) 2.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<p>has also been recorded in coastal sewage farms and saltworks, saltlakes and brackish wetlands near coasts, <u>sandy ocean beaches, rock platforms, and coral reef-flats</u> (Higgins &amp; Davies 1996).<sup>21</sup></p> <ul style="list-style-type: none"> <li>The Protected Matters Report provides that species or species habitat <u>may</u> occur within area.</li> </ul>
14.	<p><i>Macronectes giganteus</i></p> <p>Southern Giant-Petrel, Southern Giant Petrel</p>	Endangered Migratory	Species or species habitat <b>may</b> occur within area	<p>Possible (fly-over): EBS Ecology (2018) assessed this species as a possible (fly-over) in the study area. The southern giant petrel is widespread in the Southern Ocean. It breeds on six subantarctic and Antarctic islands in the Australian territory: Macquarie Island, Heard Island and McDonald Islands in the Southern Ocean, and Giganteus Island, Hawker Island, and Frazier Island in the Australian Antarctic Territories (DoEE 2017). It is a marine, pelagic, aerial species and is unlikely to be affected by the proposal.</p>	<p>Disagree with KIPT's assessment that the species is "possible (fly-over)". Species and species habitat are <u>likely</u> to occur within area for the following reasons:</p> <ul style="list-style-type: none"> <li>The EBS Ecology 2018 Survey (App J2) did not specify reasons for finding that that the Southern Giant Petrel would only have a "fly-over" presence.</li> <li>EBS Ecology 2018 Survey (App J2) p 14 stated that "Pelagic seabirds have not been included within Section 5.1.4 as <u>they are expected to occur within the project area.</u>"</li> <li>The Birdlife International Distribution Map for the Southern Giant Petrel (see Fig 4 below) includes the proposal area.<sup>22</sup></li> </ul>

<sup>21</sup> Department of Environment and Energy, *Conservation Advice Limosa lapponica menzbieri* (5 May 2016)

<sup>22</sup> Birdlife International, *Datazone* <http://datazone.birdlife.org/species/factsheet/southern-giant-petrel-macronectes-giganteus/distribution>.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<ul style="list-style-type: none"> <li>The Protected Matters Report provides that species or species habitat <u>may</u> occur within area.</li> </ul>
15.	<i>Numenius madagascariensis</i>  Eastern Curlew, Far Eastern Curlew	Critically endangered, migratory wetland	Species or species habitat may occur in area	<p>Unlikely to be present: The eastern curlew is found in all states and has a primarily coastal distribution (DoEE 2017). Within South Australia, it has a patchy distribution with concentrations around the Coorong, Gulf St Vincent and York Peninsula (ALA 2016).</p> <p>The birds prefer sheltered coasts, especially estuaries, bays, harbours, inlets and coastal lagoons with large intertidal mudflats or sandflats, often with beds of seagrass (DoEE 2017). Occasionally, the species is found on ocean beaches (often near estuaries) and coral reefs, rock platforms, or rocky islets. Based on these preferences, it is unlikely to occur in Smith Bay.</p>	<p>Disagree with KIPT's assessment that the species is "unlikely to be present". Species and species habitat <u>may</u> occur within area for the following reasons:</p> <ul style="list-style-type: none"> <li>The 2015 DoEE Conservation Advice for <i>Numenius madagascariensis</i> provides: "Within Australia, the eastern curlew has a primarily coastal distribution... In South Australia, the species is scarce between the Victorian border and Cape Jaffa and patchily distributed from the Coorong north-west to the Streaky Bay area, and has previously been recorded in Lake Alexandrina and Lake Albert, South Australia." The proposal area is a coastal area within the vicinity of Coorong north-west to Streak Bay.</li> <li>The Protected Matters Report provides that species or species habitat <u>may</u> occur within area.</li> </ul>
16.	<i>Pachyptila turtur subantarctica</i>	Vulnerable	Species or species habitat	Possible (fly-over): EBS Ecology (2018) assessed this species as	Disagree with KIPT's assessment that the species is "possible (fly-over)". Species and species habitat

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
	Fairy Prion (southern)		<b>known</b> to occur within area	possible (fly-over) in the study area. The birds breed on Macquarie Island and a number of other subantarctic islands (DoEE 2017). It is a marine, pelagic, aerial species and it is unlikely to be affected by the proposal.	are <u>known</u> to occur within area for the following reasons: <ul style="list-style-type: none"> <li>The species is <u>known</u> to occur within the area as set out in the Protected Matters Report.</li> <li>The EBS Ecology 2018 Survey (App J2) did not specify reasons for finding that that the Fairy Prion (southern) would only have a “fly-over” presence.</li> <li>EBS Ecology 2018 Survey (App J2) p 14 stated that “Pelagic seabirds have not been included within Section 5.1.4 as <u>they are expected to occur within the project area.</u>”</li> </ul>
17.	<i>Phoebetria fusca</i> Sooty Albatross	Vulnerable, Migratory	Species or species habitat <b>likely</b> to occur within area	Possible (fly-over): EBS Ecology assessed this species as possible (fly-over) in the study area. The sooty albatross breeds on islands in the southern Indian and Atlantic oceans and is a rare but probably regular migrant to Australia, mostly in the autumn and winter months (DoEE 2017). It is a marine, pelagic, aerial species and is unlikely to be affected by the proposal.	Disagree with KIPT’s assessment that the species is “possible (fly-over)”. Species and species habitat are <u>likely</u> to occur within area for the following reasons: <ul style="list-style-type: none"> <li>EBS Ecology 2018 Survey (App J2) p 14 stated that “Pelagic seabirds have not been included within Section 5.1.4 as <u>they are expected to occur within the project area.</u>”</li> <li>The National Recovery Plan for Threatened Albatrosses and Giant Petrels 2011-2016 states that “all waters within Australian jurisdiction can be considered foraging habitat, however the</li> </ul>

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<p><u>most critical foraging habitat is considered to be those waters south of 25 degrees where most species spend the majority of their foraging time.</u>” The proposal area encompasses waters south of 25 degrees and therefore contains critical foraging habitat for the Sooty Albatross.</p> <ul style="list-style-type: none"> <li>• The Protected Matters Report provides that species or species habitat likely to occur within area.</li> <li>• The BirdLife International Distribution Map for the Sooty Albatross (see Fig 5 below) includes the proposal area.<sup>23</sup></li> <li>•</li> </ul>
18.	<i>Pterodroma mollis</i> Soft-plumaged Petrel	Vulnerable	Species or species habitat <b>may</b> occur within area	Unlikely to be present: EBS Ecology (2018) assessed this species as unlikely to be present in the study area. The soft-plumaged petrel breeds on Maatsuyker Island off southern Tasmania, as well as on islands in the Southern and Indian oceans (DoEE 2017). It is generally found over temperate and subantarctic waters in the South Atlantic, southern Indian and western South Pacific Ocean and is a regular and quite	Disagree with KIPT’s assessment that the species is “unlikely to be present”. Species and species habitat are <u>likely to occur within area</u> for the following reasons: <ul style="list-style-type: none"> <li>• EBS Ecology 2018 Survey (App J2) p 14 states that “pelagic seabirds have not been included within Section 5.1.4 as <u>they are expected to occur within the project area.</u>”</li> <li>• The National Recovery Plan for Threatened Albatrosses and Giant Petrels 2011-2016 states that “all waters within Australian jurisdiction can be considered foraging habitat, however <u>the</u></li> </ul>

<sup>23</sup> Birdlife International, *Datazone* <<http://datazone.birdlife.org/species/factsheet/sooty-albatross-phoebetria-fusca/distribution>>.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
				common visitor to southern Australian waters. (DoEE 2017). It is a marine, pelagic, aerial species, so is unlikely to occur in the study area.	<p><u>most critical foraging habitat is considered to be those waters south of 25 degrees where most species spend the majority of their foraging time.</u>” The proposal area encompasses waters south of 25 degrees and therefore contains critical foraging habitat for the Antipodean Albatross.</p> <ul style="list-style-type: none"> <li>• The Protected Matters Report provides that species or species habitat may occur within area.</li> <li>• The BirdLife International Distribution Map for the Soft-plumaged Petrel includes the proposal area (see Fig 6 below) includes the proposal area.<sup>24</sup></li> </ul>
19.	<p><i>Rosastrula Australia</i></p> <p>Australian painted snipe</p>	Endangered	Species or species habitat <b>may</b> occur within area	Unlikely to be present. EBS Ecology (2018) assessed this species as unlikely to be present in the study area. The Australian Painted Snipe has been recorded at wetlands in all states of Australia, but is most common in eastern Australia (DoEE 2017). It is generally found over temperate and subantarctic waters in the South Atlantic, southern Indian and	Disagree with KIPT’s assessment that the species is “unlikely to be present”. Species and species habitat are <u>may</u> occur within area for the following reasons: <ul style="list-style-type: none"> <li>• EBS Ecology 2018 Survey (App J2) p 14 of the Survey stated that “Pelagic seabirds have not been included within Section 5.1.4 as <u>they are expected to occur within the project area.</u>”</li> <li>• The EBS Ecology 2018 Survey (App J2), did not specify reasons for finding that the Australian Painted Snipe was unlikely to be present.</li> </ul>

<sup>24</sup> Birdlife International, *Datazone* <<http://datazone.birdlife.org/species/factsheet/soft-plumaged-petrel-pterodroma-mollis/distribution>>

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
				western South Pacific Ocean, and is a regular and quite common visitor to southern Australian waters (DoEE 2017). It is a marine, pelagic, aerial species, so is unlikely to occur in the study area.	<ul style="list-style-type: none"> <li>The Protected Matters Report provides that species or species habitat <u>may</u> occur within area.</li> </ul>
20.	<i>Sternula nereis nereis</i> Australian Fairy Tern	Vulnerable	Breeding <b>likely</b> to occur within area	<p>Possible (coastal): EBS Ecology (2018) assessed these terns as being potentially present in Smith Bay; however, the site does not contain critical habitat for the species and the proposal is unlikely to have a significant impact on habitat availability.</p> <p>The species is generally confined to the coastal zone but possibly would fly over the study area. The sighting closest to the study area was of 23 individuals observed feeding and roosting at the Bay of Shoals on 19 October 2005 (ALA 2016), which is approximately 10 km east of the study area. This is discussed in more detail in Chapter 13 –</p>	<p>Disagree with KIPT’s assessment that the species presence is “possible” Species and species habitat are <u>likely</u> to occur within area Further:</p> <ul style="list-style-type: none"> <li>Breeding is <u>likely</u> to occur within area according to the Protected Matters Report.</li> <li>The BirdLife International Distribution Map for the Australian Fairy Tern includes the proposal area.<sup>25</sup></li> </ul>

<sup>25</sup> Birdlife International, *Datazone* <<http://datazone.birdlife.org/species/factsheet/fairy-tern-sternula-nereis/distribution>>.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
				Terrestrial Ecology.	
21.	<i>Thalassarche cauta</i>  Shy albatross, Tasmanian shy albatross	Vulnerable, migratory	Foraging feeding or related behavior <b>likely</b> to occur within area	Possible (fly-over) EBS Ecology 2018 assessed this species as possible (fly-over) in the study area. The shy albatross breeds on Albatross Island in the Bass Strait and on Mewstone and Pedra Branca islands southwest of Tasmania (Garnett et al. 2011). At sea, adults usually remain in Australian waters, but sometimes travel to South Africa to forage over shelf waters (Garnett et al. 2011). It is a marine, pelagic, aerial species and is unlikely to be affected by this proposal.	Disagree with KIPT's assessment that the species is "possible (fly-over)". Species and species habitat are <u>likely</u> to occur within area for the following reasons: <ul style="list-style-type: none"> <li>EBS Ecology 2018 Survey (App J2) p 14 stated that "pelagic seabirds have not been included within Section 5.1.4 as <u>they are expected to occur within the project area.</u>"</li> <li>The National Recovery Plan for Threatened Albatrosses and Giant Petrels 2011-2016 states that "all waters within Australian jurisdiction can be considered foraging habitat, however <u>the most critical foraging habitat is considered to be those waters south of 25 degrees where most species spend the majority of their foraging time.</u>" The proposal area encompasses waters south of 25 degrees and therefore contains critical foraging habitat for the Shy Albatross.</li> <li>The Protected Matters Report provides that <u>foraging feeding or related behavior is likely to occur within area.</u></li> </ul>

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<ul style="list-style-type: none"> <li>The BirdLife International Distribution Map for the Shy Albatross (see Fig 7 below) includes the proposal area.<sup>26</sup></li> </ul>
22.	<p><i>Thalassarche impavida</i></p> <p>Campbell Albatross, Campbell Black-browed Albatross</p>	Vulnerable, Migratory	Species or species habitat <b>may</b> occur within area	Unlikely to be present: EBS Ecology (2018) assessed this species as unlikely to be present in the study area. Campbell albatrosses breed only on subantarctic Campbell Island, south of New Zealand (DoEE 2017). Non-breeding birds are most commonly seen foraging over the continental slopes off Tasmania, Victoria and New South Wales (DoEE 2017). It is a marine, pelagic, aerial species so is unlikely to occur in the study area.	<p>Disagree with KIPT's assessment that the species is "unlikely to be present." Species and species habitat are <u>likely</u> to occur within area for the following reasons:</p> <ul style="list-style-type: none"> <li>EBS Ecology 2018 Survey (App J2) p 14 stated that "pelagic seabirds have not been included within Section 5.1.4 as <u>they are expected to occur within the project area.</u>"</li> <li>The EBS Ecology 2018 Survey (App J2) did not specify reasons for finding that that the Campbell Albatross would only have a "fly-over" presence in the proposal area.</li> <li>The National Recovery Plan for Threatened Albatrosses and Giant Petrels 2011-2016 states that "all waters within Australian jurisdiction can be considered foraging habitat, however <u>the most critical foraging habitat is considered to be those waters south of 25 degrees where most species spend the majority of their foraging time.</u>" The proposal area encompasses waters south of 25 degrees and therefore contains</li> </ul>

<sup>26</sup> Birdlife International, *Datazone* <<http://datazone.birdlife.org/species/factsheet/shy-albatross-thalassarche-cauta/distribution>>.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<p>critical foraging habitat for the Sooty Albatross.</p> <ul style="list-style-type: none"> <li>The Protected Matters Report provides that species or species habitat <u>may</u> occur within area.</li> <li>The BirdLife International Distribution Map for the Campbell Albatross (see Fig 8 below) includes the proposal area.<sup>27</sup></li> </ul>
23.	<p><i>Thalassarche melanophris</i></p> <p>Black-browed Albatross</p>	Vulnerable, Migratory	Species or species habitat <b>may</b> occur within area	Possible (fly-over): EBS Ecology (2018) assessed this species as a possible (fly-over) in the study area. The black-browed albatross breeds on Heard Island and McDonald Islands, Bishop and Clerk islets, and Macquarie Island in Australia; and at a number of other locations including South Georgia, Crozet, Kerguelen, Antipodes and Campbell islands, as well as on the Falkland Islands and on four island groups off southern Chile (Garnett et al. 2011 ). At sea it has a circumpolar distribution, and is common at the	<p>Disagree with KIPT’s assessment that the species is “possible (fly-over)”. Species and species habitat are <u>likely</u> to occur within area for the following reasons:</p> <ul style="list-style-type: none"> <li>The EBS Ecology 2018 Survey (App J2) p 14 stated that “pelagic seabirds have not been included within Section 5.1.4 as <u>they are expected to occur within the project area.</u>”</li> <li>The EBS Ecology 2018 Survey (App J2) did not specify reasons for finding that that the Black-browed Albatross would only have a “fly-over” presence in the proposal area.</li> <li>The National Recovery Plan for Threatened Albatrosses and Giant Petrels 2011-2016 states that “all waters within Australian jurisdiction can</li> </ul>

<sup>27</sup> Birdlife International, *Datazone* <[http://datazone.birdlife.org/species/factsheet/\(-albatross-thalassarche-impavida/distribution\)](http://datazone.birdlife.org/species/factsheet/(-albatross-thalassarche-impavida/distribution)>.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
				continental shelf and shelf-break of South Australia, Victoria, Tasmania, western and eastern Bass Strait and New South Wales (DoEE 2017). It is a marine, pelagic, aerial species and is unlikely to be affected by the proposal.	<p>be considered foraging habitat, however <u>the most critical foraging habitat is considered to be those waters south of 25 degrees where most species spend the majority of their foraging time.</u>" The proposal area encompasses waters south of 25 degrees and therefore contains critical foraging habitat for the Sooty Albatross.</p> <ul style="list-style-type: none"> <li>• The Protected Matters Report provides that species or species habitat <u>may</u> occur within area.</li> <li>• The BirdLife International Distribution Map for the Black-browed Albatross (see Fig 9 below) includes the proposal area.<sup>28</sup></li> </ul>
24.	<p><i>Thalassarche steadi</i>, <i>Thalassarche chauta steadi</i></p> <p>White-capped Albatross</p>	Vulnerable, Migratory	Foraging, feeding or related behavior <b>likely</b> to occur within area.	Unlikely to be present: EBS Ecology (2018) assessed this species as a possible (fly-over) in the study area. The white-capped albatross breeds on a number of islands south of New Zealand, including Disappointment, Auckland and Adams, and is probably common off the coast of south-east Australia throughout the year (DoEE 2017). It is a	<p>Disagree with KIPT's assessment that the species is "unlikely to be present". Species and species habitat are <u>likely</u> to occur within area for the following reasons:</p> <ul style="list-style-type: none"> <li>• The EBS Ecology 2018 Survey (App J2) p 14 stated that "pelagic seabirds have not been included within Section 5.1.4 as <u>they are expected to occur within the project area.</u>"</li> <li>• The EBS Ecology 2018 Survey (App J2) did not specify reasons for finding that that the White-</li> </ul>

<sup>28</sup> Birdlife International, *Datazone* <<http://datazone.birdlife.org/species/factsheet/black-browed-albatross-thalassarche-melanophris/distribution>>.

Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
			marine, pelagic, aerial species and is unlikely to be affected by the proposal.	<p>capped Albatross was “unlikely to be present”.</p> <ul style="list-style-type: none"> <li>The National Recovery Plan for Threatened Albatrosses and Giant Petrels 2011-2016 states that “all waters within Australian jurisdiction can be considered foraging habitat, however <u>the most critical foraging habitat is considered to be those waters south of 25 degrees where most species spend the majority of their foraging time.</u>” The proposal area encompasses waters south of 25 degrees and therefore contains critical foraging habitat for the Sooty Albatross.</li> <li>The Protected Matters Report provides that foraging, feeding or related behavior is <u>likely</u> to occur within area.</li> <li>The BirdLife International Distribution Map for the White-capped Albatross (see Fig 10 below) includes the proposal area.<sup>29</sup></li> </ul>
25.	<i>Zoothera lunulata halmaturina</i> Bassian Thrush (South Australian)	Vulnerable	Species or species habitat <b>likely</b> to occur in area	<p>Unlikely to be present: EBS Ecology (2018) assessed this species as unlikely to be present in the study area. The Bassian Thrush (South Australian) occurs in South Australia on Kangaroo Island, in the Mount Lofty Ranges and the southern</p> <p>Disagree with KIPT’s assessment that the species is “unlikely to be present”. Species and species habitat are <u>likely</u> to occur within area for the following reasons:</p> <ul style="list-style-type: none"> <li>The EBS Ecology 2018 Survey (App J2), did not specify reasons for finding that the Bassian</li> </ul>

<sup>29</sup> Birdlife International, *Datazone* <<http://datazone.birdlife.org/species/factsheet/white-capped-albatross-thalassarche-steady/distribution>>.

Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response	
			<p>Flinders Ranges (Garnett et al. 2011). On Kangaroo Island there are recent records from the Dudley Peninsula west to Flinders Chase and in forested habitats on both the north and south coasts, as well as in the catchment of the Cygnet River in the Island's centre (Garnett et al. 2011).</p> <p>On Kangaroo Island, the bassian thrush prefers damp eucalypt forests, but also inhabits mature mallee eucalypt woodland, and suitable habitat is confined to creek lines or dune swales (Garnett et al. 2011). Based on these habitat preferences, this species is unlikely to occur in Smith Bay.</p>	<p>Thrush (South Australian) was unlikely to be present.</p> <ul style="list-style-type: none"> <li>The Bassian Thrush (South Australian) is known to occur on Kangaroo Island and inhabits mallee eucalypt woodland (Garnett et al 2011). The proposal area contains mallee woodlands, which are suitable habitat for the species.<sup>30</sup> One of the woodlands was noted to have "a dense and continuous layer of plant litter", where the thrush could forage.</li> <li>The Protected Matters Report provides that species or species habitat is <u>likely</u> to occur within area.</li> </ul>	
Mammals					
26.	<i>Balaenoptera musculus</i> Blue Whale	Endangered, Migratory	Species or species habitat <b>may</b> occur within area	Unlikely to be present: Blue whales are a highly mobile migratory species mostly found in deep-water pelagic habitats (Woinarski et al. 2014) Records	Agree.

<sup>30</sup> Kangaroo Island Plantation Timbers, 'Draft Environmental Impact Statement' (January 2019) Appendix J2, 26-27

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
				<p>of blue whales in Australian waters are widespread and include most regions off the nation's coast (DoEE 2017; Woinarski et al. 2014). Much of the continental shelf and coastal waters have no particular significance to the whales, however, and are used only for migration and opportunistic feeding, with the exception of seeral upwelling zones on the southern continental shelf (DoEE 2017).</p> <p>Preferring deep water habitat, the blue whale is unlikely to use Smith Bay although it may pass occasionally through the region.</p>	
27.	<p><i>Eubalaena australis</i>, <i>Balaena glacialis australis</i></p> <p>Southern Right Whale</p>	Endangered, Migratory	Breeding <b>known</b> to occur in area	<p><b>Potentially present:</b> DoEE assessed this species as potentially at risk of significant impact because of the proposal (Appendix A1). The MNE chapter (Chapter 14) discusses these whales in more detail and presents an impact assessment. Also see Chapter 12 – Marine Ecology and Appendix I2.</p>	<p>Disagree with KIPT's assessment that the species is "potentially present" for the following reasons:</p> <ul style="list-style-type: none"> <li>• Breeding is <u>known</u> to occur within area according to the Protected Matters Report.</li> <li>• The SPRAT Database Distribution Map includes the proposal area (see Fig 11 below).</li> </ul> <p>The proposal is likely have a significant impact on the Southern Right Whale because there is a real</p>

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					chance or possibility that it will fulfill significant impact criteria as set out in Significant Impact Guideline 1.1. This is further discussed in ss 5.1.1 and 5.2.1 below.
28.	<i>Isoodon obesulus obesulus</i>  Southern brown bandicoot (eastern), southern brown bandicoot (south-eastern)	Endangered	Species or species habitat <b>known</b> to occur within area.	<b>Potentially present:</b> DoEE assessed this species as potentially at risk of significant impact because of the proposal (Appendix A1).  The MNES chapter (Chapter 14) discusses the bandicoots in more detail and presents an impact assessment.	Disagree with KIPT's assessment that the species is "potentially present" for the following reasons: <ul style="list-style-type: none"> <li>Species and species habitat are <u>known</u> to occur within area according to the Protected Matters Report.</li> <li>The SPRAT Database Distribution Map includes the proposal area (see Fig 12 below).</li> </ul>
29.	<i>Megaptera novaeangliae</i>  Humpback Whale	Vulnerable, Migratory	Species or species habitat <b>likely</b> to occur within area	Potentially present but unlikely to be affected by the proposal: Humpback whale Humpback whale numbers have been rapidly increasing in Australian waters as they recover from extensive whaling in the 1900s (Woinarski et al. 2014). The two Australian sub-populations (eastern and western) breed and calve in the tropical waters of the northern coasts and migrate down the east and west coasts to feed in	Agree.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
				the Southern Ocean (Woinarski et al. 2014). They may pass near Smith Bay during their annual migrations, but are unlikely to use the study area as a significant stop-over.	
30.	<i>Neophoca cinerea</i> Australian Sea-lion, Australian Sea Lion	Vulnerable	Species or species habitat <b>likely</b> to occur within area.	Potentially present but unlikely to be affected by the proposal: EBS Ecology (2018) assessed this species as being potentially present in the area: however, the site does not contain critical habitat and the proposal is unlikely to have a significant impact on habitat availability.  Records of this species are mainly distributed along the southern coastline of Kangaroo Island (ALA 2016). It is unlikely that sea lions would breed in Smith Bay or spend a significant amount of time there, but may occasionally pass through (EBS Ecology 2018).	Disagree with KIPT's assessment that the species is "potentially present". Species and species habitat are <u>known</u> to occur within area according to the Protected Matters Report. Further data from the Great Australian Bight Research Program <sup>31</sup> show that: <ul style="list-style-type: none"> <li>Standardised probability of potential distribution at-sea of Australian Sea Lions show a high probability of occurrence female Australian Sea Lions and a moderate probability of occurrence of male Australian Sea Lions at Smith Bay (see Fig 123) below.</li> <li>Standardised probability of potential foraging habitats show a high probability of occurrence of foraging for female Australian Sea Lions and a moderate probability of occurrence of foraging for male Australian Sea-Lions at Smith Bay (see</li> </ul>

<sup>31</sup> Bailleul, F., Goldsworthy, S.D., Rogers, P.J., MacKay, A.I., Jonsen, I., Hindell, M. and Patterson, T. (2017). Identifying biologically important areas for iconic species and apex predators in the Great Australian Bight. Final Report GABRP Project 4.2. Great Australian Bight Research Program, GABRP Research Report Series Number 23, 116pp. 36-37

Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response	
			Appendix J2 states "The Australian Sea-lion has records mainly distributed in the southern coastline of KI (Atlas of Living Australia 2016). It is unlikely that this species would breed within the coastal zone of the project area, given that habitat is unsuitable, however, there is the possibility that this species may pass through the area. Risk to this species is unknown in terms of what impact increased shipping traffic might have on individuals if present in the area. The coastal zone associated with the project area should be micro-sited prior to construction.	Fig 14 below).  The proposal is likely have a significant impact on the Southern Right Whale because there is a real chance or possibility that it will fulfill significant impact criteria as set out in Significant Impact Guideline 1.1. This is further discussed in s 5.1.2 below.	
Reptiles					
31.	Caretta caretta Loggerhead Turtle	Endangered, Migratory	Breeding <b>likely</b> to occur within area	<p><b>Unlikely to be present:</b> The loggerhead turtle has a global distribution throughout tropical, sub-tropical and temperate waters (DoEE 2017). Nesting is concentrated mainly on sub-tropical beaches, which in</p>	<p>Disagree with KIPT's assessment that the species is "unlikely to be present" for the following reasons:</p> <ul style="list-style-type: none"> <li>• Breeding is <u>likely</u> to occur within area according to the Protected Matters Report.</li> <li>• The proposal area contains suitable foraging</li> </ul>

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
				Australia include southern Queensland and Western Australia (DoEE 2017). The turtle lives in the waters of coral and rocky reefs, seagrass beds and muddy bays throughout eastern, northern and western Australia, with foraging areas extending into southern Australia (DoEE 2017). It is likely to be a rare visitor to Kangaroo Island and is unlikely to use the study area.	<p>habitat for the Loggerhead Turtle, including reefs and seagrass beds.</p> <ul style="list-style-type: none"> <li>The SPRAT Database Distribution Map for the Loggerhead Turtle includes the proposal area (see Fig 15 below).</li> </ul> <p>The proposal is likely have a significant impact on the Loggerhead Turtle because there is a real chance or possibility that it will fulfill significant impact criteria as set out in Significant Impact Guideline 1.1. This is further discussed in s 5.1.3 below.</p>
32.	<i>Chelonia mydas</i> Green Turtle	Vulnerable, Migratory	Species or species habitat <b>known</b> to occur within area	Potentially present but unlikely to be affected by the proposal: Green Turtles nest, forage and migrate across tropical northern Australia, although individuals can stray into temperate waters (DoEE 2017). This marine pelagic species is unlikely to be affected by the proposal.	<p>Disagree with KIPT's assessment that the species is "potentially present" for the following reasons:</p> <ul style="list-style-type: none"> <li>Species or species habitat is <u>known</u> to occur within area according to the Protected Matters Report.</li> <li>The proposal area contains suitable foraging habitat for the Loggerhead Turtle, including seagrass beds.</li> <li>The Atlas of Living Australia has records of Green Turtles off the northeast coast of Kangaroo Island near the project site (see Fig 16 below).</li> <li>The DoEE Species Profile and Threats</li> </ul>

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<p>Database Distribution Map for the Green Turtle includes the proposal area (see Fig 17 below).</p> <p>The proposal is likely have a significant impact on the Green Turtle because there is a real chance or possibility that it will fulfill significant impact criteria as set out in Significant Impact Guideline 1.1. This is further discussed in s 5.1.3 below.</p>
33.	<p><i>Dermochelys coriacea</i></p> <p>Leatherback Turtle</p>	Endangered	Species or species habitat <b>known</b> to occur within area	<p>Unlikely to be present: The leatherback turtle is a pelagic feeder found in tropical, subtropical and temperate waters throughout the world (DoEE 2017). No major nesting has been recorded in Australia, although scattered isolated nesting (one to three nests a year) occurs in southern Queensland and the Northern Territory (DoEE 2017).</p> <p>The leatherback turtle is a highly pelagic species, venturing close to shore mainly during nesting season (DoEE 2017). It is likely to be a rare visitor to Kangaroo Island and is unlikely to visit the study area.</p>	<p>Disagree with KIPT's assessment that the species is "unlikely to be present" for the following reasons:</p> <ul style="list-style-type: none"> <li>• Species or species habitat is <b>known</b> to occur within area according to the Protected Matters Report.</li> <li>• The Atlas of Living Australia has records of Leatherback Turtles off the northeast coast of Kangaroo Island near the project site (see Fig 18).</li> <li>• The SPRAT Database Distribution Map for the Leatherback Turtle includes the proposal area (see Fig 19).</li> </ul> <p>The proposal is likely have a significant impact on the Leatherback Turtle because there is a real chance or possibility that it will fulfill significant impact criteria as set out in Significant Impact Guideline 1.1. This is further discussed in s 5.1.3</p>

Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
				below.
<b>Sharks</b>				
34. Carcharodon carcharias  White Shark, Great White Shark	Vulnerable, migratory	Species or species habitat <b>known</b> to occur within area	Likely: The great white shark is widely, but sparsely, found in all seas including cold temperature waters in both hemispheres (DoEE 2017) Although capable of crossing ocean basins, the species is typically found from close inshore habitats (such as rocky reefs and shallow coastal bays) to the outer continental shelf and slope areas (DoEE 2017). Although great whites may occasionally visit Smith Bay, they are unlikely to use the study area in any significant way.	Disagree with KIPT's assessment that the species is "likely" to occur in within area, "may occasionally visit Smith Bay", and "are unlikely to use the study area in any significant way" for the following reasons: <ul style="list-style-type: none"> <li>Species or species habitat is <u>known</u> to occur within area according to the Protected Matters Report.</li> <li>KIPT misrepresented the information on DoEE's SPRAT Database, which provides: "<u>Great White Sharks are widely, but not evenly, distributed in Australian waters.</u> Areas where observations are more frequent include waters in and around some Fur Seal and Sea Lion colonies such as the <u>Neptune Islands (South Australia); areas of the Great Australian Bight as well as the Recherche Archipelago</u> and the islands off the lower west coast of Western Australia (Environment Australia 2002g; Malcolm et al. 2001). Juveniles appear to aggregate seasonally in certain key areas including the 90 Mile Beach area of eastern Victoria and the coastal region between Newcastle and Forster in NSW (Bruce &amp; Bradford 2008). Other areas, such as the Portland region of western Victoria and the coast off the Goolwa region of South</li> </ul>

Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response	
				<p>Australia, are also reportedly visited by juvenile Great White Sharks.”</p> <ul style="list-style-type: none"> <li>The proposal area is in the vicinity of the Neptune Islands, the Recherche Archipelago and the Goolwa region of South Australia, which are all areas where</li> <li>The SPRAT Database Distribution Map for the Great White Shark includes the proposal area (see Fig 20).</li> </ul>	
Plants					
35.	<p><i>Caldenia tensa</i></p> <p>Greencomb Spider-orchid, Rigid Spider-orchid</p>	Endangered	<p>Species or species habitat <b>likely</b> to occur within area</p>	<p>Not present: EBS Ecology’s field survey of the study site in August 2016 did not find this species. Given the generally degraded nature of remnant vegetation on the site, it is considered unlikely to exist in the study area.</p>	<p>Disagree with KIPT’s assessment that species is “not present” in area for the following reasons:</p> <ul style="list-style-type: none"> <li>Survey area contains suitable habitat for the Greencomb Spider Orchid. DoEE’s Draft Survey Guideline’s for Australia’s Threatened Orchids provides: “<u>Dry open woodland in various habitats</u> including dry cypress- pine (family Cupressaceae)/yellow gum woodland, pine/box woodland, <u>mallee-heath sites, heathy woodland and mallee woodland</u>, generally with rock outcrops.”</li> <li>The Protected Matters Report provides that species or species habitat is <u>likely</u> to occur within area.</li> </ul>

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<ul style="list-style-type: none"> <li>The DoEE's Draft Survey Guidelines provides that "In general, the department will assume that an orchid species known from the region is present on a site unless a robust evaluation has been undertaken to support the case that the species is absent. A robust evaluation could involve application of these survey guidelines, other survey techniques, including a state's guidelines or accepted industry guidelines, or drawing on relevant expertise."</li> <li>The 2016 and 2018 EBS Ecology surveys were not robust evaluations conducted in accordance with the DoEE's Draft Survey Guidelines for Australia's Threatened Orchids. See further discussion of this in in s 2.3 below. Accordingly, the precautionary principle should apply and orchid presence on the site should be assumed.</li> </ul>
36.	<i>Cheiranthra vulubilis</i>  Twining Finger Flower	Vulnerable	Species or species habitat <b>likely</b> to occur within area	Not present: EBS Ecology's field survey of the study site in August 2016 did not find this species. Given the generally degraded nature of remnant vegetation on the site, it is considered unlikely to exist in the study area.	Disagree with KIPT's assessment that species is "not present" in area for the following reasons: <ul style="list-style-type: none"> <li>Survey area contains known vegetation associations with the Twining Finger Flower according to the Background Paper: Nationally Threatened Plant Species on Kangaroo Island Recovery Action Plan. These include primary</li> </ul>

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<p>species of <i>Eucalyptus diversifolia</i> and <i>Eucalyptus cladocalyx</i>.<sup>32</sup></p> <ul style="list-style-type: none"> <li>The Background Paper provides that “<i>Cheiranthra volubilis</i> has been observed to grow on the upper slopes of dissected plateau. Soil types associated with <i>C. volubilis</i> sub-populations include sandy loam, fine sand loam and fine sand.”<sup>33</sup> These soils are present in the proposal area.</li> <li>The Protected Matters Report provides that species or species habitat is <u>likely</u> to occur within area.</li> </ul>
37.	<p><i>Pomaderris halmaturina</i> subs. <i>halmaturina</i></p> <p>Kangaroo Island Pomaderris</p>	Vulnerable	Species or species habitat <b>likely</b> to occur within area	Not present: EBS Ecology’s field survey of the study site in August 2016 did not find this species. Given the generally degraded nature of remnant vegetation on the site, it is considered unlikely to exist in the study area.	<p>Disagree with KIPT’s assessment that species is “not present” in area for the following reasons:</p> <ul style="list-style-type: none"> <li>Survey area contains known vegetation associations with the Kangaroo Island Pomaderris according to the Background Paper: Nationally Threatened Plant Species on Kangaroo Island Recovery Action Plan. These include primary species of <i>Eucalyptus diversifolia</i> and <i>Eucalyptus cneorifolia</i>.<sup>34</sup></li> </ul>

<sup>32</sup> Taylor, D.A. (2003). *Nationally Threatened Plant Species on Kangaroo Island Recovery Action Plan*. Report to the Threatened Species and Communities Section, Department for Environment and Heritage, Government of South Australia 24

<sup>33</sup> Ibid 23

<sup>34</sup> Ibid 46.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<ul style="list-style-type: none"> <li>The Protected Matters Report provides that species or species habitat is <u>likely</u> to occur within area.</li> </ul>
38.	<p><i>Ptilotus beckerianus</i></p> <p>Ironstone Mulla Mulla</p>	Vulnerable	Species or species habitat <b>likely</b> to occur within area	Not present: EBS Ecology's field survey of the study site in August 2016 did not find this species. Given the generally degraded nature of remnant vegetation on the site, it is considered unlikely to exist in the study area.	<p>Disagree with KIPT's assessment that species is "not present" in area for the following reasons:</p> <ul style="list-style-type: none"> <li>Survey area contains known vegetation associations with the Ironstone Mulla Mulla according to the Background Paper: Nationally Threatened Plant Species on Kangaroo Island Recovery Action Plan. These include primary species of <i>Eucalyptus diversifolia</i> and <i>Eucalyptus cladocalyx</i>.<sup>35</sup></li> <li>The Background Paper provides that "<i>Ptilotus beckerianus</i> has been found growing on gently sloping terrain associated with low broad ridges. Soil types in these areas include clayey sand, light sandy clay loam, loamy sand and sand." These soils are present in the proposal area.<sup>36</sup></li> <li>Potential habitat for the Ironstone Mulla Mulla was mapped near the proposed area in the Background Paper.<sup>37</sup></li> </ul>

<sup>35</sup> Ibid 51.

<sup>36</sup> Ibid 50.

<sup>37</sup> Ibid 53.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<ul style="list-style-type: none"> <li>The Protected Matters Report provides that species or species habitat is <u>likely</u> to occur within area.</li> </ul>
39.	<i>Pultenaea villifera</i> var. <i>glabrescens</i> Yellow Bush-pea, Splendid Bush-pea	<i>Vulnerable</i>	Species or species habitat <b>known</b> to occur within area	Not present: EBS Ecology's field survey of the study site in August 2016 did not find this species. Given the generally degraded nature of remnant vegetation on the site, it is considered unlikely to exist in the study area.	<p>Disagree with KIPT's assessment that species is "not present" in area for the following reasons:</p> <ul style="list-style-type: none"> <li>Survey area contains known vegetation associations with the Yellow Bush-pea according to the Background Paper: Nationally Threatened Plant Species on Kangaroo Island Recovery Action Plan. This includes the primary species of <i>Eucalyptus cladocalyx</i>.<sup>38</sup></li> <li>The Background Paper provides that "<i>Pultenaea villifera</i> var. <i>glabrescens</i> has been observed growing in topographical locations ranging from seaside cliffs to the upper slopes of ridge systems along the northern coast of Kangaroo Island. Soil types at these locations were generally found to consist of sandy loam (Overton and Overton 1992)." <sup>39</sup>These soils are present in the proposal area.</li> <li>The Protected Matters Report provides that species or species habitat is <u>known</u> to occur within area.</li> </ul>

<sup>38</sup> Ibid 60.

<sup>39</sup> Ibid 59.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
40.	<i>Spyridium eriocephalum</i> var. <i>galbrisepalum</i>  MacGillivray Spyridium	Vulnerable	Species or species habitat <b>likely</b> to occur within area	Not present: EBS Ecology's field survey of the study site in August 2016 did not find this species. Given the generally degraded nature of remnant vegetation on the site, it is considered unlikely to exist in the study area.	Disagree with KIPT's assessment that species is "not present" in area for the following reasons: <ul style="list-style-type: none"> <li>Survey area contains known vegetation associations with the MacGillivray Spyridium according to the Background Paper: Nationally Threatened Plant Species on Kangaroo Island Recovery Action Plan. This includes the primary species of <i>Eucalyptus cladocalyx</i>.<sup>40</sup></li> <li>The Protected Matters Report provides that species or species habitat is <u>known</u> to occur within area.</li> </ul>
41.	<i>Thelymitra matthewsii</i>  Spiral Sun-orchid	Vulnerable	Species or species habitat <b>may</b> occur within area	Not present: EBS Ecology's field survey of the study site in August 2016 did not find this species. Given the generally degraded nature of remnant vegetation on the site, it is considered unlikely to exist in the study area.	Disagree with KIPT's assessment that species is "not present" in area for the following reasons: <ul style="list-style-type: none"> <li>Survey area contains suitable habitat for the Spiral Sun-orchid. DoEE's Draft Survey Guidelines for Australia's Threatened Orchids<sup>41</sup> provides that landscape scale habitat includes "open forests and woodlands", which are present on the site.</li> <li>The Protected Matters Report provides that species or species habitat is <u>may</u> occur within</li> </ul>

<sup>40</sup> Ibid 64.

<sup>41</sup> Department of Environment and Energy. Draft Survey Guidelines for Australia's Threatened Orchids, 2013.

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
					<p>area.</p> <ul style="list-style-type: none"> <li>The DoEE's Draft Survey Guidelines provides that "In general, the department will assume that an orchid species known from the region is present on a site unless a robust evaluation has been undertaken to support the case that the species is absent. A robust evaluation could involve application of these survey guidelines, other survey techniques, including a state's guidelines or accepted industry guidelines, or drawing on relevant expertise."</li> <li>The 2016 and 2018 EBS Ecology surveys were not robust evaluations conducted in accordance with the DoEE's Draft Survey Guidelines for Australia's Threatened Orchids. See further discussion of this in in s 2.3 below. Accordingly, the precautionary principle should apply and orchid presence on the site should be assumed.</li> </ul>
42.	<p><i>Veronica derwentiana subsp homalodonta</i></p> <p>Mount Lofty Speedwell</p>	Critically Endangered	Species or species habitat <b>likely</b> to occur within area	Not present: EBS Ecology's field survey of the study site in August 2016 did not find this species. Given the generally degraded nature of remnant vegetation on the site, it is considered unlikely to exist in the study area.	Agree

	Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
Threatened Ecological Communities					
43.	Kangaroo Island Narrow-leaved Mallee	Critically endangered	Community <b>likely</b> to occur within area	<p>EBS Ecology’s field survey of the study site in August 2016 concluded that this threatened ecological community (TEC) does not exist within the area, although it does exist in nearby properties. Patches less than 60 m wide along most of their length and featuring low native species diversity and high weed cover tend to be degraded, and are excluded from the listing (DoEE 2014). There is a single patch of Kangaroo Island narrow-leaved mallee adjacent to Freeoak Road; however, it does not meet the requirements of a protected ecological community under the TEC listing as it is not 60 m wide (EBS Ecology 2018). This is discussed in more detail in Chapter 13 – Terrestrial Ecology.</p> <p>The field survey undertaken by EBS ecology in February 2018</p>	<p>Disagree with KIPT’s assessment that species is “not present” in area because, as stated in Appendix J3, <u>“The field survey undertaken by EBS ecology in February 2018 determined that the patch of Kangaroo Island narrow-leaved mallee that occurs south of the study area meets the requirements of a protected ecological community under the TEC listing (EBS Ecology, 2018). The patch is 4.75 ha.”</u> For further discussion of species presence and significant impact, please see s 5.3.2 below.</p>

Scientific and Common name	EPBC Act Status	Type of Presence (Protected Matters Report)	KIPT Assessment (App J2 and J3)	Response
			determined that the patch of Kangaroo Island narrow-leaved mallee that occurs south of the study area meets the requirements of a protected ecological community under the TEC listing (EBS Ecology, 2018). The patch is 4.75 ha.	

Figure 1: Atlas of Living Australia Results for the Red Knot

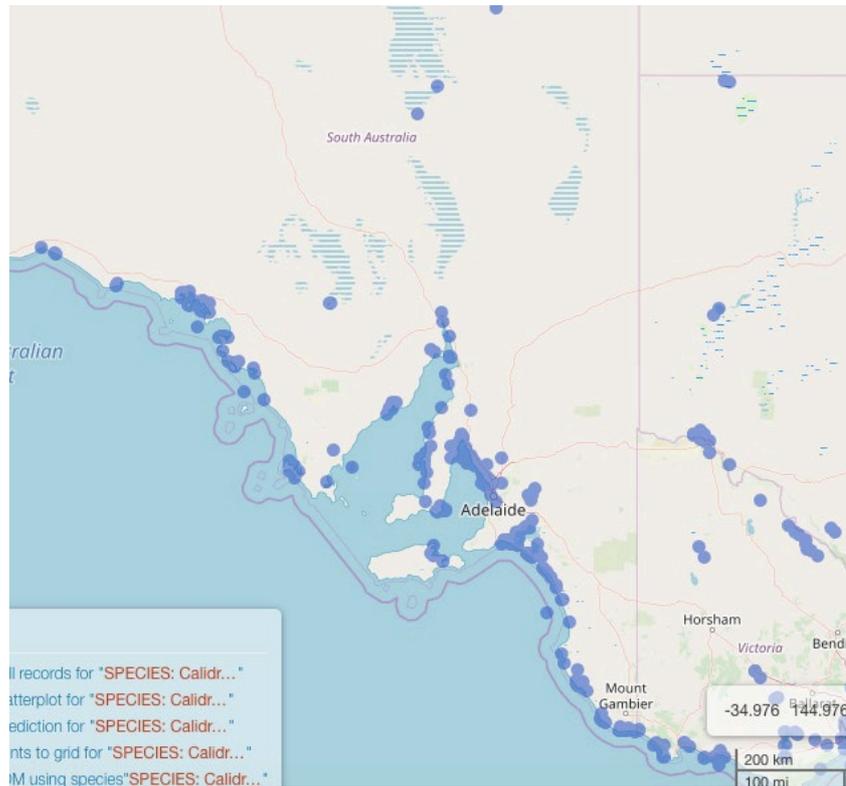


Figure 2: SPRAT Database Distribution Map for the Red Knot



Figure 3: Birdlife International Distribution Map for the Blue Petrel



Figure 4: Birdlife International Distribution Map for the Southern Giant Petrel



Figure 5: Birdlife International Distribution Map for the Sooty Albatross



Figure 6: Birdlife International Distribution Map for the Soft-plumaged Petrel



Figure 7: Birdlife International Distribution Map for the Shy Albatross



Figure 8: Birdlife International Distribution Map for the Campbell Albatross



Figure 9: Birdlife International Distribution Map for the Black-browed Albatross



Figure 10: Birdlife International Distribution Map for the White-capped Albatross



Figure 11: SPRAT Database Distribution Map for the Southern Right Whale



Figure 12 SPRAT Database Distribution Map for the Southern Brown Bandicoot

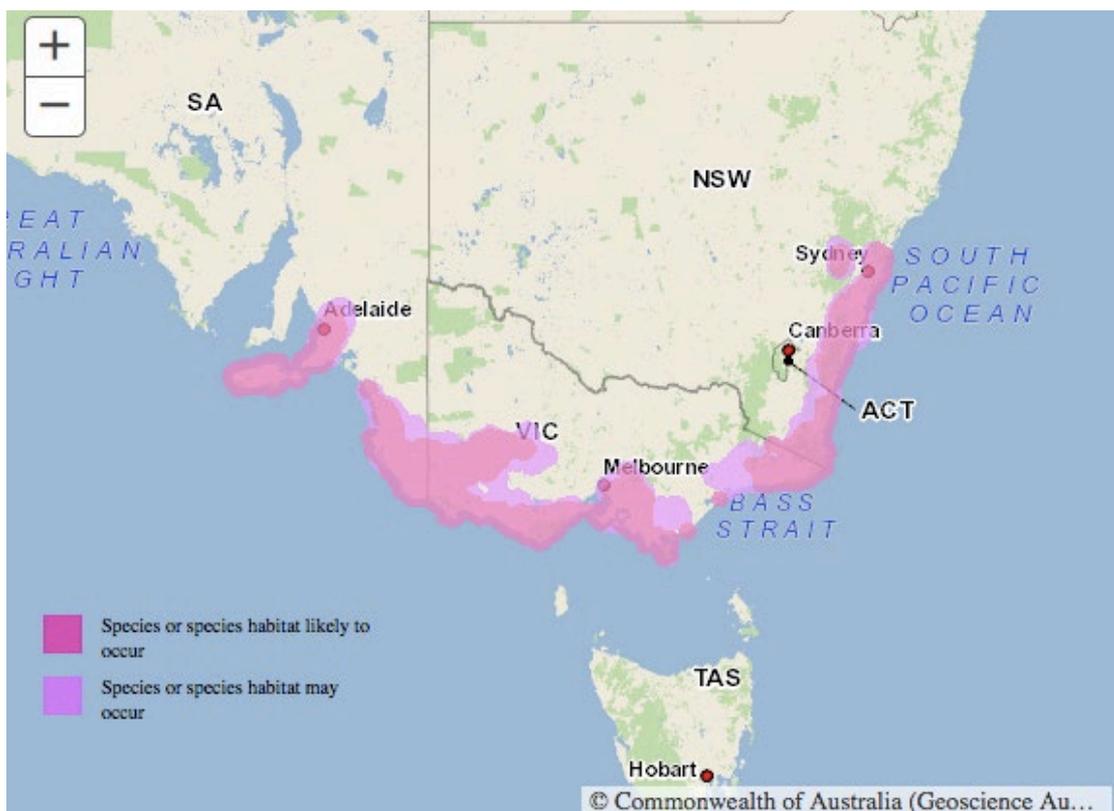
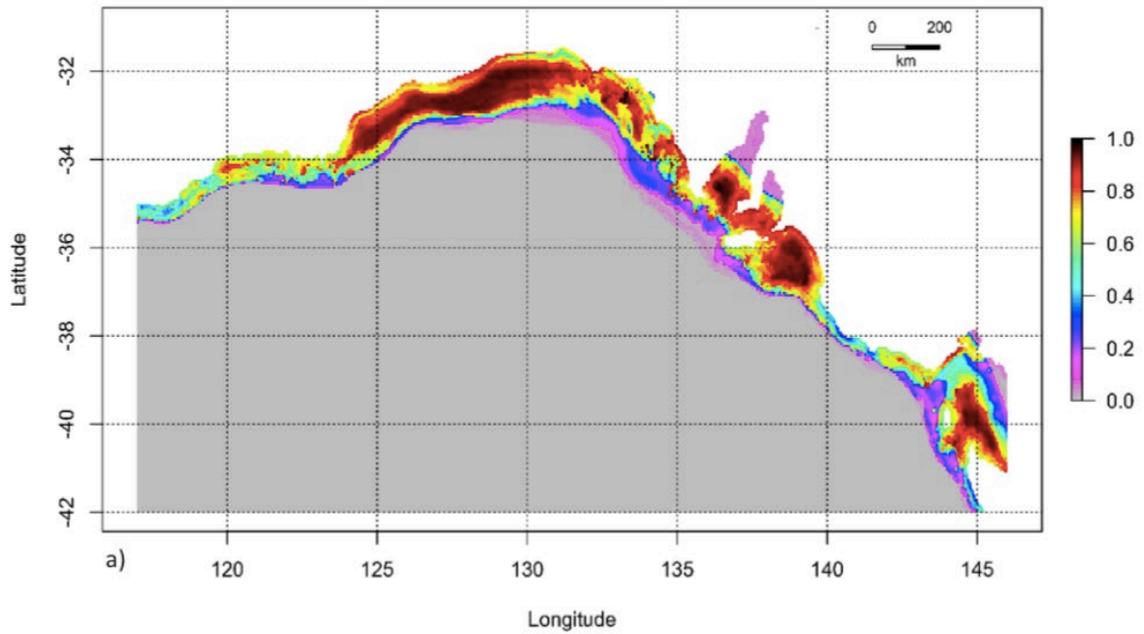
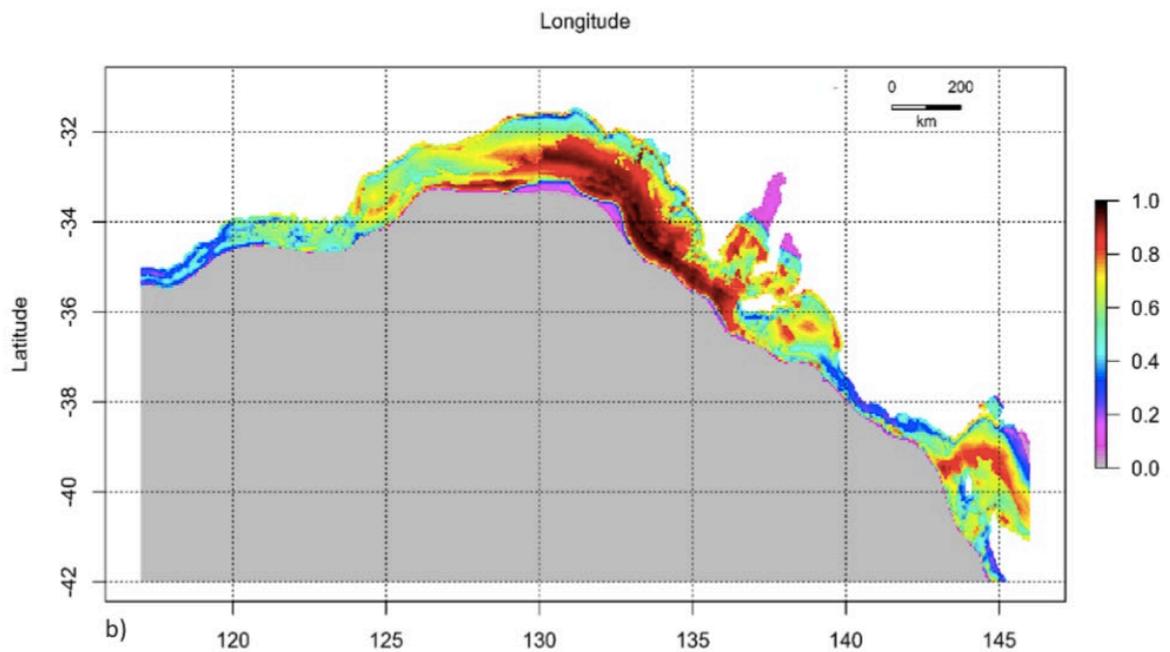


Figure 13: Standardised probability of potential distribution at-sea in the GAB of a) adult female Australian sea lions (ASL) and b) adult male ASL. The warmer colours indicate a higher probability of occurrence. <sup>42</sup>

a.



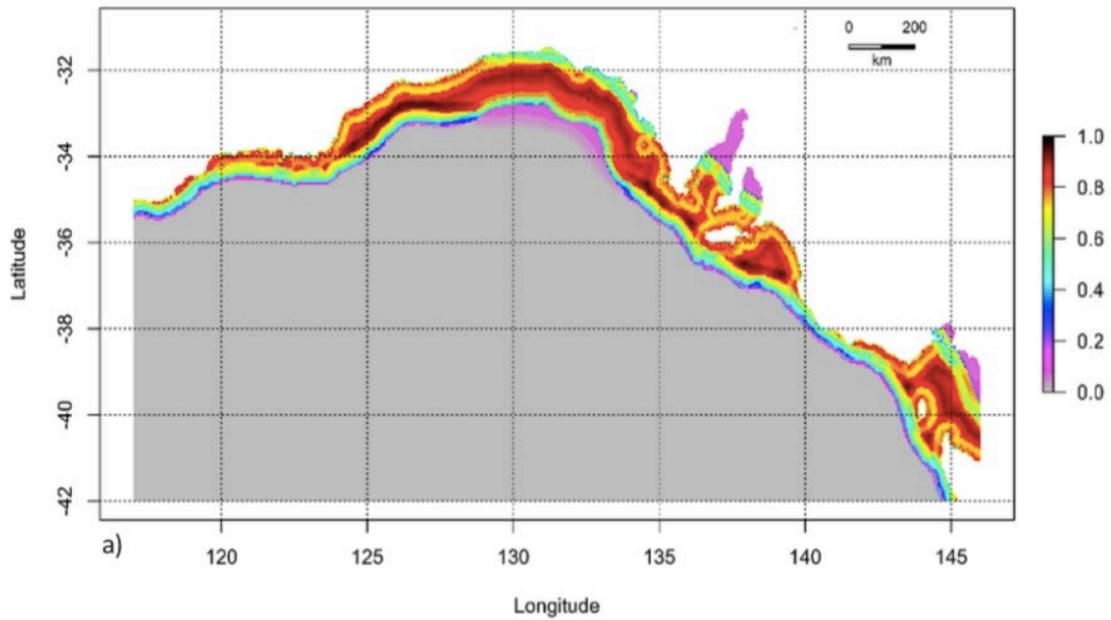
b.



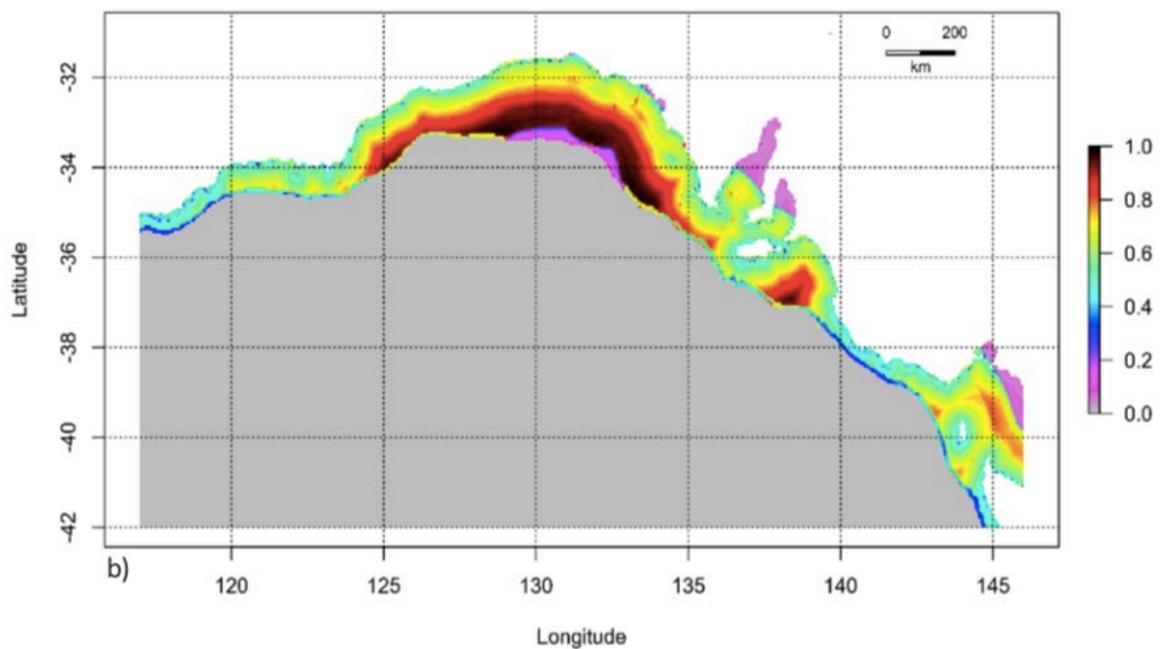
<sup>42</sup> Bailleul, F., Goldsworthy, S.D., Rogers, P.J., MacKay, A.I., Jonsen, I., Hindell, M. and Patterson, T. (2017). Identifying biologically important areas for iconic species and apex predators in the Great Australian Bight. Final Report GABRP Project 4.2. Great Australian Bight Research Program, GABRP Research Report Series Number 23, 36.

Figure 14: Standardised probability of potential foraging habitats of a) adult female Australian sea lions (ASL) and b) adult male ASL. Warmer colours indicate a higher probability of occurrence of foraging.<sup>43</sup>

a.



b.



<sup>43</sup> Bailleul, F., Goldsworthy, S.D., Rogers, P.J., MacKay, A.I., Jonsen, I., Hindell, M. and Patterson, T. (2017). Identifying biologically important areas for iconic species and apex predators in the Great Australian Bight. Final Report GABRP Project 4.2. Great Australian Bight Research Program, GABRP Research Report Series Number 23, 37.

Figure 15 SPRAT Database Distribution Map for the Loggerhead Turtle



Figure 16: Atlas of Living Australia Results for the Green Turtle



Figure 17 SPRAT Database Distribution Map for the Green Turtle

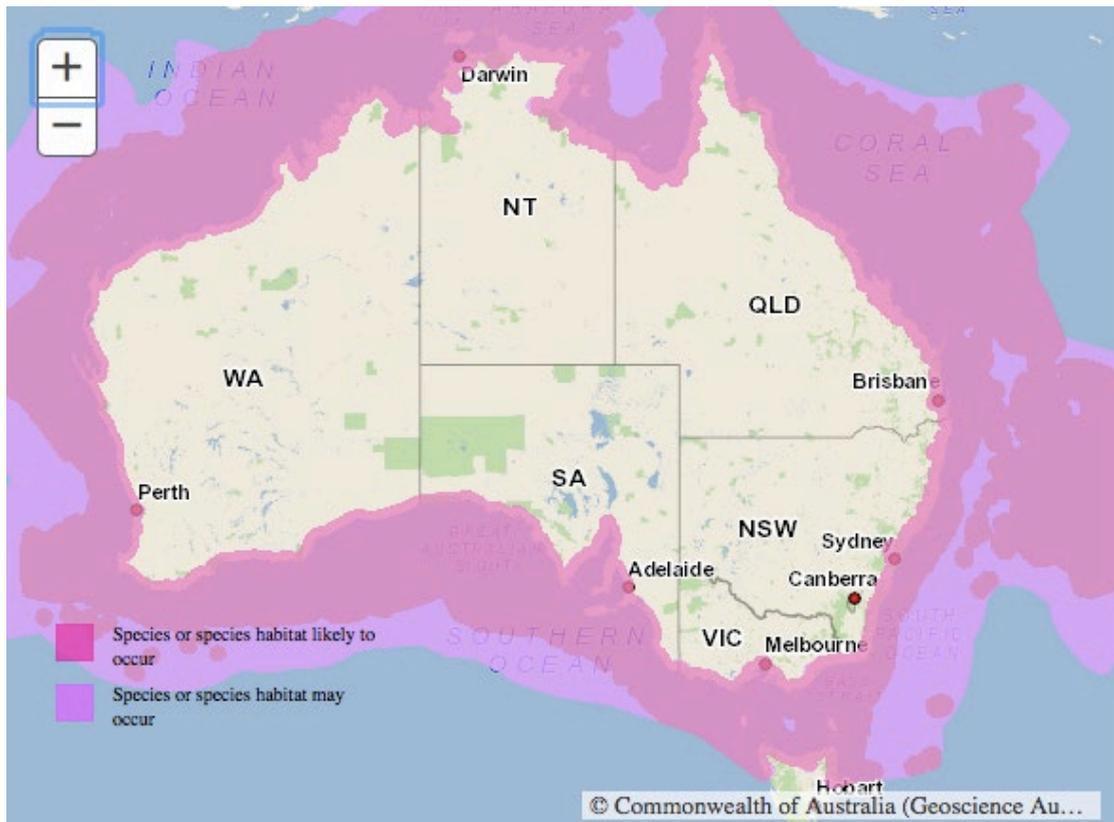


Figure 18: Atlas of Living Australia Results for the Leatherback Turtle

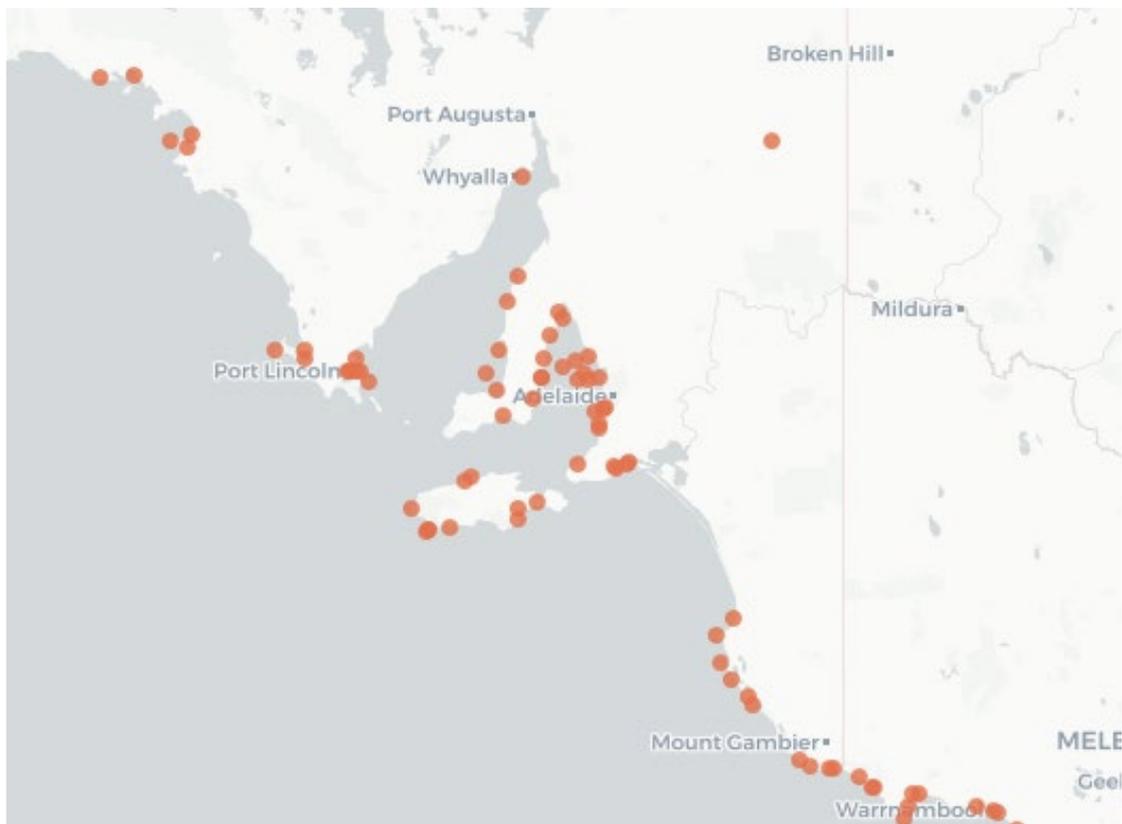


Figure 19 SPRAT Database Distribution Map for the Leatherback Turtle

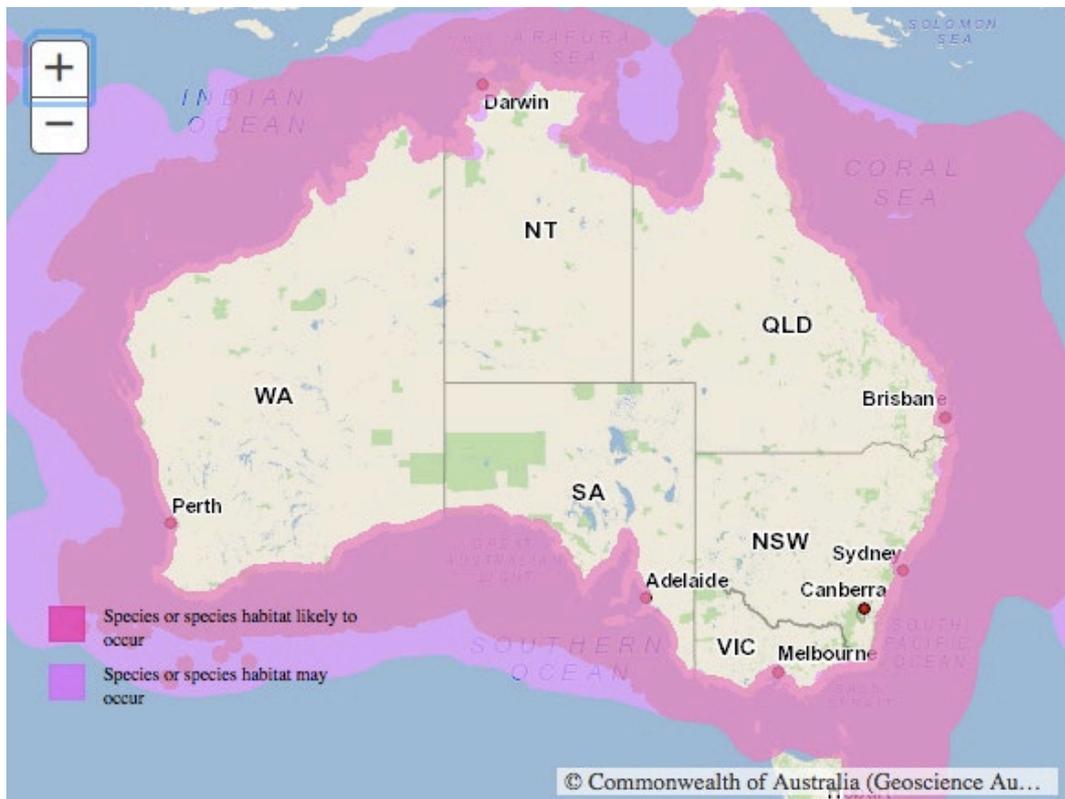
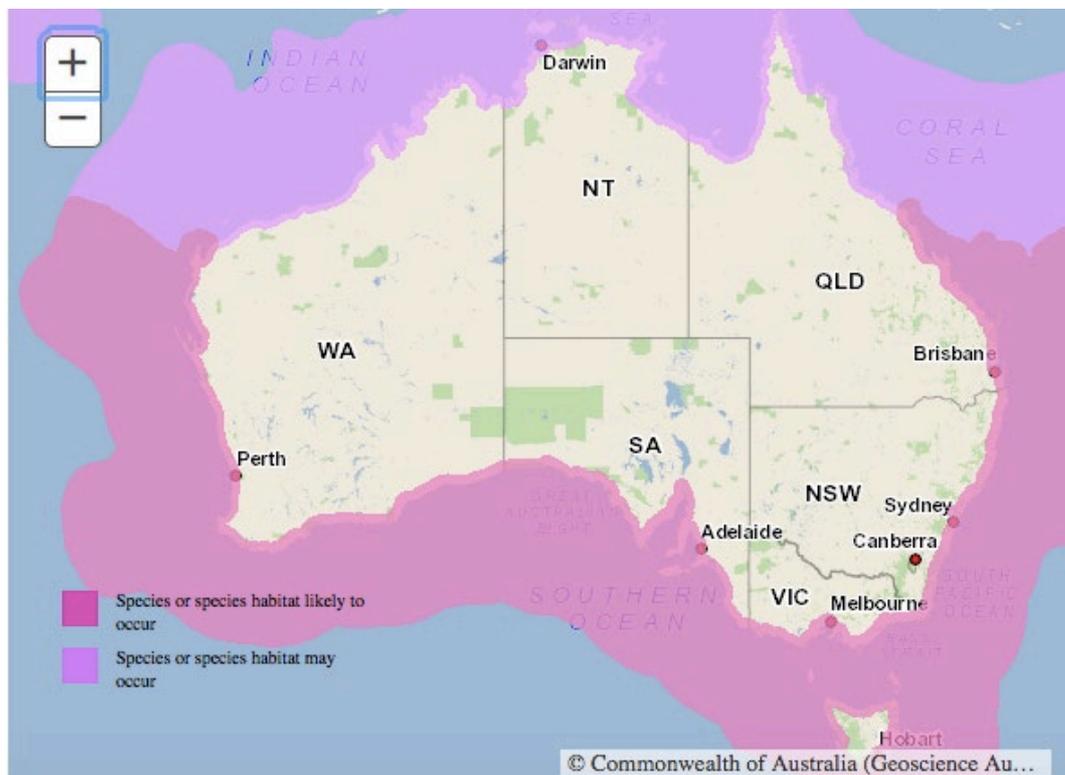


Figure 20 SPRAT Database Distribution Map for the Great White Shark



2. Once KIPT was aware of the known, likely, or potential presence of MNEs in the EMBA, it had an obligation to carry out detailed surveys, in accordance with best practice standards and DoEE survey guidelines. KIPT and its consultant, EBS Ecology, substantially failed to fulfill this requirement.

### 2.1 EBS Ecology failed to define the survey area in accordance with best practice

EBS Ecology failed to define the study area for its 2016 and 2018 surveys. In particular, in particular, the boundaries of the area surveyed. It also failed to provide mapping or aerial photography details of the site. The only description of the site was “The area is situated within Allotments 51 and 52, North Coast Road at Smith Bay (Kangaroo Island) (Figure 1).” The term “Figure 1” refers to the image below. No maps were provided of Allotments 51 and 52 and the site boundaries. Without any idea of survey area and boundaries, the 2016 and 2018 surveys cannot be relied on to provide an accurate indication of the species present in the EMBA.

Figure 21 Map of area surveyed provided by EBS Ecology



## 2.2 EBS Ecology failed to conduct surveys in accordance with the DoEE's Survey Guidelines in relation to threatened mammals and birds

Guideline 1.4 requires KIPT to show that it has conducted surveys in accordance to best practice and Australian Government guidelines and policy statements.

The only methodology for fauna surveys specified by EBS Ecology in its 2016 report is as follows:

"The Field survey was carried out by Chris Harrison and Paul Drummond on 17 August 2016. The majority of the project area was traversed by foot... all fauna species observed during the vegetation survey were recorded. No dedicated fauna surveys (i.e. trapping, active searching) were conducted. All location was recorded using a handheld GPS."<sup>44</sup>

There was a complete failure by KIPT and EBS Ecology to conduct surveys in accordance with the DoEE's:

- Survey Guidelines for Australia's Threatened Birds; and
- Survey Guidelines for Australia's Threatened Mammals.

**(DoEE Survey Guidelines)**. Particulars of the discrepancy between the methodology and survey efforts by EBS Ecology and the DoEE Survey Guidelines in relation to threatened mammals and birds are set out in Table 4 below.

Further, the DoEE Industry Guidelines for Avoiding, Assessing and Mitigating Impacts on EPBC Act Listed Migratory Shorebird Species (**DoEE Shorebird Guidelines**) provides that surveys should be conducted during:

- The months when the majority of migratory shorebirds are present in the area. Numbers of shorebirds may vary during these months, particularly in the north of the country, due to presence of additional shorebirds during inbound and outbound migration at the beginning and end of the non-breeding season. Local knowledge should be sought to determine optimum survey times.
- The northern hemisphere breeding season (mid-April to mid-August) to obtain data on nonbreeding, non-migrating populations of immature migratory shorebirds and double-banded plover populations (March to August).

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<sup>44</sup> Bailleul, F., Goldsworthy, S.D., Rogers, P.J., MacKay, A.I., Jonsen, I., Hindell, M. and Patterson, T. (2017). Identifying biologically important areas for iconic species and apex predators in the Great Australian Bight. Final Report GABRP Project 4.2. Great Australian Bight Research Program, GABRP Research Report Series Number 23, 8.

- As close to the time of high tide as practicable and at a maximum of no more than two hours either side of high tide (unless local knowledge indicates a more suitable time).

The DoEE Shorebird Guidelines also specify that minimal survey effort comprises of:

- four surveys for roosting shorebirds during the period when the majority of shorebirds are present in the area;
- replicated surveys over this period, which are important to measure population variability. Some areas will meet the importance criteria only during the migration periods when many birds are temporarily stopping over. In most cases, one survey in December, two surveys in January, and one survey in February will be adequate;
- four surveys for foraging shorebirds, including two surveys at spring low tide and two surveys at neap low tide; and
- one survey during the northern hemisphere breeding season to capture data on birds that remain in Australia during the breeding season, as well as the double-banded plover (March to August).

There was a complete failure of KIPT and EBS Ecology by KIPT and EBS Ecology to conduct surveys in DoEE Shorebird Guidelines. Particulars of this failure are set out in Table 5 below.

**Table 4: Discrepancies between DoEE Survey Guidelines and EBS Ecology Methodology and Survey Effort**

Species	DoEE Guidelines	Was EBS methodology/survey effort in accordance with the DoEE Guidelines?
Birds		
<p>1. <i>Calyptorhynchus lathami halmaturinus</i></p> <p>Glossy black cockatoo (Kangaroo Island)</p>	<p><b>Recommended methods</b><sup>45</sup></p> <p>Presence most reliably detected through area searches or transects on foot through areas of drooping sheoak in search of sign of recent feeding, which consists of chewed cones that are either white (generated within previous 24 hours), cream (within a week) or orange (within about six weeks). Brown or grey chewed cones may be up to a year old. Birds found most readily during the first or last two hours of daylight when they are most active, usually by call. Feeding birds often detected by continual clicking of mandibles and sound of falling debris. Nesting and feeding areas are well known to staff of the federal environment department at Kingscote.</p> <p><b>Survey effort guide</b></p> <p>Land-based area searches* 5 hours 1 day            Targeted searches** <u>20 hours 4 days</u></p> <p>*For each area of 50 ha or less (one day's search and morning/evening watch for breeding birds sufficient to check for feeding sign or breeding in a 50 ha patch, see above)</p> <p>**Search for sign of feeding or nests</p>	<ul style="list-style-type: none"> <li>• Targeted searches would be most appropriate because of the presence of sheoak on site, the result from the Protected Matters Search that Glossy Black Cockatoos are likely to breed in the area, the presence of Glossy Black Cockatoos within 1 km of the site and known movement patterns of moving up to 12 km between feeding and breeding areas.</li> <li>• Significantly inadequate survey effort. The EBS 2016 Survey was only conducted for one day for an unspecified number of hours compared to the 20 hours, 4 day survey effort recommended for targeted searches.</li> <li>• No evidence that the survey conducted was made during the first or last two hours of daylight.</li> </ul>

<sup>45</sup>Commonwealth of Australia, *Survey Guidelines for Australia's Threatened Birds* (2010).

Species	DoEE Guidelines	Was EBS methodology/survey effort in accordance with the DoEE Guidelines?
		<ul style="list-style-type: none"> <li>No evidence of that the survey methodology included audible detection of continually clicking mandibles or falling debris.</li> <li>No active searching was conducted.</li> </ul>
2.	<p><i>Diomedea antipodensis</i></p> <p>Antipodean Albatross</p>	<p><b>Recommended methods</b><sup>46</sup></p> <p>At sea, shipboard surveys during the non-breeding season. On land, observation from onshore vantage points using telescope. Detection of flying birds. Surveys of beach cast birds may provide an opportunity to detect this species, though they provide little information on origins of specimens as bodies are usually displaced by currents and winds.</p> <p><b>Survey effort guide</b></p> <p>Shipboard surveys – <u>20 hours 3 days</u></p> <p>Land-based sea observations* - <u>8 hours 2 days</u></p> <p>* Most efficient method to conduct during <u>rough weather</u>.</p>

<sup>46</sup> Ibid.

Species	DoEE Guidelines	Was EBS methodology/survey effort in accordance with the DoEE Guidelines?
<p>3. <i>Diomedea exulans</i> Wandering albatross</p>	<p><b>Recommended methods</b><sup>47</sup></p> <p>At sea, shipboard surveys. On land, area searches or transect surveys and observation from onshore vantage points using telescopes. Detection of flying birds and nests. Colony sites well documented (Department of Primary Industries, Water and Environment, Hobart). Surveys of beach cast birds may provide an opportunity to detect this species, though they provide little information on origins of specimens as bodies are usually displaced by currents and winds.</p> <p><b>Survey effort guide</b></p> <p>Shipboard surveys 15 hours 3 days Land-based sea observations * 8 hours 4 days Land area searches or transect surveys ** 15 hours 3 days</p> <p>*Most effective method to use during rough weather **In areas up to 10 ha, during breeding season</p>	<ul style="list-style-type: none"> <li>• No observations were made during rough weather for land-based sea observations.</li> <li>• No indication that a telescope was used to detect the birds from land.</li> <li>• No land-based vantage points for sea observations were specified, if any.</li> <li>• No shipboard surveys were conducted.</li> <li>• Significantly inadequate survey effort. The EBS 2016 Survey was only conducted for one day for an unspecified number of hours.</li> </ul>
<p>4. <i>Halobaena caerulea</i> Blue Petrel</p>	<p><b>Recommended methods</b><sup>48</sup></p> <p>At sea, shipboard surveys. On land, area searches or transect surveys in potential breeding habitat to locate burrows with follow-up spotlighting at night when birds active at colony. Surveys of beach cast birds may provide an opportunity to detect this species, though they provide little information</p>	<ul style="list-style-type: none"> <li>• No shipboard searches were conducted.</li> <li>• Significantly inadequate survey effort. The EBS 2016 Survey was only conducted for one day</li> </ul>

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

Species	DoEE Guidelines	Was EBS methodology/survey effort in accordance with the DoEE Guidelines?
	<p>on origins of specimens, as bodies are usually displaced by currents and winds. Colony sites are well documented.</p> <p><b>Survey effort guide</b></p> <p>Shipboard surveys – 20 hours 3 days  Land-based area searches or line transects * 20 hours 4 days  *At sites less than 10 ha, including follow-u spotlighting at night</p>	<p>for an unspecified number of hours.</p>
<p>5.</p>	<p><i>Macronectes giganteus</i></p> <p>Southern Giant Petrel</p> <p><b>Recommended methods</b><sup>49</sup></p> <p>At sea, shipboard surveys. On land, area searches or transect surveys and observation from onshore vantage points (the latter involves using telescopes). Detection of flying birds and nests. Colony sites well documented (Department of Primary Industries, Water and Environment, Hobart). Surveys of beach cast birds may provide an opportunity to detect this species, though they provide little information on origins of specimens as bodies are usually displaced by currents and winds.</p> <p><b>Survey effort guide</b></p> <p>Shipboard surveys 15 hours 3 days  Land-based sea observations * 8 hours 4 days  Land-based area searches or transects **</p> <p>*Most effective method to use during rough weather  **In areas up to 10 ha</p>	<ul style="list-style-type: none"> <li>• No observations were made during rough weather for land-based sea observations.</li> <li>• No indication that a telescope was used to detect the birds from land.</li> <li>• No land-based vantage points for sea observations were specified, if any.</li> <li>• No shipboard surveys were conducted.</li> <li>• Significantly inadequate survey effort. The EBS 2016 Survey was only conducted for one day for an unspecified number of</li> </ul>

<sup>49</sup> Ibid.

Species	DoEE Guidelines	Was EBS methodology/survey effort in accordance with the DoEE Guidelines?
		hours.
6.	<p><i>Pachyptila turtur subantarctica</i></p> <p>Fairy Prion (Southern)</p> <p><b>Recommended methods<sup>50</sup></b></p> <p>At sea, shipboard surveys. On land, area searches or transect surveys and observation from onshore vantage points using telescopes. Detection of flying birds and burrows with follow-up spotlighting at night when birds are active at colony. Colony sites well documented (Department of Primary Industries, Water and Environment, Hobart). Surveys of beach cast birds may provide an opportunity to detect this species, though they provide little information on origins of specimens as bodies are usually displaced by currents and winds.</p> <p><b>Survey effort guide</b></p> <p>Shipboard surveys 15 hours 3 days  Land-based sea observations * 8 hours 4 days  Land-based area searches and line transects ** 20 hours 4 days</p> <p>*Most effective method to conduct during rough weather  * In potential breeding areas during breeding season, for sites up to 10 ha with follow-up spotlighting at night<sup>51</sup></p>	<ul style="list-style-type: none"> <li>• No observations were made during rough weather for land-based sea observations.</li> <li>• No indication that a telescope was used to detect the birds from land.</li> <li>• No land-based vantage points for sea observations were specified, if any.</li> <li>• No shipboard surveys were conducted.</li> <li>• Significantly inadequate survey effort. The EBS 2016 Survey was only conducted for one day for an unspecified number of hours.</li> </ul>
7.	<p><i>Phoebastria fuscica</i></p> <p>Sooty Alabatross</p> <p><b>Recommended methods<sup>52</sup></b></p> <p>At sea, shipboard surveys in the non-breeding season. On land, observation from onshore vantage points using telescopes. Detection of flying birds. Surveys of beach cast birds may provide an opportunity to</p>	<ul style="list-style-type: none"> <li>• No shipboard surveys were conducted even though these are recommended for the non-breeding season.</li> </ul>

<sup>50</sup> Ibid.

<sup>51</sup> p 81

<sup>52</sup> Ibid.

Species	DoEE Guidelines	Was EBS methodology/survey effort in accordance with the DoEE Guidelines?
	<p>detect this species, though they provide little information on origins of specimens as bodies are usually displaced by currents and winds.</p> <p><b>Survey effort guide</b></p> <p>Shipboard surveys 15 hours 3 days  Land-based sea observations * 8 hours 4 days  *Most useful during periods of rough weather</p>	<ul style="list-style-type: none"> <li>• No observations were made during rough weather for land-based sea observations.</li> <li>• No indication that a telescope was used to detect the birds from land.</li> <li>• No land-based vantage points for sea observations were specified, if any.</li> <li>• Significantly inadequate survey effort. The EBS 2016 Survey was only conducted for one day for an unspecified number of hours.</li> </ul>
8.	<p><i>Pterodroma mollis</i></p> <p>Soft-plumaged petrel</p>	<p><b>Recommended methods</b><sup>53</sup></p> <p>At sea, shipboard surveys in non-breeding season. Detection of flying birds. Surveys of beach cast birds may provide an opportunity to detect this species, though they provide little information on origins of specimens as bodies are usually displaced by currents and winds.</p> <p><b>Survey effort guide</b></p> <p>Shipboard surveys 20 hours 4 days<sup>54</sup></p>

<sup>53</sup> Ibid.

<sup>54</sup> p 181-182

Species	DoEE Guidelines	Was EBS methodology/survey effort in accordance with the DoEE Guidelines?
		<ul style="list-style-type: none"> <li>No shipboard surveys were conducted.</li> <li>Significantly inadequate survey effort. The EBS 2016 Survey was only conducted for one day for an unspecified number of hours.</li> </ul>
9.	<p><i>Thalassarche cauta</i> Shy Albatross</p> <p><b>Recommended methods<sup>55</sup></b></p> <p>At sea, shipboard surveys. On land, area searches or transect surveys, and observation from onshore vantage points (using telescopes). Detection of flying birds and nests. Colony sites well documented (Department of Primary Industries, Water and Environment, Hobart). Surveys of beach cast birds may provide an opportunity to detect this species, though they provide little information on origins of specimens as bodies are usually displaced by currents and winds.</p> <p><b>Survey effort guide:</b></p> <p>Shipboard surveys 15 hours 3 days Land-based sea observations* 8 hours 4 days Land area searches or transect surveys** 15 hours 3 days</p> <p>* Most effective during periods of rough weather *In areas up to 10 ha during breeding season</p>	<ul style="list-style-type: none"> <li>No observations were made during rough weather for land-based sea observations.</li> <li>No indication that a telescope was used to detect the birds from land.</li> <li>No land-based vantage points for sea observations were specified, if any.</li> <li>No shipboard surveys were conducted.</li> <li>Significantly inadequate survey effort. The EBS 2016 Survey was only conducted for one day for an unspecified number of hours.</li> </ul>

<sup>55</sup> Ibid.

Species	DoEE Guidelines	Was EBS methodology/survey effort in accordance with the DoEE Guidelines?
<p>10. <i>Thalassarche impavida</i></p> <p>Campbell albatross</p>	<p><b>Recommended methods</b><sup>56</sup></p> <p>At sea, shipboard surveys during non-breeding season. On land, observation from onshore vantage points using telescope. Detection of flying birds. Surveys of beach cast birds may provide an opportunity to detect this species, though they provide little information on origins of specimens as bodies are usually displaced by currents and winds.</p> <p><b>Survey effort guide</b></p> <p>Shipboard surveys 20 hours 3 days Land-based sea observations * 8 hours 4 days</p> <p>*Most effective method to conduct during rough weather<sup>57</sup></p>	<ul style="list-style-type: none"> <li>• No observations were made during rough weather for land-based sea observations.</li> <li>• No indication that a telescope was used to detect the birds from land.</li> <li>• No land-based vantage points for sea observations were specified, if any.</li> <li>• No shipboard surveys were conducted.</li> <li>• Significantly inadequate survey effort. The EBS 2016 Survey was only conducted for one day for an unspecified number of hours.</li> <li>•</li> </ul>
<p>11. <i>Thalassarche melanophris</i></p> <p>Black-browed albatross</p>	<p><b>Recommended methods</b><sup>58</sup></p> <p>Shipboard surveys. Continuous 300 m wide survey transects while vessel is in motion.</p>	<ul style="list-style-type: none"> <li>• No shipboard surveys were conducted.</li> <li>• Significantly inadequate survey</li> </ul>

<sup>56</sup> Ibid.

<sup>57</sup> p 56-57

<sup>58</sup> Ibid.

Species	DoEE Guidelines	Was EBS methodology/survey effort in accordance with the DoEE Guidelines?
	<p><b>Survey effort guide:</b> 21 hours 3 days</p>	<p>effort. The EBS 2016 Survey was made for less than 3 days for an unspecified number of hours.</p>
<p>12. <i>Thalassarche steadi</i>  White-capped albatross</p>	<p><b>Recommended methods</b><sup>59</sup></p> <p>At sea, shipboard surveys. On land, observation from onshore vantage points using telescopes. Detection of flying birds. Surveys of beach cast birds may provide an opportunity to detect this species, though they provide little information on origins of specimens as bodies are usually displaced by currents and winds.</p> <p><b>Survey effort guide</b></p> <p>Shipboard surveys 15 hours 3 days Land-based sea observations 8 hours 4 days</p>	<ul style="list-style-type: none"> <li>• No observations were made during rough weather for land-based sea observations.</li> <li>• No indication that a telescope was used to detect the birds from land.</li> <li>• No land-based vantage points for sea observations were specified, if any.</li> <li>• No shipboard surveys were conducted.</li> <li>• Significantly inadequate survey effort. The EBS 2016 Survey was only conducted for one day for an unspecified number of hours.</li> </ul>
<p>13. <i>Isodon obesulus obesulus</i>  Southern Brown Bandicoot</p>	<p>The following survey techniques are recommended to detect the presence of the Southern Brown Bandicoot in areas up to 5 hectares in size:</p>	<ul style="list-style-type: none"> <li>• No indication that search was conducted for potentially suitable habitat such as dense</li> </ul>

<sup>59</sup> Ibid.

Species	DoEE Guidelines	Was EBS methodology/survey effort in accordance with the DoEE Guidelines?
(eastern), Southern Brown Bandicoot (south-eastern)	<ul style="list-style-type: none"> <li>• daytime searches for potentially suitable habitat, such as areas with a dense understorey and thick ground- cover (description of the survey technique and recommended effort outlined in Section 3.1)</li> <li>• daytime searches for signs of activity, including tracks, scats, nests and diggings (description of the survey technique and recommended effort is outlined in Section 3.2). However, where the southern brown bandicoot occurs in sympatry with other bandicoot species, direct detection techniques should be used to distinguish between the species</li> <li>• collection of predator scats, owl casts or remains, targeting predatory bird/mammal nests/dens (description of the survey technique and recommended effort is outlined in Section 3.2)</li> <li>• soil plot surveys conducted according to the description of the technique and the recommended effort provided in Section 3.3.2 Recommended effort includes setting plots for three consecutive nights.</li> <li>• spotlight surveys conducted according to the description of the technique and the recommended effort provided in Section 3.3.3</li> <li>• hair sampling surveys (including the use of baited open tubes) with ten hair tunnels per hectare set in areas showing evidence of recent diggings and suitable habitat. These surveys should be conducted in autumn, according to the description of the technique provided in Section 3.3.7. A minimum of two surveys, each of 14 day duration, should be conducted, timed at least one month apart and at least one undertaken following significant rainfall</li> <li>• baited camera traps using universal bait (description of the survey</li> </ul>	<p>understorey and thick ground-cover.</p> <ul style="list-style-type: none"> <li>• No indication that indirect search was conducted for tracks, scats, nests and diggings.</li> <li>• No collection of predator scats, owl casts or remains. No targeting of predatory bird/mammal nests/dens.</li> <li>• No soil plot surveys conducted to detect footprints.</li> <li>• No spotlight surveys were conducted.</li> <li>• No hair sampling surveys were conducted, with a minimum of 2 surveys, each with a 14 day duration.</li> <li>• No baited camera traps were used.</li> <li>• No community liaison was contacted to detect additional populations of the species.</li> </ul>

Species	DoEE Guidelines	Was EBS methodology/survey effort in accordance with the DoEE Guidelines?
		<p>technique is outlined in Section 3.3.6) using one camera per hectare. Autumn is preferred, but can be year round if validated with supporting evidence. A minimum of two surveys, each of 14 day duration, should be conducted, timed at least one month apart and at least one undertaken following significant rainfall</p> <ul style="list-style-type: none"> <li>• community liaison to detect the location of additional populations of the species.</li> <li>• It is recommended that hair sampling surveys be conducted to distinguish between bandicoot species in a staged detection process, with initial effort focusing on searching for signs and soil plot surveys. Conducted in concert with baited camera traps, the efficacy of survey effort is likely to increase.</li> </ul>
14.	<p><i>Sminthopsis aitkeni</i> Kangaroo Island Dunnart</p>	<p>The following survey techniques are recommended to detect the presence of the Kangaroo Island Dunnart in areas up to 5 hectares in size: <sup>60</sup></p> <ul style="list-style-type: none"> <li>• daytime searches for potentially suitable habitat resources, such as habitat that has not been burnt for at least 11 years (description of the survey technique and recommended effort is provided in Section 3.1)</li> <li>• collection of predator scats, owl casts or remains, targeting predatory bird/mammal nests/dens using the technique and effort described in Section 3.2.3</li> <li>• pitfall trapping surveys (with trap depth recommended to be 60 centimetres) as the primary detection technique, conducted to the technique and effort described in Section 3.3.8</li> </ul>
		<ul style="list-style-type: none"> <li>• Search was not conducted along transects spaced at 50–100 metre intervals, or in quadrats in representative habitats to ensure that an area is systematically searched.</li> <li>• No search or collection of predator scats, owl casts or remains.</li> <li>• No pitfall trapping surveys.</li> <li>• No active searches under debris such as fallen logs.</li> <li>• No placement of artificial material on the ground and periodic checks.</li> </ul>

<sup>60</sup> Commonwealth of Australia, *Survey Guidelines for Australia's Threatened Mammals* (2011)

Species	DoEE Guidelines	Was EBS methodology/survey effort in accordance with the DoEE Guidelines?
	<ul style="list-style-type: none"> <li>• active searches under debris such as fallen logs, and potentially place artificial material on the ground and check periodically. This is a highly effective technique for the closely related common dunnart (M Schulz. pers. obs.)</li> <li>• consider the placement of camera traps in suitable habitat, as this technique is ideal for cryptic species occurring at low densities, particularly where there are no sympatric species that could be readily confused</li> <li>• community consultation may be critical for locating additional populations, particularly where people live in dwellings backing onto bush remnants.</li> </ul> <p>In particular, s 3.1 provides:</p> <p>-“For small sites it may be best to conduct the diurnal search for potential fauna habitat resources along transects spaced at 50–100 metre intervals, or in quadrats in representative habitats to ensure that an area is systematically searched.”</p> <p>Section 3.2.3 provides</p> <p>- “Predator scats and the digestive pellets (casts) of owls should be collected if detected for the identification of prey species from indigested bone and hair material (particularly relevant for small-sized prey species). “</p>	<ul style="list-style-type: none"> <li>• No camera traps were used.</li> </ul>

**Table 5: Discrepancies between minimum requirements of DoEE’s Industry Guidelines for Avoiding, Assessing and Mitigating Impacts on EPBC Act Listed Migratory Shorebird Species and EBS Ecology Survey Methodology and Survey Effort**

Species		Did the EBS Ecology Survey meet minimum requirements of DoEE’s Industry Guidelines for Avoiding, Assessing and Mitigating Impacts on EPBC Act Listed Migratory Shorebird Species			
		4 roosting surveys when species when the majority of migratory shorebirds are present in the area	4 foraging surveys	Survey during non-breeding period	Survey replication - 1 survey in December, 2 surveys in January, and 1 survey in February
1.	<i>Actitis hypoleucos</i> , <i>Tringa hypoleucos</i> Common Sandpiper	☐	☐	☐	☐
2.	<i>Arenaria interpres</i> Ruddy Turnstone	☐	☐	☐	☐
3.	<i>Calidris acuminata</i> , <i>Calidris acuminata</i> Sharp-tailed Sandpiper	☐	☐	☐	☐
4.	<i>Calidris canutus</i> Red Knot, Knot	☐	☐	☐	☐
5.	<i>Calidris ferruginea</i> Curlew Sandpiper	☐	☐	☐	☐

Species		Did the EBS Ecology Survey meet minimum requirements of DoEE's Industry Guidelines for Avoiding, Assessing and Mitigating Impacts on EPBC Act Listed Migratory Shorebird Species			
6.	<i>Calidris melanotos</i> Red-necked Stint	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	<i>Gallinago hardwickii</i> Latham's Snipe, Japanese Snipe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	<i>Limosa lapponica</i> Bar-tailed Godwit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.	<i>Tringa nebularia</i> Common Greenshank, Greenshank	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 2.3 EBS Ecology failed to conduct surveys in accordance with DoEE’s Draft Survey Guidelines for Australia’s Threatened Orchids

The Protected Matters Search Tool identified the potential presence of the following threatened orchids in the EMBA:

- *Caladenia tensa*, Greencomb Spider-orchid, Rigid Spider-orchid; and
- *Thelymitra matthewsii*, Spiral Sun-orchid.

The EMBA was likely to contain both species as the site contained suitable habitat. The DoEE’s Draft Survey Guidelines for Australia’s Threatened Orchids (**DoEE Draft Survey Guidelines**) provided the following relevant information regarding the orchids:

**Table 6: Distribution, habitat and peak detectability the Greencomb Spider-orchid and the Spiral Sun-orchid**

	Species name	EPBC threatened status	Distribution	Landscape-scale habitat	Peak detectability
1.	<i>Caladenia tensa</i> <i>G.W.Carr</i>  Greenscomb Spider-orchid	Endangered	Victoria, SA	Dry open woodland in various habitats including dry cypress-pine (family Cupressaceae)/yellow gum woodland, pine/box woodland, mallee-heath sites, heathy woodland and mallee woodland, generally with rock outcrops	Peak flowering period: late August–November
2.	<i>Thelymitra matthewsii</i> Cheeseman  Spiral Sun-orchid	Vulnerable	SA, Victoria	Open forests and woodlands	Peak flowering period: late August to early October It is a post-disturbance coloniser

It was critical for KIPT/EBS to conduct searches for the above threatened orchids in accordance with the DoEE’s Survey Guidelines because of the challenges in detecting the orchids. These challenges are set out below:

### “1.2.1 Response to the environmental conditions

- Most terrestrial orchids remain dormant, in the form of an underground tuber, for up to six months of the year when they cannot be detected during surveys. Some

terrestrial orchid species have the potential to survive for up to three years before more favourable environmental conditions allow for them to emerge.

- Orchids may not respond immediately to seasonal conditions such as recent rain.
  
- The flowering of most winter and spring flowering southern terrestrial orchids is triggered by late autumn and winter rains. In prolonged droughts they may not appear at all, or if leaves do appear they may be very small or wither before flowering or the young flower spike may abort. The failure to find orchids in drought years or when rainfall events do not occur at the right time does not necessarily mean that they are truly absent.
  
- The proportion of flowering to non-flowering plants is influenced by environmental conditions; therefore, the species may be present but overlooked when only non-flowering plants are present. In addition, not all plants in a population or different populations are likely to flower at the same time.
  
- Once mature, most southern terrestrial orchids are dormant in summer, surviving as an underground tuber from which they re-sprout in autumn following the onset of rain and a drop in temperature. These orchids will only be visible above ground while in active growth. A feature of these orchids is their capacity to persist underground for one or more years as tubers without producing above-ground parts. This is most common in the drier, inland regions and makes surveys of some rare orchids difficult as more plants are dormant, rather than flowering, most years.

### 1.2.2 Flowering

- Most orchids flower over a short period, usually in the order of weeks. Some flower only for a few days, making detectability dependent on the accurate timing of surveys. The exceptions are those few species with distinctive leaves (such as *Drakaea elastica*) that are recognisable over a longer period.
  
- Surveys early or late in the flowering period may miss those plants that are in bud or have finished flowering. For most species several surveys are required during the species' flowering period to pick up all plants.
  
- Some species only flower after certain disturbance events, notably summer fire.
  
- Most orchids do not flower every year and in any population there may be more vegetative plants than flowering plants. This means flowering plants will be in different places each year.

### 1.2.3 Life history

- Some species are extremely difficult to find, such as subterranean or very small orchids. For example, in *Rhizanthella gardneri* (Western Australian Underground Orchid) and *R. slateri* (Eastern Underground Orchid), the tips of the involucral bracts break the surface of the soil but are still hidden under the leaf and bark litter, making plants almost impossible to see. These orchids require very careful searches and specialist knowledge of the species.
  
- Identification can be complicated by the occurrence of natural hybridisation and variation in floral morphology. Some species may co-occur with closely related species with which they could be mistaken and require specialist skills to identify. Surveys for these species may not locate them or they may be recorded in much higher numbers if confused with a more common species.

- When underground tubers re-sprout, leaves usually emerge many months before flowering. The leaves may be difficult to distinguish from other vegetation and, when found, difficult to identify to species level.
- Orchid seedlings are very small for the first growing season and are difficult to locate and identify. Seedling leaves are typically less than 20 millimetres long and only a few millimetres wide.
- Many threatened orchid species occupy specific habitats. Knowledge and survey of the appropriate habitat is required to locate them.
- Some animals eat orchid leaves, flower buds and/or flower heads. Losses of plant parts can affect detection.<sup>61</sup>

The 2016 and 2018 EBS Ecology Surveys were not in accordance with the Survey Guidelines for Australia's Threatened Orchids for the following reasons:

- Expertise – There is no evidence to indicate that the surveys were conducted by persons with experience in field identification of threatened orchid species or that at least one member of the team who has seen the species growing in the wild accompanied the field team of all times.<sup>62</sup>
- Optimal timing – There is no evidence to indicate that any consideration was given towards conducting the survey at appropriate survey conditions and avoiding sub-optimal conditions. The timing of fieldwork is critical to the surveying and reporting process and increasing confidence in the survey results. The first EBS Survey was conducted on 17 August 2016. The second EBS Survey was conducted on 15 February 2018. Neither was conducted during peak flowering time, which occurs from late August to November for the Greenscomb Spider-orchid and from late August to early October for the Spiral Sun-orchid. No records were made of weather conditions, climatic variability, disturbances before or during the survey, which could affect survey results.
- Replicated sampling – There was no attempt made for replicated sampling to account for fluctuations in abundance, occurrence or detectability over time of the orchids.
- Survey technique – Given that quadrat-based surveys or meandering searches alone are not considered to be adequate survey technique, systematic targeted searches in transects at six meter intervals, searching within three meters to either side.<sup>63</sup> There is no evidence that this was done.

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<sup>61</sup> Commonwealth of Australia, *Draft Survey Guidelines for Australia's Threatened Orchids* (2010) 7-8.

<sup>62</sup> Ibid 10.

<sup>63</sup> Ibid 16.

### 3. KIPT and EBS' failure to conduct surveys in accordance with the DoEE Survey Guidelines, the DoEE Shorebird Guidelines and the Draft DoEE Survey Guidelines and as set out in 2 above, should be grounds for DoEE to apply the precautionary principle in determining whether MNEs are present in the EMBA.

#### 3.1 Application of the Precautionary Principle

The DoEE Survey Guidelines and Draft Survey Guidelines in relation to threatened birds and mammals provide that in the absence of appropriate surveys being conducted, the precautionary principle may apply.

The DoEE Survey Guideline for Australia's Threatened Mammals provides:

"Failing to survey appropriately for threatened species that may be present at a site could result in the department applying the precautionary principle with regard to significant impact determinations. That is, if no supporting evidence (such as survey results) is presented to support the claim of species absence, then the department may assume that the species is in fact present. The department will not accept claimed species absence without effective validation such as through these survey guidelines, other survey techniques (for example, a state guideline or an accepted industry guideline), or relevant expertise. Where a claim of absence is made, proposals should provide a robust evaluation of species absence."<sup>64</sup>

Similar application of the precautionary principle is recommended by the DoEE Survey Guideline for Australia's Threatened Birds<sup>65</sup> and the Draft Survey Guidelines for Australia's Threatened Orchids.<sup>66</sup>

#### 3.2 MNES that should be assumed to be present in the EMBA

It is submitted that without appropriately conducted surveys, the DoEE should find that the MNES listed in Tables 4-6 above are present in the EMBA. These MNES are as follows:

Birds:

- *Actitis hypoleucos*, *Tringa hypoleucos*, Common Sandpiper
- *Calidris acuminata*, *Calidris aeuminata*, Sharp-tailed Sandpiper
- *Calidris canutus*, Red Knot, Knot
- *Calidris ferruginea*, Curlew Sandpiper
- *Calidris melanotos*, Red-necked Stint
- *Calyptorhynchus lathamii halmaturinus* Glossy Black Cockatoo (Kangaroo Island)

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<sup>64</sup> Commonwealth of Australia, *Survey Guidelines for Australia's Threatened Mammals* (2011) 1.

<sup>65</sup> Commonwealth of Australia, *Survey Guidelines for Australia's Threatened Birds* (2010) 1.

<sup>66</sup> Commonwealth of Australia, *Draft Survey Guidelines for Australia's Threatened Orchids* (2010) 9.

- *Diomedea antipodensis* Antipodean Albatross
- *Diomedea exulans* Wandering albatross
- *Gallinago hardwickii*, Latham's Snipe, Japanese Snipe
- *Halobaena caerulea*, Blue Petrel
- *Limosa lapponica*, Bar-tailed Godwit
- *Macronectes giganteus*, Southern Giant Petrel
- *Pachyptila turtur subantarctica*, Fairy Prion (Southern)
- *Phoebastria fuscica*, Sooty Albatross
- *Pterodroma mollis*, Soft-plumaged petrel
- *Thalassarche cauta*, Shy Albatross
- *Thalassarche impavida*, Campbell albatross
- *Thalassarche melanophris*, Black-browed albatross
- *Thalassarche steadi*, White-capped albatross
- *Tringa nebularia*, Common Greenshank, Greenshank

#### Mammals

- *Isodon obesulus obesulus*, Southern Brown Bandicoot (eastern)
- *Sminthopsis aitkeni*, Kangaroo Island Dunnart

#### Plants

- *Caladenia tensa*, Greenscomb Spider-orchid
- *Thelymitra matthewsii* Cheeseman, Spiral Sun-orchid

4. KIPT, for the most part, has failed to evaluate or address the environmental impacts and risks associated with the proposed action in relation to most of the MNEs that may, are likely or are known to be in the EMBA. It has also failed to take into account Significant Impact Guideline 1.1 in relation to making such evaluations.

4.1 KIPT failed to evaluate or address the environmental impacts and risks associated with the proposed action in relation to most of the MNEs that were potentially present in the EMBA

KIPT failed to provide any risk analysis or evaluation regarding the environmental impacts and risks of the proposed action in relation to the following MNEs:

**Table 7: MNEs in relation to which KIPT has failed to provide any risk analysis or evaluation of potential impacts**

Scientific and common name		EPBC Act Status	Type of presence for reasons set out in Table [insert]
<b>Birds</b>			
1.	<i>Botaurus poiciloptilus</i> Australian Bittern	Endangered	Species or species habitat <b>likely</b> to occur within area
2.	<i>Diomedea antipodensis</i> Antipodean Albatross	Vulnerable, Migratory	Species or species habitat <b>likely</b> to occur within area.  Foraging, feeding or related behavior <b>likely</b> to occur within area.
3.	<i>Diomedea exulans</i> Wandering Albatross	Vulnerable, Migratory	Species or species habitat <b>likely</b> to occur within area.  Foraging, feeding or related behavior <b>likely</b> to occur within area.
4.	<i>Diomedea sanfordi</i> Northern Royal Albatross	Endangered, Migratory	Species or species habitat <b>likely</b> to occur within area.  Foraging, feeding or related behavior <b>likely</b> to occur within area.
5.	<i>Limosa lapponica baueri</i> Bar-tailed Godwit (baueri), Western Alaskan Bar-tailed Godwit	Vulnerable	Species or species habitat <b>likely</b> to occur within area.
6.	<i>Limosa lapponica menzbieri</i>	Critically endangered	Species or species habitat <b>likely</b> to occur within area.

	Scientific and common name	EPBC Act Status	Type of presence for reasons set out in Table [insert]
	Northern Siberian Bar-tailed Godwit, Bar-Tailed Godwit (menzbieri)		
7.	<i>Numenius madagascariensis</i> Eastern Curlew, Far Eastern Curlew	Critically endangered, migratory wetland	Species or species habitat <b>likely</b> to occur within area.
8.	<i>Pterodroma mollis</i> Soft-plumaged Petrel	Vulnerable	Species or species habitat <b>likely</b> to occur within area.
9.	<i>Rosastrula Australia</i> Australian painted snipe	Endangered	Species or species habitat <b>may</b> occur within area.
10.	<i>Thalassarche impavida</i> Campbell Albatross, Campbell Black-browed Albatross	Vulnerable, Migratory	Species or species habitat <b>likely</b> to occur within area.
11.	<i>Thalassarche steadi</i> White-capped Albatross	Vulnerable, Migratory	Species or species habitat <b>likely</b> to occur within area.
12.	<i>Zoothera lunulata halmaturina</i> Bassian Thrush (South Australian)	Vulnerable	Species or species habitat <b>likely</b> to occur in area
<b>Reptiles</b>			
13.	<i>Caretta caretta</i> Loggerhead Turtle	Endangered, Migratory	Species or species habitat <b>likely</b> to occur in area.  Breeding <b>likely</b> to occur within area.
14.	<i>Dermochelys coriacea</i> Leatherback Turtle	Endangered	Species or species habitat <b>likely</b> to occur in area.
<b>Plants</b>			
15.	<i>Caladenia tensa</i> <i>G.W.Carr</i> Greenscomb Spider-orchid	Endangered	Species or species habitat <b>likely</b> to occur within area.
16.	<i>Thelymitra matthewsii</i> Cheeseman Spiral Sun-orchid	Vulnerable	Species or species habitat <b>likely</b> to occur within area.

## 4.2 KIPT failed to apply Significant Impact Guideline 1.1 in relation to critically endangered, endangered species and vulnerable species

Guideline 1.6 requires EBS Ecology to apply Significant Impact Guideline 1.1 to describe the nature and extent of the likely direct, indirect and consequential impacts (short-term and long-term) of the project.

Significant Impact Guideline 1.1 provides that the following significant impact criteria apply when assessing an action's impact on a critically endangered or endangered species:

*“An action is likely to have a significant impact on a critically endangered or endangered species if there is a real chance or possibility that it will:*

- *lead to a long-term decrease in the size of a population*
- *reduce the area of occupancy of the species*
- *fragment an existing population into two or more populations*
- *adversely affect habitat critical to the survival of a species*
- *disrupt the breeding cycle of a population*
- *modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline*
- *result in invasive species that are harmful to a critically endangered or endangered species becoming established in the endangered or critically endangered species' habitat*
- *introduce disease that may cause the species to decline, or*
- *interfere with the recovery of the species.”*

Significant Impact Guideline 1.1 also provides that the following significant impact criteria apply when assessing an action's impact on a vulnerable species:

*“An action is likely to have a significant impact on a vulnerable species if there is a real chance or possibility that it will:*

- *lead to a long-term decrease in the size of an important population of a species*  
*reduce the area of occupancy of an important population*
- *fragment an existing important population into two or more populations*  
*adversely affect habitat critical to the survival of a species*
- *disrupt the breeding cycle of an important population*
- *modify, destroy, remove or isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline*

- *result in invasive species that are harmful to a vulnerable species becoming established in the vulnerable species' habitat*
- *introduce disease that may cause the species to decline, or interfere substantially with the recovery of the species.*

In assessing whether the proposed action is likely to have a significant impact on critically endangered or endangered species, KIPT/EBS was required to have regard to all of the above criteria. For of the MNES, KIPT/EBS only addressed whether there was habitat critical to the survival of the species without addressing any of the other criteria (see, for example, the significant impact analysis by KIPT/EBS of *Sternula nereis nereis*, the Australian Fairy Tern and *Neophoca cinerea*, the Australian Sea-lion as set out in Table 3 above).

It is submitted that KIPT/EBS's substantial failure to address the significant impact criteria in Significant Impact Guideline 1.1 is a failure to prepare the EIS in accordance with Guideline 1.6, which requires KIPT to "describe all the relevant impacts the proposal may have on the above listed MNES".

## 5. The proposed development will have a significant impact on MNEs in the EMBA.

### 5.1 Noise impacts

According to the KIPT's Environmental Noise Impact Assessment (**ENIA**), the primary method of piling for infrastructure construction is expected to be impact piling. The ENIA provides:

*"For the purposes of this assessment it is assumed that the primary piling methodology is impact piling. On average around one pile will be installed per day, with a total of approximately 140 piles to be installed. Up to 1,800 impacts per day may be expected during piling.*

*Based on a steel pile diameter of approximately 0.9m, a source level of SEL 198 dB re 1  $\mu$ Pa<sup>2</sup> ·s per impact and a peak level of 225 dB re 1  $\mu$ Pa@ 1m have been determined from (Rodkin et. al.)."*

#### 5.1.1 Impacts on Southern Right Whales

Southern Right Whales are an endangered, migratory species that have been proposed to have two separate populations based on differentiation in mtDNA haplotype. Southern right whales in the vicinity of the EMBA are part of south-east Australian population, and are estimated to have a population of 3500 individuals.<sup>67</sup> According to the Conservation Management Plan for Southern

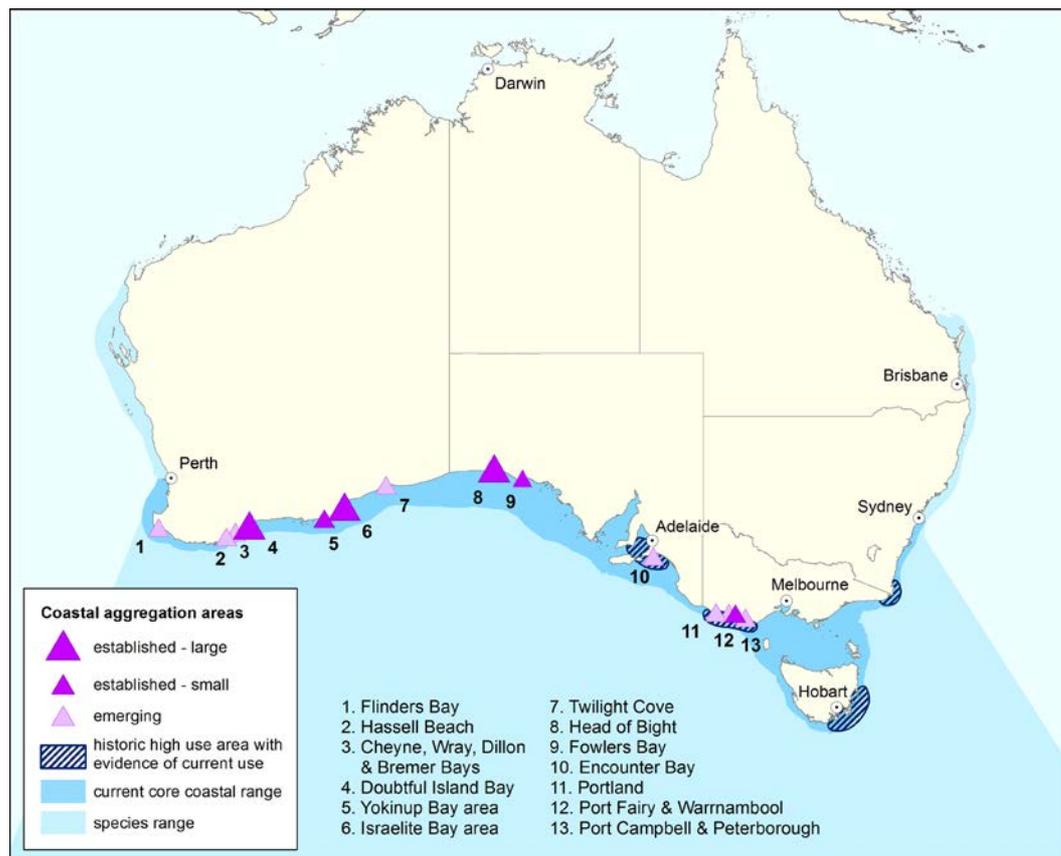
<sup>67</sup> Commonwealth of Australia, (2012) *Conservation Management Plan for the Southern Right Whale: A Recovery Plan under the Environment Protection and Biodiversity Conservation Act 1999, 2011–2021*

Right Whales, the south-east population from Ceduna to Sydney, including Tasmania is not recovering well in terms of spatial recovery.

The proposal is likely to have a significant impact upon the Southern Right Whale because the EMBA is within the core coastal connecting habitat, which may serve as migratory habitat (see Fig 20 below). The Conservation Management Plan for Southern Right Whales recognises that such connecting habitat constitutes a BIA that is necessary for the Southern Right Whale’s essential life functions and, as the species begins to recover, may emerge as calving habitat (some locations within connecting habitat are occupied intermittently but do not yet meet criteria for aggregation areas).<sup>68</sup> The Conservation Management Plan also recognises that is important to preserve adequate suitable habitat to enable spatial recovery for the south-east population for the whales.

Further, the National Conservation Values Atlas provides that the entire coastline, to a distance of 1.5 km offshore, of Kangaroo Island is used as seasonal calving habitat for the Southern Right Whale. The Protected Matters Search Tool also provides that the breeding is known to occur within the area.

Figure 22: Coastal aggregation areas for Southern Right Whales



<sup>68</sup> Commonwealth of Australia, (2012) *Conservation Management Plan for the Southern Right Whale: A Recovery Plan under the Environment Protection and Biodiversity Conservation Act 1999, 2011–2021*

Underwater noise can cause stress in whales. The exposure of whales to noise has been compared to living in a permanent construction zone. The stress response shunts resources away from reproduction. It causes their adrenal glands to produce adrenaline and stress hormones, and also causes weight loss and immunosuppression. A 2011 study found that ship traffic can cause chronic stress in whales.

Further, acoustic communication between whales is an important biological function in the marine ecosystem, where there is limited visibility. Whales are highly intelligent, social beings and communicate in clicking, moaning, singing and calling.

Noise masks whale expressions between families and can affect orientation, feeding, care of young, detection of prey and aggression. Almost every aspect of whales' lives is dependent on sound including finding food.<sup>69</sup>

Noise from the proposed action is likely to affect Southern Right Whales by causing behavioural disturbance, temporary injury and permanent injury to Southern Right Whales. In particular:

- Dredging activity noise (grab, cutter suction and backhoe dredging) is above noise thresholds for behavioural disturbance and temporary injury (see Table 8 below);
- Impact piling noise is above noise thresholds for behavioural disturbance, temporary injury and permanent injury (see Table 9 below); and
- Vessels noise is above the noise threshold of 140 dB pre 1  $\mu$ Pa for behavioural disturbance (see Table 10 below).

The potential for disturbance and injury to the Southern Right Whales is further increased by the distance for the various thresholds. The table provided by KIPT (see Table 11 below) provides that temporary and permanent injury from piling may affect whales as far as 6500 m and 900 meters from the source of the noise respectively. Behavioural disturbance from dredging noise can extend for as far as 6000 m.

Given the sensitivity of the area as both coastal migratory and breeding habitat for the Southern Right Whale this is likely to have the effect of:

- leading to a long-term decrease in the size of a population;
- reduce the area of occupancy of the species;

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<sup>69</sup> Jim Robbins, 'Oceans Are Getting Louder, Posing Potential Threats to Marine Life', *The New York Times* (online), 22 January 2019  
<<https://www.nytimes.com/2019/01/22/science/oceans-whales-noise-offshore-drilling.html>>

- adversely affect habitat critical to the survival of a species;
- disrupt the breeding cycle of a population;
- modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline; and
- interfere with the recovery of the species.

**Table 8: Comparison between Operational Noise from Dredging and Accoustic Thresholds for the Southern Right Whale**

	<b>Operational Activity</b>	<b>Noise level</b>	<b>Behavioral Disturbance</b>	<b>PTS</b>	<b>TTS</b>
1	Grab dredging  Contact of bucket and digging of sediment	157 and 146 dB re 1µPa@ 1m	<b>120 dB pre 1 1µPa</b>	199 dB pre 1 1µPa	179 dB pre 1 1µPa
2	Cutter suction dredging	187 dB re 1µPa@ 1m	<b>120 dB pre 1 1µPa</b>	199 dB pre 1 1µPa	<b>179 dB pre 1 1µPa</b>
3	Backhoe dredging	154 and 179 dB re 1µPa@ 1m	<b>120 dB pre 1 1µPa</b>	199 dB pre 1 1µPa	179 dB pre 1 1µPa

**Table 9: Comparison between Operational Noise from Dredging and Accoustic Thresholds for the Southern Right Whale**

	<b>Operational Activity</b>	<b>Noise level</b>	<b>Behavioral Disturbance<sup>70</sup></b>	<b>Injury (PTS)</b>	<b>TTS</b>
1	Impact Piling	Peak 190-245 dB re 1 µPa.  Single Pulse SEL 170-225 dB re 1 µPa <sup>2</sup> ·s	<b>SPL 160 dB re 1 µPa</b>	<b>Peak 230 dB re 1 µPa</b>  <b>SEL 198 dB(Mlf) re 1 µPa ·s</b>	<b>Peak 224 dB re 1 µPa</b>  <b>SEL 183 dB(Mlf) re 1 µPa ·s</b>
2	Vibro Driving	160–200 dB re 1 µPa	<b>SPL 120 dB re 1 µPa</b>	<b>Peak 230 dB re 1 µPa</b> <b>SEL 215 dB(Mlf) re 1 µPa ·s</b>	<b>SPL 180 dB re 1 µPa</b>

<sup>70</sup> Department of Transport, Planning and Infrastructure, *Underwater Piling Noise Guidelines* (November 2012) 16.

**Table 10: Expected Operational Noise from Vessels<sup>71</sup>**



**Table 11: Summary of Underwater Noise Predictions Showing Threshold Distances<sup>72</sup>**

Species	Noise source	Threshold distances (metres)			
		Organ damage	Permanent threshold shift	Temporary threshold shift	Behavioural response
<i>Low-frequency (LF) cetaceans:</i> • blue whale • southern right whale • humpback whale	Dredging	-	-	500 <sup>(1)</sup>	6000
	Piling	-	900	6500	1600 <sup>(2)</sup>
	Vessels	-	-	10	2000
<i>Otariid pinnipeds:</i> • Australian sea-lion	Dredging	-	-	25 <sup>(1)</sup>	6000
	Piling	-	-	110	1600
	Vessels	-	-	-	2000
<i>Fish (no swim bladder):</i> • great white shark	Dredging	-	-	<100	<1000
	Piling	6	6	680	<1000
	Vessels	-	-	<100	<1000
<i>Turtles:</i> • loggerhead turtle • green sea turtle • leatherback turtle	Dredging	-	-	<100	<1000
	Piling	20	<100	<100	<1000
	Vessels	-	-	<100	<1000

(1) Based on an exposure time of 30 minutes to worst-case dredging noise.

(2) TTS and PTS thresholds for low-frequency cetaceans are expressed in SELC, while behavioural response criteria are expressed as RMS noise levels. The SELC descriptor takes into account the assumed duration of exposure and results in a significantly more stringent threshold than RMS criteria, which only consider noise from a single impact. This results in a larger TTS threshold distance than predicted for behavioural response.

### 5.1.2 Impacts on Australian Sea Lions

The Australian Sea Lion is listed as vulnerable under the EPBC Act and as threatened under the *National Parks and Wildlife Act 1972 (SA)*. They are also listed as endangered and decreasing on the IUCN Red List. The current

<sup>71</sup> Kangaroo Island Plantation Timbers, 'Draft Environmental Impact Statement' (January 2019) Appendix N.

<sup>72</sup> Kangaroo Island Plantation Timbers, 'Draft Environmental Impact Statement' (January 2019) 421.

population of Australian Sea Lions is estimated at 6,500<sup>73</sup> and it is the rarest pinniped in the world.<sup>74</sup>

The Seal Bay colony has shown a decrease of 0.77% per year of pup production (12% decline between 1985–2003). Smaller colonies in WA and SA also show signs of decline. In 60% of breeding sites, less than 25 pups are born every year.

The Great Australian Bight Research Program published probability modeling of Australian Sea Lion in the Great Australian Bight, including the EMBA. The modeling showed relatively high levels of probability of occurrence of female and male Australian Sea Lions in the EMBA (see Fig 12 above) . It also showed high probability of female Australian Sea Lions using the EMBA as foraging habitat and moderate probability of male Australian Sea Lions using the EMBA as foraging habitat (see Fig 13 above).

Accordingly, it is submitted that the EMBA contains a habitat critical to the survival to the species, as defined by Significant Impact Guideline 1.1 as an area that is necessary for “for activities such as foraging, breeding, roosting, or dispersal”.

Noise from the proposed action is likely to affect the Australian Sea Lion by causing behavioural disturbance, temporary injury and permanent injury to the Australian Sea Lion in the following ways:

- Dredging activity noise (grab, cutter suction and backhoe dredging) is above noise thresholds for behavioural disturbance and temporary injury (see Table 8 below);
- Impact piling noise is above noise thresholds for behavioural disturbance, temporary injury and permanent injury (see Table 9 below); and
- Vessels noise is above the noise threshold of 120 dB pre 1 1µPa for behavioural disturbance (see Table 10 below).

The potential for disturbance and injury to Australian Sea Lions is further increased by the distance for the various thresholds. The table provided by KIPT (see Table 11 below) provides that temporary and behavioural disturbance from piling may affect Australian Sea Lions as far as 110 m and 1600 meters from the source of the noise respectively. Behavioural disturbance from dredging noise can extend for as far as 6000 m.

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<sup>73</sup> Goldsworthy, S.D. 2015. *Neophoca cinerea*. *The IUCN Red List of Threatened Species* 2015: e.T14549A45228341. <http://dx.doi.org/10.2305/IUCN.UK.2015-2.RLTS.T14549A45228341.en>. Downloaded on 28 May 2019.

<sup>74</sup> Department of the Environment (2019). *Neophoca cinerea* in Species Profile and Threats Database, Department of the Environment, Canberra. Available from: <http://www.environment.gov.au/sprat>. Accessed Tue, 28 May 2019 14:20:59 +1000.

Given the sensitivity of the area as foraging habitat for the Australian Sea Lion and the proximity of breeding colonies to the south of Kangaroo Island, this is likely to have the effect of:

- adversely affecting habitat critical to the survival of a species;
- disrupting the breeding cycle of a population;
- modifying, destroying, removing, isolating or decreasing the availability or quality of habitat to the extent that the species is likely to decline;  
and
- interfering with the recovery of the species.”

**Table 12: Comparison between Operational Noise from Dredging and Accoustic Thresholds for the Australian Sea Lion<sup>75</sup>**

	<b>Operational Activity</b>	<b>Noise level</b>	<b>Behavioral Disturbance</b>	<b>Injury (PTS)</b>	<b>TTS</b>
1	Grab dredging (Contact of bucket and digging of sediment)	157 and 146 dB re 1µPa@ 1m	<b>SPL 120 dB re 1 µPa</b>	177 dB pre 1 1µPa	<b>157 dB pre 1 1µPa</b>
2	Cutter suction dredging	187 dB re 1µPa@ 1m	<b>SPL 120 dB re 1 µPa</b>	177 dB pre 1 1µPa	<b>157 dB pre 1 1µPa</b>
3	Backhoe dredging	154 and 179 dB re 1µPa@ 1m	<b>SPL 120 dB re 1 µPa</b>	177 dB pre 1 1µPa	<b>157 dB pre 1 1µPa</b>

**Table 13: Comparison between Operational Noise from Piling and Accoustic Thresholds for the Australian Sea Lion**

	<b>Operational Activity</b>	<b>Noise level</b>	<b>Behavioral Disturbance<sup>76</sup></b>	<b>Injury (PTS)<sup>77</sup></b>	<b>TTS</b>
1	Impact Piling	Peak 190-245 dB re 1 µPa.  Single Pulse SEL 170-225 dB re 1 µPa <sup>2</sup> ·s	<b>SPL 160 dB re 1 µPa</b>	<b>Peak 167dB re 1 µPa SEL</b>  <b>161 dB(Mpw) re 1 µPa ·s</b>	<b>Peak 161 dB re 1 µPa</b>  <b>SEL 146dB (Mpw) re 1 µPa ·s</b>

<sup>75</sup> Brandon L. Southall, James J. Finneran, Colleen Reichmuth, Paul E. Nachtigall, Darlene R. Ketten, Ann E. Bowles, William T. Ellison, Douglas P. Nowacek, and Peter L. Tyack, 'Marine Mammal Noise Exposure Criteria: Updated Scientific Recommendations for Residual Hearing Effects' 45(2) *Aquatic Mammals* 125.

<sup>76</sup> Department of Transport, Planning and Infrastructure, *Underwater Piling Noise Guidelines* (November 2012) 16.

<sup>77</sup> Department of Transport, Planning and Infrastructure, *Underwater Piling Noise Guidelines* (November 2012) 18.

2	Vibro Driving	160–200 dB re 1 $\mu$ Pa	<b>SPL 120 dB re 1 <math>\mu</math>Pa</b>	Peak 218 dB re 1 $\mu$ Pa SEL 203 dB(Mpw) re 1 $\mu$ Pa ·s	<b>SPL 190 dB re 1 <math>\mu</math>Pa</b>
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### 5.1.3 Impacts on the Loggerhead Turtle, Green Turtle and Leatherback Turtle

#### Loggerhead Turtle

The Loggerhead Turtle is an endangered, migratory and listed marine species under the EPBC Act. Australia has two genetically distinct populations in eastern and western Australia. The eastern Australian population declined by 86% between 1977 and 2000. In 2000, there were only 500 nesting females in the population.<sup>78</sup>

The Loggerhead Turtle is likely to be present in the EMBA based on SPRAT Distribution Map and the availability of foraging habitat in the EMBA. Further, the Protected Matters Search provides that “breeding is likely to occur within area.”

#### Green Turtle

The Green Turtle is a vulnerable, migratory and listed marine species under the EPBC Act. The Green Turtle is known to be present in the EMBA based on Protected Matters Search result, which provides that “species or species habitat known to occur within area”. The presence of the Green Turtle is also likely based on the SPRAT distribution map, Atlas of Living Australia records, and the availability of foraging habitat in the EMBA.

#### Leatherback Turtle

The Leatherback Turtle is an endangered, migratory and listed marine species under the EPBC Act. The Leatherback Turtle is known to be present in the EMBA based on Protected Matters Search result, which provides that “species or species habitat known to occur within area”. The presence of the Leatherback Turtle is also likely based on the SPRAT distribution map and Atlas of Living Australia records of the Leatherback Turtle off the northern coast of Kangaroo Island.

#### Noise Impacts on Turtles

Morphological examinations of turtles describe sea turtles as having typical reptilian ears with few underwater modifications. Sea turtles use their hearing to navigate their environment, using sound as critical information for environmental assessment, orientation and navigation. Directional hearing is also critical for turtles to move towards a food source or mate and away from a potential predators.

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<sup>78</sup> Department of the Environment (2019). *Caretta caretta* in Species Profile and Threats Database, Department of the Environment, Canberra. Available from: <http://www.environment.gov.au/sprat>. Accessed Tue, 28 May 2019

Noise from the proposed action is likely to affect the Loggerhead Turtle, Green Turtle and Leatherback Turtle by causing behavioural disturbance, temporary injury and permanent injury to the turtles in the following ways:

- Dredging activity noise (grab, cutter suction and backhoe dredging) presents a high risk at a near distance for temporary and permanent injury. It presents a moderate risk of behavior modification (see Table 8 below); and
- Impact piling noise presents a high risk at a near distance for behavioural disturbance, masking, temporary injury and permanent injury (see Table 9 below).

The potential for disturbance and injury to Loggerhead, Green and Leatherback Turtles is further increased by the distance for the various thresholds. The table provided by KIPT (see Table 11 below) provides that temporary and behavioural disturbance from piling may affect Loggerhead, Green and Leatherback Turtles at distances < 100 m and 1000 meters from the source of the noise respectively. Temporary injury and behavioural disturbance from dredging noise may occur at distances < 100 m and 1000 meters respectively.

Given the sensitivity of the area as both foraging and breeding habitat for the Loggerhead, Green and Leatherback Turtles this is likely to have the effect of:

- leading to a long-term decrease in the size of a population;
- reducing the area of occupancy of the species;
- adversely affecting habitat critical to the survival of a species;
- disrupting the breeding cycle of a population;
- modifying, destroying, removing, isolating or decreasing the availability or quality of habitat to the extent that the species is likely to decline; and
- interfering with the recovery of the species.”

**Table 14: Comparison between Operational Noise from Dredging and Accoustic Thresholds for the Sea Turtles<sup>79</sup>**

	Operational Activity	Noise Levels	Mortality and potential mortal injury	Impairment			
				Recoverable injury	TTS	Masking	Behaviour
1.	Grab dredging Contact of bucket and digging of sediment	157 and 146 dB re 1µPa@ 1m	210 dB SELcum or >207 dB peak	(N) High (I) Low (F) Low	(N) High (I) Low (F) Low	(N) High (I) Moderate (F) Low	(N) Moderate (I) Low (F) Low
2.	Cutter suction dredging	187 dB re 1µPa@ 1m	210 dB SELcum or >207 dB peak	(N) High (I) Low (F) Low	(N) High (I) Low (F) Low	(N) High (I) Moderate (F) Low	(N) Moderate (I) Low (F) Low
3.	Backhoe dredging	154 and 179 dB re 1µPa@ 1m	210 dB SELcum or >207 dB peak	(N) High (I) Low (F) Low	(N) High (I) Low (F) Low	(N) High (I) Moderate (F) Low	(N) Moderate (I) Low (F) Low

**Table 14: Comparison between Operational Noise from Dredging and Accoustic Thresholds for the Loggerhead Turtle, Green Turtle and Leatherback Turtle<sup>80</sup>**

	Operational Activity	Noise Levels	Mortality and potential mortal injury	Impairment			
1.	Impact Piling	Peak 190-245 dB	<b>210 dB SELcum</b>	(N) High	(N) High	(N) High	(N) High

<sup>79</sup> Arthur N. Popper, Anthony D. Hawkins, Richard R. Fay, David A. Mann, Soraya Bartol, Thomas J. Carlson Sheryl Coombs, William T. Ellison Roger L. Gentry, Michele B. Halvorsen, Svein Løkkeborg, Peter H. Rogers, Brandon L. Southall, David G. Zeddies and William N. Tavalga, 'Sound Exposure Guidelines for Fishes and Sea Turtles: A Technical Report prepared by ANSI-Accredited Standards Committee S3/SC1 and registered with ANSI' (Acoustical Society of America, 2014).

<sup>80</sup> Ibid.

		re 1 $\mu$ Pa.  Single Pulse SEL 170-225 dB re 1 $\mu$ Pa <sup>2</sup> · s	<b>or &gt;207 dB peak</b>	(I) Low (F) Low	(I) Low (F) Low	(I) Moderate (F) Low	(I) Low (F) Low
2.	Vibro Driving	160–200 dB re 1 $\mu$ Pa	210 dB SELcum or >207 dB peak	(N) High (I) Low (F) Low	(N) High (I) Low (F) Low	(N) High (I) Moderate (F) Low	(N) Moderate (I) Low (F) Low

## 5.2 Habitat Modification Impacts

### 5.2.1 Offshore infrastructure

The expected development footprint of 11ha of the proposed action constitutes a substantial modification of habitat for various MNEs in the EMBA. In particular, offshore infrastructure will comprise of:

- Dredged berth pocket and dredged approach;
- Navigation aids;
- Floating pontoon wharf (0.66 ha) with wharf furniture (fenders, bollards, kerbs, etc);
- Restraint dolphins;
- Mooring dolphins at either end of the wharf;
- Linkspan bridge; and
- Approach (causeway (0.95 ha) and suspended deck) (**Offshore Infrastructure**).

### 5.2.2 Impacts on Southern Right Whale

The Conservation Management Plan for Southern Right Whales provides that habitat modification can have a significant impact on the recovery of Southern Right Whales because:

“Habitat modification through the development of infrastructure such as ports, marinas, aquaculture facilities, and marine/ocean energy production facilities could lead to the physical displacement of southern right whales from preferred habitats and disrupt movements. This displacement has the potential to reduce breeding success<sup>27</sup> by forcing animals to reproduce in more marginal environments and by increasing their exposure to other risks such as entanglement, predation, vessel disturbance and pollution. Associated industrial activities in the coastal zone may also reduce habitat suitability.”<sup>81</sup>

It is submitted that construction and operation of the Offshore Infrastructure will disrupt and adversely affect core coastal migration habitat, which is critical to the survival of a species and disrupt the breeding cycle of a population.

### 5.2.3 Impacts on Migratory Shorebird Species

It is submitted that the precautionary principle should be applied in relation to determining the presence of the following migratory shorebirds:

- *Actitis hypoleucos*, *Tringa hypoleucos*, Common Sandpiper;
- *Arenaria interpres*, Ruddy Turnstone;

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<sup>81</sup> Commonwealth of Australia, (2012) *Conservation Management Plan for the Southern Right Whale: A Recovery Plan under the Environment Protection and Biodiversity Conservation Act 1999, 2011–2021*, p 30

- *Calidris acuminata*, *Calidris aeuminata*, Sharp-tailed Sandpiper;
- *Calidris canutus*, Red Knot, Knot;
- *Calidris ferruginea*, Critically Endangered Curlew Sandpiper;
- *Calidris melanotos*, Red-necked Stint;
- *Gallinago hardwickii*, Latham's Snipe, Japanese Snipe;
- *Limosa lapponica*, Bar-tailed Godwit; and
- *Tringa nebularia*, Common Greenshank, Greenshank.

These species should be assumed be present in the EMBA due to KIPT/EBS Ecology's failure to conduct proper surveys for the birds in accordance with the Industry Guidelines for Avoiding, Assessing and Mitigating Impacts on EPBC Act Listed Migratory Shorebirds and as set out in Table 5 above.

Significant Impact Guideline 1.1 provides the following criteria in relation to migratory shorebirds:

"An action is likely to have a significant impact on a migratory species if there is a real chance or possibility that it will:

- substantially modify (including by fragmenting, altering fire regimes, altering nutrient cycles or altering hydrological cycles), destroy or isolate an area of important habitat for a migratory species
- result in an invasive species that is harmful to the migratory species becoming established in an area of important habitat for the migratory species, or
- seriously disrupt the lifecycle (breeding, feeding, migration or resting behaviour) of an ecologically significant proportion of the population of a migratory species."

The Industry Guidelines for Avoiding, Assessing and Mitigating Impacts on EPBC Act Listed Migratory Shorebirds provide that

"Habitat should be considered internationally important if it regularly supports:

- 1 per cent of the individuals in a population of one species or subspecies of waterbird **OR**
- a total abundance of at least 20 000 waterbirds.

Nationally important habitat for migratory shorebirds can be defined using a similar approach to these international criteria, i.e. if it regularly supports:

- 0.1 per cent of the flyway population of a single species of migratory shorebird **OR**
- 2000 migratory shorebirds **OR**
- 15 migratory shorebird species."

In 2008, Wetlands International published a report entitled "Migratory Shorebirds of the East Asian-Australasian Flyway: Population Estimates and

Internationally Important Sites".<sup>82</sup> The report is a component of the East Asian-Australasian Shorebird Action Plan: 2001-2005 and the Asia-Pacific Migratory Waterbird Conservation Strategy: 2001-2005. The report provided population estimates for migratory shorebirds and information on Internationally Important Sites for migratory shorebird. In accordance with the Ramsar Convention and the Industry Guidelines for Avoiding, Assessing and Mitigating Impacts on EPBC Act Listed Migratory Shorebirds, Internationally Important Habitat for Shorebirds was identified based on the following criteria:

- the site must regularly support" 1% of a population;
- the 1% threshold must be achieved in at least two outof three seasons;  
or
- the threshold must be met by the meanof at least five maximum annual counts.<sup>83</sup>

It is submitted that the EMBA is part of internationally important habitat for the Ruddy Turnstone, the Red-necked Stint, and the Sharp-tailed Sandpiper. In particular:

- Ruddy Turnstone, *Arenaria interpres* - Kangaroo Island contains a maximum count of 450 birds, which is higher than 1% threshold of 350 birds;<sup>84</sup>
- Red-necked Stint, *Calidris ruficollis* – Kangaroo Island contains a maximum count of 5600 birds, which is higher than the 1% threshold of 3250 birds;<sup>85</sup>
- Sharp-tailed Sandpiper, *Calidris acuminata* – Kangaroo Island contains a maximum count of 3,150, which is higher than the 1% threshold of 1600 birds;<sup>86</sup>

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<sup>82</sup> Bamford M, Watkins D, Bancroft W, Tischler G and J Wahl. 2008. *Migratory Shorebirds of the East Asian - Australasian Flyway; Population Estimates and Internationally Important Sites*. Wetlands International Oceania. Canberra, Australia.

<sup>83</sup> Ibid 6.

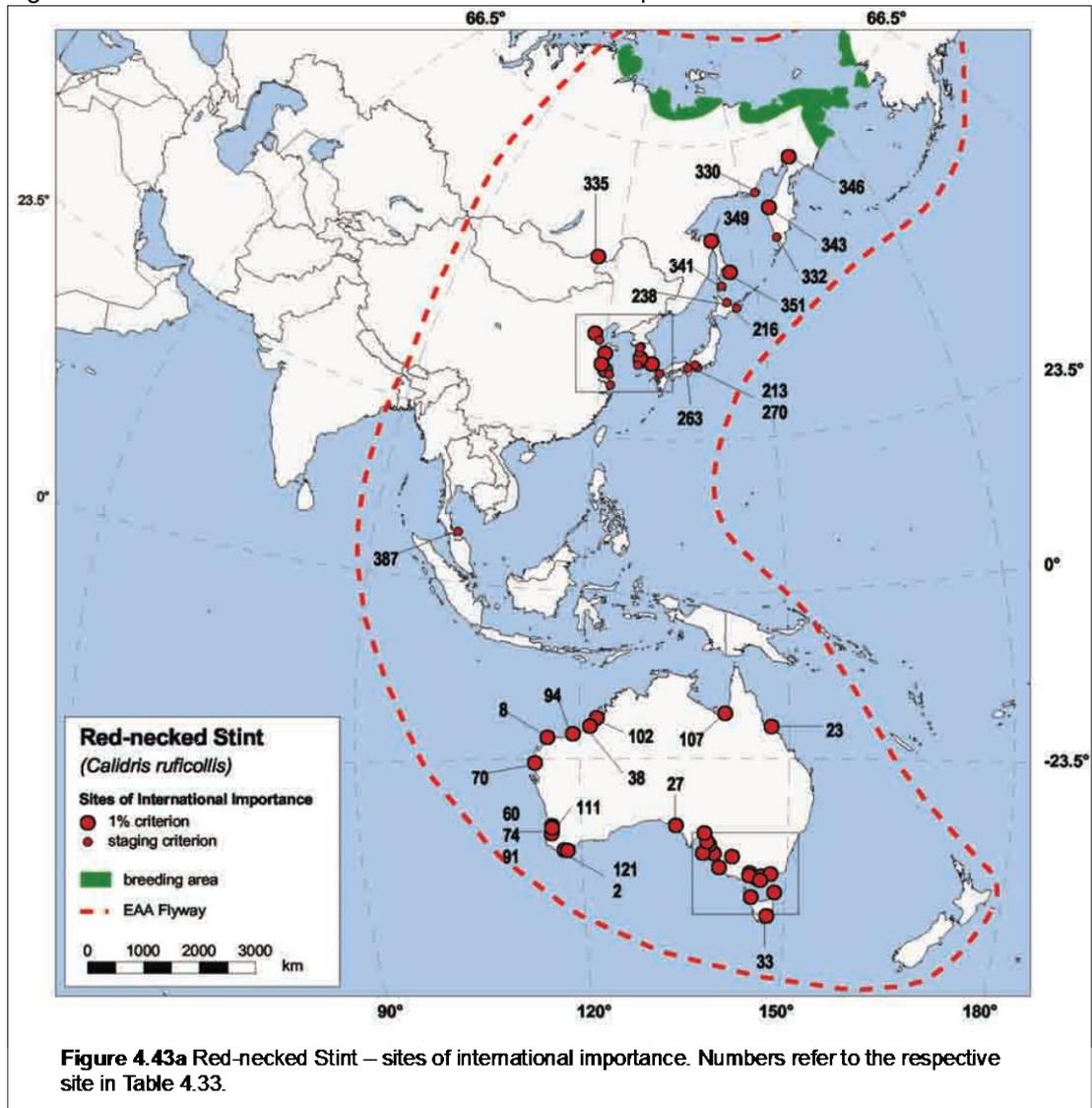
<sup>84</sup> Ibid 82.

<sup>85</sup> Ibid 96.

<sup>86</sup> Ibid 102 and 104.



Figure 24: Red-necked Stint – Sites of International Importance<sup>88</sup>



<sup>88</sup> Ibid 95.

Figure 25: Sharp-tailed Sandpiper– Sites of International Importance<sup>89</sup>

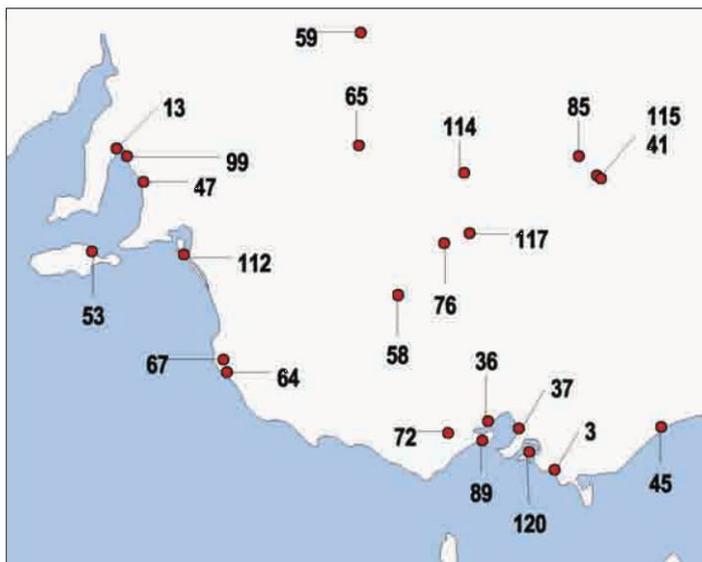
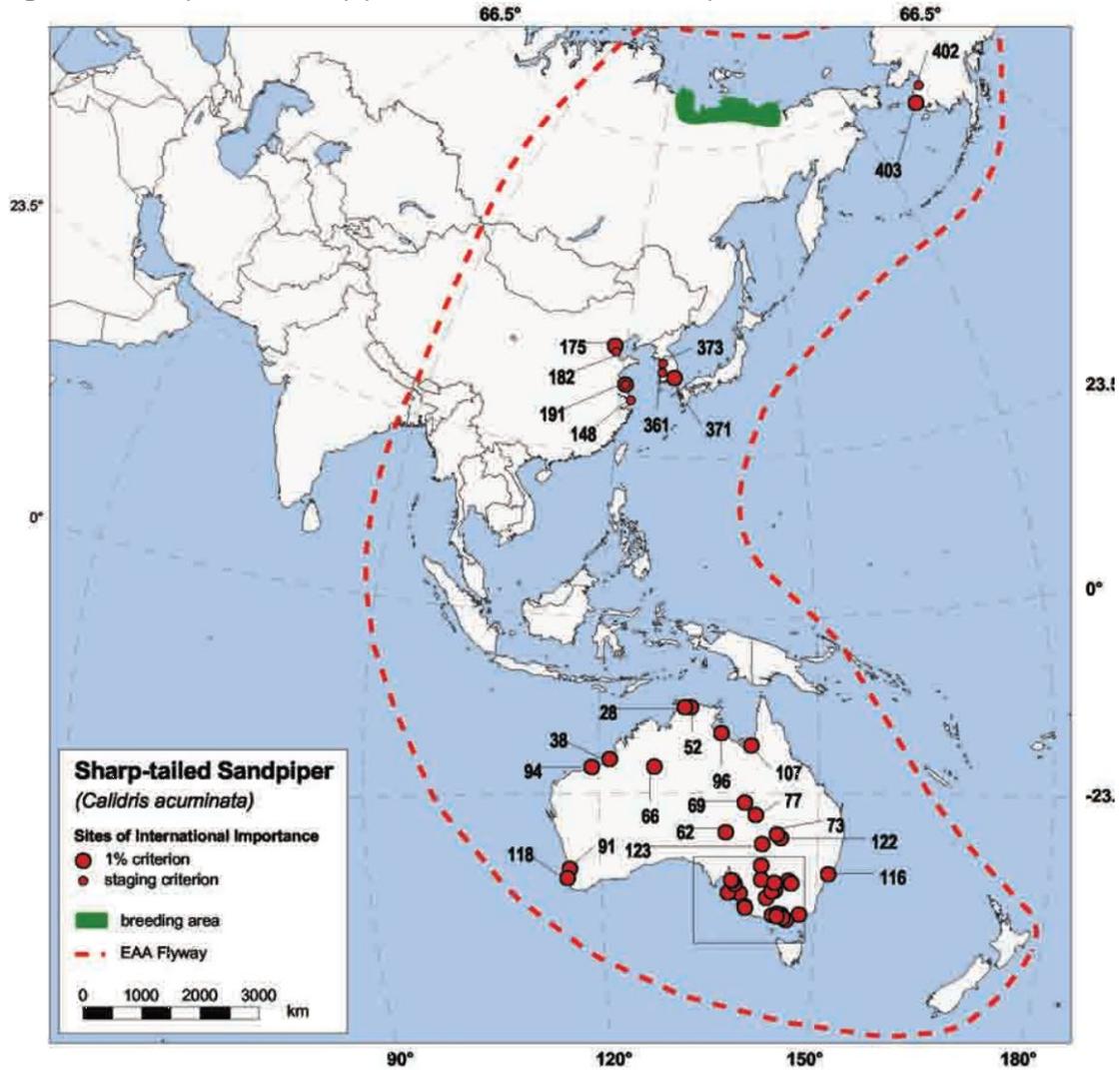


Figure 4.48 Sharp-tailed Sandpiper – sites of international importance. Numbers refer to the respective site in Table 4.37.

In assessing what types of actions constitute significant impact for migratory shorebirds, the Industry Guidelines for Avoiding, Assessing and Mitigating

<sup>89</sup> Ibid 103.

Impacts on EPBC Act Listed Migratory Shorebirds provides that migratory shorebirds are particularly sensitive to certain kinds of development activity because of their:

- high site fidelity;
- tendency to aggregate (most species);
- very high energy demands; and
- need for habitat networks containing both roosting and foraging areas.

The Industry Guidelines also provide that:

“Migratory shorebirds are sensitive to subtle changes to their habitat. In particular, many have specialised feeding techniques making them susceptible to slight changes in prey availability or to their foraging environments. Any activity that reduces the ability of shorebirds to use an area for roosting or foraging, or reduces the availability of food, degrades habitat and is **highly likely** to have a significant impact.”

It is submitted that the modification of the migratory shorebirds’ habitat due to both Offshore Infrastructure and construction near the coastal areas of the EMBA are highly likely to have a significant impact on the birds because it reduces the ability of the migratory shorebirds listed in this section to roost or forage, reduces the availability of food. It is also submitted that the construction and ongoing operation of both onshore and offshore infrastructure has the potential to degrade the habitat and cause further impact to migratory shorebirds.<sup>90</sup>

### 5.3 Habitat Loss Impacts

#### 5.3.1 Onshore infrastructure and materials handling components.

The expected development footprint of 11ha of the proposed action constitutes a substantial habitat loss for various MNEs in the EMBA. In particular, onshore infrastructure will comprise of:

- Storage areas for logs and woodchips, including any battered edges of the areas to achieved required tier storage area levels;
- Internal access roads;
- Site access road to the North Coast Road. The intersection between this access road and North Coast Road designates the project boundary (including the intersection itself);
- Stormwater drainage and retention system;

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<sup>90</sup> Commonwealth of Australia, *EPBC Act Policy Statement 3.21—Industry guidelines for avoiding, assessing and mitigating impacts on EPBC Act listed migratory shorebird species* (2017) 17.

- Site security fencing and lighting;
- Site offices, product testing room and crib/lunchroom; and
- Generator, diesel tanks and associated spill bundling.

The development footprint will further include the following materials handling components:

- Receival and sampling facility including
  - Receival and sampling facility;
  - Stockpile management system;
  - Reclaim hoppers;
  - Export causeway conveyor;
  - Shiploader feed conveyor; and
  - Shiploader;
- Truck weighbridge; and
- Truck wash facilities (if required) (**Onshore Infrastructure**).

### 5.3.2 Impacts on Kangaroo Island Narrow-leaved Mallee

The Kangaroo Island Narrow-Leaved Mallee Woodland is a critically endangered TEC that is protected under the EPBC Act. Its extent has declined by 90% and presently has a fragmented geographic distribution. Currently, less than 7000 hectares remains, most of which occurs in fragmented patches under 10 hectares in size.<sup>91</sup>

It is ecologically unique and significant because it provides habitat for

- more than 250 plant species that may occur within the ecological community, including:
  - 31 plant species that are threatened either in SA or nationally;
  - 17 plant species that are only found on Kangaroo Island; and

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<sup>91</sup> Commonwealth of Australia, *Kangaroo Island Narrow-leaved Mallee (Eucalyptus cneorifolia) Woodland: a nationally-protected ecological community* (2014) 8.

- two nationally endangered animals, the Kangaroo Island Dunnart and the southern brown bandicoot and one nationally endangered bird, the Glossy Black-Cockatoo.<sup>92</sup>

Minimum thresholds have been developed to determine what patches of the TEC are protected under the EPBC Act. These thresholds are as follows:

- Patches that have a width of 60 metres or more tend to retain intact native vegetation and qualify as the listed community;
- Breaks in vegetation cover of up to 20 metres wide within a 60-metre wide patch are acceptable, and allows for roads, tracks, drainage lines or other disturbances that traverse a patch. It also allows intact roadside remnants that lie along both road verges to be considered part of a single patch; and
- Short stretches of the ecological community less than 60 metres wide are included if they connect patches that are 60 metres or more wide and less than 500 metres apart. This would apply, for instance, to roads where the ecological community occurs along both verges but there are occasional breaks in vegetation cover along one side of the road only.

Although KIPT has claimed that the TEC is “not present”, the 2018 EBS Ecology Survey stated that there was a patch of Kangaroo Island Narrow-Leaved Mallee south of the study area that meets the requirement of protected ecological community under the TEC listing. In particular, the 2018 EBS Ecology Survey stated that “Vegetation Association 6 meets the condition requirements as the EPBC listed Kangaroo Island Narrow-leaved Mallee (*Eucalyptus cneorifolia*) Woodland TEC. This TEC is listed as critically endangered.”<sup>93</sup> The report also stated that the TEC meets the condition thresholds and describes the patch as follows:

“The vegetation association contained a dominant overstory of *Eucalyptus cneorifolia*, which averaged 8 m in height. The understory was sparse containing *Rhagodia candolleana ssp candolleana* (Sea-berry Saltbush), *Enchylaena tomentosa* (Ruby Saltbush). The understory contained a dense and continuous layer of plant litter (Figure 10). The introduced species *Avena barbata* (Wild Oats) was sparsely distributed throughout sections of the vegetation association.”

The biodiversity score for the patch was assessed to be 139.53.

The Conservation Advice for the Kangaroo Island Narrow-Leaved Mallee lists clearance of vegetation, loss of habitat and fragmentation of habitat into smaller, disconnected patches as key threats to the TEC. Accordingly, it is

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<sup>92</sup> Commonwealth of Australia, *Kangaroo Island Narrow-leaved Mallee (Eucalyptus cneorifolia) Woodland: a nationally-protected ecological community (2014)* 4.

<sup>93</sup> Kangaroo Island Plantation Timbers, ‘Draft Environmental Impact Statement’ (January 2019) Appendix J2, 18

submitted that the Onshore Infrastructure will significantly impact the TEC because it is likely to:

- lead to a long-term decrease in the size of a population;
- reduce the area of occupancy of the species;
- may fragment an existing population into two or more populations;
- modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline; and
- interfere with the recovery of the species.

## **6. KIPT has failed to demonstrate that potential impacts and risks of the proposed action have been reduced to as low as reasonably possible (ALARP). The residual risk to MNES in the EMBA is not acceptable.**

### **6.1 Information required by Guideline 1.8**

Guideline 1.8 requires KIPT to provide information on risk mitigation measures as follows:

*“Provide information (substantiated, specific and detailed descriptions) on proposed avoidance and mitigation measures, based upon best available practices, to avoid and manage the relevant impacts of the proposal on the above listed MNES. Include a description of the outcomes that the avoidance and mitigation measures will achieve and an assessment of the expected or predicted effectiveness of the avoidance and mitigation measures (including the scale and intensity of impacts of the proposal and the on-ground benefits to be gained through each of these measures).”*

### **6.2 Noise**

It is submitted that the appropriate level of risk management in relation to noise for the EMBA is ALARP for the following reasons:

- the EPBC Act status of the “Endangered” for the Southern Right Whale, the Loggerhead Turtle and the Leatherback Turtle;
- the critical importance of the area to migration and breeding of Southern Right Whales;
- the critical importance of the area as foraging habitat for the Loggerhead Turtle, the Green Turtle, the Leatherback Turtle and the Australian Sea Lion;

- the sensitivity of the Southern Right Whale, Loggerhead Turtle, Green Turtle, Leatherback Turtle and Australian Sea Lion to underwater noise.

KIPT has not adopted any control measures for noise and has not set any performance standards or measurement criteria for ensuring that performance standards are met. The EIS only states that:

*“The impact assessment has shown impact piling to be the development’s highest-impact activity in terms of noise and exposure. To mitigate this impact, an appropriate combination of the noise mitigation strategies outlined in Table 18-12 may be adopted. These strategies would be implemented only when they did not cause significant delay or extend the duration of piling activities, because doing so may increase the risk of exposing marine fauna to high noise levels.”*

Table 18-12 in the EIS lists the “potential underwater noise controls” as follows:

TABLE 18-12 POTENTIAL UNDERWATER NOISE CONTROLS

Type of mitigation	Mitigation measure	Details
Operational modifications	Use of alternative piling methods	Low-noise-impact techniques such as suction piling or vibro-piling should be used in preference to impact piling where possible.
	Implement a soft-start procedure at commencement of piling	Impact energy should be gradually increased over 3–5 minutes so noise levels gradually rise to their maximum values.  Soft-start procedure should be implemented when piling begins each day; if piling is stopped for longer than three hours; or if piling is stopped due to marine mammals or turtles entering the impact zone where the TTS criterion is exceeded.
	Control construction program to avoid noise exposure	Impact piling should be scheduled to minimise its total practicable duration, to reduce the likelihood that endangered species will be exposed to piling noise.  Impact piling should be avoided during the night, when marine mammals are difficult for observers (MMOs) to see. Also, this is the time of day when turtle movements are more likely to occur (Gitschlag & Herczeg 1994).  Piling should be scheduled outside the months when cetaceans may be in or near the development area.

Type of mitigation	Mitigation measure	Details
Observation	Safety zones	<p>Safety zones typically include observation and shutdown zones.</p> <p>In the observation zone, the movement of marine species should be monitored to determine whether they are approaching or entering the shutdown zone.</p> <p>When a marine species is sighted within or appears to enter the shutdown zone, pile driving should be stopped as soon as is reasonably possible. Safety zones dimensions are based on the radial distance from the noise source. The safety zone areas should be based on the size of the predicted zones of noise impact, but also need to account for practicality of monitoring for the presence of marine fauna. For example, a shutdown zone of greater than 1 km is difficult to monitor.</p> <p>Implementing large safety zones is difficult because their size relative to the shutdown zone makes observations at sea very difficult. For this reason, piling would only occur during daylight hours, to ensure adequate visibility.</p>
	Marine mammal observers (MMOs)	Trained MMOs should be used to monitor safety zones during, and before, all pile driving activities.

The optional nature of KIPT’s control measures is clearly inadequate and fails to mitigate against behavioural effects, temporary and permanent injury to MNES in the EMBA.

KIPT has failed to adopt basic mitigation measures such as using suction-piling or vibro-piling in an ecologically sensitive area. Although its report has noted that piling should be avoided when turtles or cetaceans are more likely to be in the area, it has not given any consideration to when these periods are, nor scheduled its operations to cease during these periods. It has also not restricted its piling to daylight hours in its operational schedule.

KIPT has also failed to reduce the risk to ALARP levels by not adopting the following additional safeguards set out in the DPTI’s Underwater Noise Piling Guidelines:

*“-Press-in piling – Press-in piling machines use static forces to install piles such that impacts are not required. Underwater noise levels have not been reported but are expected to be significantly less than those produced by conventional piling methods as all impulsive type of noise associated with the impact are removed. The technology has been used on land and in shallow waters when low noise construction methods were required. The current technology allows for installation of piles with diameters of up to 1.5 metres, with larger piles being replaced by multiple smaller piles.*

*-Suction piling – Suction piling uses tubular piles that are driven into the seabed, or dropped a few metres into a soft seabed, after which air and water are sucked out the top of the tubular pile thereby sinking the pile into the ground. Suction piles are often used to secure offshore floating platforms, in both shallow and deep waters. Although noise levels have not been reported, they are expected to be low as the only source of noise is the pump.*

*-Pile type selection – There is some evidence that steel H-piles produce significantly lower peak levels, potentially in the order of 10 to 20 dB, than circular concrete and steel piles. Use of alternative piles that produce less noise should be considered but may be somewhat limited as H- piles may not be suitable for all situations.*

*-Bubble curtain – A bubble curtain is a sheet of air bubbles that are produced around the location where the piling activity occurs. The bubbles are created by forcing air through small holes drilled in metal or PVC rings using air compressors, with either one ring deployed on the sea bottom or several vertically stacked rings forming a bubble ‘tree’. The bubbles in the bubble curtain create an acoustic impedance mismatch between the water and air trapped in the bubble, which results in sound attenuation across the bubble curtain. Reported noise reductions range from 3 to 20 dB. The use of bubble curtains may be limited by the water depth and practical or cost reasons, but may be considered when piling activities are expected to produce high noise levels and marine mammals are likely to be present within the area.*

*-Cofferdam – A cofferdam is created by placing a solid casing around a pile and removing the water from the casing. This approach has the potential to result in significant noise reductions as noise from the pile is radiated into the cofferdam rather than the water. The solid casing can be constructed from a single hollow pile or by interlocking sheet piles. The down-side is that construction of cofferdams often requires piling of the solid casing to achieve a water tight seal at the sea bottom, which should be of a significantly lower noise level and duration than the piling activity the cofferdam is put in place for. The use of cofferdams may be limited by the water depth and practical or cost reasons, but may be considered where significant impacts are likely to occur.”*

Finally, no assessment was made by KIPT regarding “assessment of the expected or predicted effectiveness of the avoidance and mitigation measures (including the scale and intensity of impacts of the proposal and the on-ground benefits to be gained through each of these measures)” on various noise mitigation measures, as required by Guideline 1.8.

### 6.3 Habitat Modification

No risk mitigation measures have been proposed to minimise the impacts of the construction and operation of Onshore and Offshore Infrastructure on:

- core coastal migration and breeding habitat of the Southern Right Whale and breeding, which is critical to the survival of a species. It is submitted that the residual risk of physical displacement of southern right whales from preferred habitats and disruption to their movements remains high and at an unacceptable level;
- the Internationally Important Habitat for the East Asian-Australasian Flyway migratory shorebirds, the Ruddy Turnstone, Red-necked Stint and the Sharp-tailed Sandpiper; and
- the loss of critical habitat for foraging and roosting for other migratory shorebirds protected by the EPBC Act.

## 6.4 Habitat Loss

No mitigation measures have been proposed to minimise the impacts of the construction and operation of Onshore and Offshore Infrastructure on The Kangaroo Island Narrow-Leaved Mallee Woodland in the EIS.

The Risk Assessment Table in Appendix T of the EIS in relation to vegetation clearance and habitat does not take into account the presence of the TEC on site. It states: “No nationally or state-listed threatened ecological communities have been recorded within the area, so no listed threatened ecological communities would be affected.”

In Appendix T, management actions that were identified by KIPT in its Risk Assessment Table in relation to loss of remnant vegetation and loss of habitat were as follows:

- Implementation of offsets;
- Approved clearing footprint would be clearly demarcated to prevent off-site disturbance;
- Ensure that ground disturbance and vegetation clearing are limited to the approved clearing footprint; and
- If native fauna noted in pre-construction site inspection, an authorized professional with appropriate permits would be engaged to determine best management option, which may be relocation.<sup>94</sup>

None of the above actions prevent habitat loss of the TEC.

In Appendix J3, KIPT briefly mentions potential mitigation measures in the context of assessing significant impact in relation to the TEC:

- Construction – “Unlikely to have a significant impact. The proposal site would be fenced to prevent unauthorized access to the patch of vegetation. The CEMP would identify the site boundary.”
- Operation – “Unlikely to have a significant impact. Buffer distances would be incorporated into the final design to reduce the likelihood of the proposal impacting vegetation outside the study area. All stormwater runoff would be collected onsite and would not discharge onto native vegetation.”
- Decommissioning – “Unlikely to have a significant impact. The proposal site would be fenced to prevent unauthorized access to the patch of vegetation. The CEMP would identify the site boundary.”

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<sup>94</sup> Kangaroo Island Plantation Timbers, ‘Draft Environmental Impact Statement’ (January 2019) Appendix T.

It is submitted that none of the above measures in Appendix J3 have been formally adopted by KIPT in the EIS or in its mitigation strategies as set out in Appendix T. Even if such measures were adopted by KIPT, there has been no assessment of outcomes that such measures will achieve and an assessment of the expected or predicted effectiveness of the avoidance and mitigation measures (including the scale and intensity of impacts of the proposal and the on-ground benefits to be gained through each of these measures).

Practically, KIPT has not provided information on where the Kangaroo Island Narrow-Leaved Mallee Woodland is located in proximity to its Onshore Infrastructure how the design and location of the infrastructure will avoid clearing of the woodland.

The Conservation Advice for the Kangaroo Island Narrow-Leaved Mallee Woodland recommends that the following be considered when assessing impacts on and considering recovery and management options for the TEC:

- Large size and/or a large area to boundary ratio – larger area/boundary ratios are less exposed and more resilient to edge effect disturbances such as weed invasion and human impacts;
- Good faunal habitat as indicated by patches containing diversity of landscape, diversity of plant species, contribution to movement corridors, logs, natural rock outcrops, etc.;
- Areas of minimal weeds or where these can be managed;
- Evidence of recruitment of key native plant species (including through successful assisted regeneration or management of sites);
- Presence of cryptogams and soil crust on the soil surface, indicating low disturbance to natural soil structure and potential for good functional attributes such as nutrient cycling; and
- Connectivity to other native vegetation patches or restoration works (e.g. native plantings). In particular, a patch in an important position between (or linking) other patches in the landscape.

None of the above have considered by KIPT in designing and assessing the effectiveness of mitigation or avoidance measures in relation to the Kangaroo Island Narrow-Leaved Mallee Woodland.

For the reasons stated above, it is submitted that the risk to the Kangaroo Island Narrow-Leaved Mallee Woodland has not been reduced to ALARP, and that residual risk to the TEC remains high and at an unacceptable level.

**7. The proposed action is inconsistent with Australia’s international obligations under the *Convention on the Conservation of Migratory Species of Wild Animals* (Bonn Convention),<sup>95</sup> Japan Australia Migratory Bird Agreement (JAMBA),<sup>96</sup> the China-Australia Migratory Bird Agreement (CAMBA)<sup>97</sup>, the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA)<sup>98</sup> and the Agreement on the Conservation of Albatrosses and Petrels (ACAP).**

Section 140 of the EPBC Act provides that:

**“140 Requirements for decisions about migratory species**

In deciding whether or not to approve for the purposes of section 20 or 20A the taking of an action relating to a listed migratory species, and what conditions to attach to such an approval, the Minister must not act inconsistently with Australia’s obligations under whichever of the following conventions and agreements because of which the species is listed:

- (a) the Bonn Convention;
- (b) CAMBA;
- (c) JAMBA;
- (d) an international agreement approved under subsection 209(4).”

Several migratory bird species that may, are likely or known to be present on site are protected by Australia’s international obligations under the Bonn Convention, JAMBA, CAMBA and ROKAMBA (see Table 15 below).

Australia’s obligations under these international agreements are as follows:

- Bonn Convention Appendix 1 Species – “to conserve and, where feasible and appropriate, restore those habitats of the species which are of importance in removing the species from danger of extinction”<sup>99</sup>;
- CAMBA – “to seek means to prevent damage to migratory birds and their environment”<sup>100</sup>;

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<sup>95</sup> *Convention on the Conservation of Migratory Species of Wild Animals*, opened for signature 3 June 1992, 331 UNTS 327 (entered into force 21 March 1994).

<sup>96</sup> *Japan-Australia Migratory Bird Agreement*, developed 6 February 1974 (entered into force 30 April 1981).

<sup>97</sup> *China-Australia Migratory Bird Agreement*, developed 20 October 1986 (entered into force 1 September 1988).

<sup>98</sup> *Republic of Korea-Australia Migratory Bird Agreement*, developed 6 December 2006 (entered into force 13 June 2007).

<sup>99</sup> *Convention on the Conservation of Migratory Species of Wild Animals*, opened for signature 3 June 1992, 331 UNTS 327 (entered into force 21 March 1994) art III, cl4(a).

<sup>100</sup> *China-Australia Migratory Bird Agreement*, developed 20 October 1986 (entered into force 1 September 1988) art IV (a)(i).

- JAMBA – “to seek means to prevent damage to such birds and their environment”<sup>101</sup>;
- ROKAMBA- “to seek means to prevent damage to such birds and their environment”<sup>102</sup>;
- ACAP - "conserve and, where feasible and appropriate, restore those habitats which are of importance to albatrosses and petrels".<sup>103</sup>

It is submitted that the approval of the proposed action would be inconsistent with Australia’s international under the Bonn Convention, CAMBA, JAMBA, ROKAMBA and ACAP due to the following factors:

- the importance of the EMBA as a BIA as foraging grounds for the petrels and albatrosses;
- the status of the area as an Internationally Important Site for various shorebirds of the of the East Asian-Australasian Flyway; and
- the number of migratory shorebirds protected by the above agreements that may, are likely to or known to be present in the area.

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<sup>101</sup> *Japan-Australia Migratory Bird Agreement*, developed 6 February 1974 (entered into force 30 April 1981) art 4(a).

<sup>102</sup> *Republic of Korea-Australia Migratory Bird Agreement*, developed 6 December 2006 (entered into force 13 June 2007) art 5(a).

<sup>103</sup> *Agreement on the Conservation of Albatrosses and Petrels* (entered into force 1 February 2004) art 3(1)(a).

Table 15: Application of Australia's International Obligations to MNES in the EMBA

	Scientific name	Common name	EPBC Act status	Migratory Shorebird under EPBC Act	Bonn (App 1 and 2)	CAMBA	JAMBA	ROKAMBA	ACAP
1.	<i>Actitis hypoleucos</i> , <i>Tringa hypoleucos</i>	Common Sandpiper	Migratory Wetlands, Listed Marine	Yes		Yes	No	Yes	No
2.	<i>Apus pacificus</i>	Fork tailed swift	Migratory Marine Birds, Listed Marine	No		Yes	Yes	Yes	No
3.	<i>Ardenna carneipes</i> , <i>Puffinus carneipes</i>	Flesh-footed Shearwater, Fleshy-footed Shearwater	Migratory Marine Birds	No		No	Yes	Yes	No
4.	<i>Arenaria interpres</i>	Ruddy Turnstone	Migratory Wetlands, Listed Marine	Yes		Yes	Yes	Yes	No
5.	<i>Bubulcus ibis</i>	Cattle Egret		No		Yes	Yes	No	No
6.	<i>Calidris acuminata</i> , <i>Calidris acuminata</i>	Sharp-tailed Sandpiper	Migratory Wetlands, Listed Marine	Yes		Yes	Yes	Yes	No
7.	<i>Calidris canutus</i>	Red Knot, Knot	Endangered, Migratory Wetlands, Listed Marine	Yes	App 1	Yes	Yes	Yes	No
8.	<i>Calidris ferruginea</i>	Curlew Sandpiper	Critically Endangered,	Yes		Yes	Yes	Yes	No

	Scientific name	Common name	EPBC Act status	Migratory Shorebird under EPBC Act	Bonn (App 1 and 2)	CAMBA	JAMBA	ROKAMBA	ACAP
			Migratory Wetlands, Listed Marine						
9.	<i>Calidris melanotos</i>	Pectoral Sandpiper	Migratory Wetlands, Listed Marine	Yes		No	Yes	Yes	No
10.	<i>Calidris ruficollis</i>	Red-necked Stint	Migratory Wetlands, Listed Marine	Yes		Yes	Yes	Yes	No
11.	<i>Diomedea antipodensis</i>	Antipodean Albatross	Vulnerable, Migratory Marine Birds, Listed Marine	No		No	No	No	Yes
12.	<i>Diomedea epomophora</i>	Southern Royal Albatross	Vulnerable, Migratory Marine Birds, Listed Marine	No		No	No	No	Yes
13.	<i>Diomedea exulans</i>	Wandering Albatross	Vulnerable, Migratory Marine Birds, Listed Marine	No		No	No	No	Yes
14.	<i>Diomedea sanfordi</i>	Northern Royal Albatross	Endangered, Migratory Marine Birds, Listed Marine	No		No	No	No	Yes
15.	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe	Migratory Wetlands, Listed Marine	Yes		Yes	Yes	Yes	No
16.	<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle		No		Yes	No	No	No
17.	<i>Limosa lapponica</i>	Bar-tailed	Migratory	Yes		Yes	Yes	Yes	No

	Scientific name	Common name	EPBC Act status	Migratory Shorebird under EPBC Act	Bonn (App 1 and 2)	CAMBA	JAMBA	ROKAMBA	ACAP
		Godwit	YesWetlands, Marine Listed						
18.	Macroentes giganteus	Southern Giant-Petrel, Southern Giant Petrel	Endangered, Migratory Marine Birds, Marine Listed	No		No	No	No	Yes
19.	Macroentes halli	Northern Giant Petrel	Vulnerable, Migratory Marine Birds, Marine Listed	No		No	No	No	Yes
20.	Motacilla cinerea	Grey Wagtail	Migratory Terrestrial, Marine Listed	No		Yes	No	Yes	No
21.	Motacilla flava	Yellow Wagtail	Migratory Terrestrial, Marine Listed	No		Yes	Yes	Yes	No
22.	Myiagra cyanoleuca	Satin Flycatcher	Migratory Terrestrial, Listed Marine	No		No	No	No	Mo
23.	Numenius madagascariensis	Eastern Curlew, Far Eastern Curlew	Critically Endangered, Migratory Wetlands, Listed Marine	No	App 1	Yes	Yes	Yes	No
24.	Pandion haliaetus	Osprey	Migratory Wetlands, Marine Listed	No		No	No	No	No
25.	Phoebetria fusca	Sooty Albatross	Vulnerable, Migratory Marine Birds,	No		No	No	No	No

	Scientific name	Common name	EPBC Act status	Migratory Shorebird under EPBC Act	Bonn (App 1 and 2)	CAMBA	JAMBA	ROKAMBA	ACAP
			Marine Listed						
26.	<i>Rosastrula benghalensis</i>	Painted Red Snipe		No		Yes	No	No	No
27.	<i>Thalassarche cauta</i>	Shy albatross, Tasmanian shy albatross	Vulnerable, Migratory Marine Birds, Marine Listed	No		No	No	No	No
28.	<i>Thalassarche impavida</i>	Campbell albatross, Campbell Black-browed Albatross	Vulnerable, Migratory Marine Birds, Marine Listed	No		No	No	No	No
29.	<i>Thalassarche melanophris</i>	Black-browed Albatross Vulnerable	Vulnerable, Migratory Marine Birds, Marine Listed	No		No	No	No	Yes
30.	<i>Thalassarche steadi</i> , <i>Thalassarche cauta steadi</i>	White-capped albatross	Vulnerable, Migratory Marine Birds, Marine Listed	No		No	No	No	Yes
31.	<i>Tringa nebularia</i>	Common Greenshank, Greenshank	Migratory	Yes		Yes	Yes	Yes	No

**From:** [Elizabeth Steele-Collins](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 3:31:39 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Elizabeth Steele-Collins

**From:** [Doug Collins](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 3:33:11 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
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presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
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### **Native Vegetation and Fauna**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Doug Collins

**From:** [Anthony Hall](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 3:34:17 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Anthony Hall

**From:** [Sam Florance](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 3:36:06 PM

---

Dear Minister,

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Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Sam Florance

**From:** [Tim Rudge](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 3:39:07 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

I am an abalone farmer based in Portland Victoria. Our farm is situated about 10kms from the Port of Portland which is an acceptable arrangement and in-fact I believe aquaculture and Ports can co-exist in closer proximity i.e. 2km, however common sense must prevail and in the KI situation the proposed seaport is just 400m away from a biologically sensitive receptor being the abalone farm.

The proposed seaport poses an extreme risk to Yumbah Kangaroo Island farm (YKI) due to its immediate proximity, raising threats to biosecurity, pollution, elevation of fine settlement loading beyond the SAEP and ANZECC standards, air-borne pollution, sawdust and dust, artificial lighting and interruptions to the existing coastal processes within Smiths Bay. All of these risks have been overlooked or grossly understated in the EIS.

The fact that KPT seaport was privileged with Major Development Status by the previous Labour government led by Jay Weatherill shows complete disregard for the sensitive nature of the aquaculture industry. It fails to acknowledge the importance of this sustainable and growing industry in the state. As an abalone farmer myself it is horrifying that any government or business can even entertain the prospect of siting a new seaport next door to existing aquaculture business. Abalone farming is one the fastest growing aquaculture industries in the country and the Weatherill government chose to chase it away in favour of an industrial seaport supporting a timber industry that is in decline.

I personally know how hard it is to establish Abalone farms and the challenges it must overcome to achieve the success Yumbah KI has accomplished. The permanent jobs the abalone farm provides are hard fought and should not to be flippantly risked through an inappropriate placement of an un compatible business that could find another home.

The Seaport proposal is an unprecedented encroachment on a successful, established business that provides permanent employment for some 30 people, within a company that employs 125 people within an industry that employs more than 400 people. This is an expanding industry with Yumbah alone proposing a \$73 million expansion of its Portland (Vic.) abalone operations and all other farms expanding or actively seeking expansion opportunities. The YKI site has available land and licenses to expand to more than double its current capacity, creating significantly more jobs and investment to Kangaroo Island. I am advised that this expansion would be already underway if there wasn't a proposed seaport threatening its ongoing existence.

I appreciate the effort KPT have undertaken to gain approvals for their project. It is most unfortunate that they chose such an inappropriate site and failed to consult properly with their immediate neighbour. YKI should not be forced to bear the cost of KPT's poor decision making.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Tim Rudge

**From:** [Christopher Allen Smith](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 3:41:58 PM

---

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**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
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- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Christopher Allen Smith

**From:** [Matthew Altmann](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 3:42:39 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

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More specific responses to EIS guidelines appear below, but the unresolved question remains:

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Matthew Altmann

**From:** [luke mackie](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 3:44:44 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
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vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

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## Coast and Marine

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The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

luke mackie

**From:** [Helen Fleckenstein](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 3:49:28 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
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presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
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- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
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### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Helen Fleckenstein

28<sup>th</sup> May 2019

Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport and Infrastructure  
GPO Box 1815, ADELAIDE SA 5000

[majordevadmin@sa.gov.au](mailto:majordevadmin@sa.gov.au)

Dear Minister,

I wish to declare my interest in support of the Smith Bay Seaport, through my partner who is a director on the board of Kangaroo Island Plantation Timbers.

In my view the Seaport proposal has been unnecessarily politicised due to a lack of leadership and effective planning by previous state and local governments in two key policy arenas, forestry and marine parks protection. I believe it is now time for state and local government to show leadership and support the proposed Smith Bay Seaport

### **Forestry**

The need for a multi-purpose wharf on Kangaroo Island capable of handling logs and chip, (and other products), has been recognised for decades.

When the South Australian state government and federal government signed the 2020 Vision in 1997, and Kangaroo Island was identified as a prime tree growing location, the requisite planning for a port should have been undertaken by governments as part of the policy package.

In the subsequent years as tree planting by private and corporate growers commenced, local council and state government again had the opportunity to undertake the planning requirements in anticipation of a future wharf.

Failure by previous governments to undertake this essential planning work has meant that KIPT has had to undertake the work that previous governments failed to do, in selecting a site, undertaking the necessary environmental studies and then preparing for the approvals.

### **Marine Parks**

Previous decisions by governments has dedicated three quarters of the northern shore of Kangaroo Island as marine park.

While marine parks are capable of allowing some level of development and commercial use, it would be very unwise for any port developer to propose a new port inside the existing marine parks. Public concern over the environmental impact of the Smith bay proposal would likely be several magnitudes higher were the proposed site located in the marine park.

For this reason, governments should have made it clear that as a result of the dedication of marine parks over three quarters of the northern shore, the remaining one quarter not dedicated to marine parks is by default, most suitable for future development such as the proposed Seaport.

I encourage you to support the Smith Bay proposal.

Yours sincerely,

Jennifer Clough



**From:** [Gina Shergill](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 3:53:44 PM

---

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**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
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- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
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### **Native Vegetation and Fauna**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Gina Shergill

**From:** [Claire D'Alpuget](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 3:55:02 PM

---

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Claire D'Alpuget

**From:** [Jayden Fraurud](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:00:57 PM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

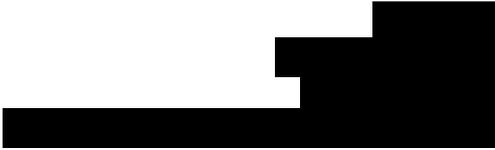
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Yours faithfully

Jayden Fraurud

Jeanette Gellard



28 May 2019

Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport and Infrastructure  
GPO Box 1815, ADELAIDE SA 5000

Dear Minister

### [RE: Smith Bay Wharf Submission](#)

I welcome the opportunity to make a response in relation to the Kangaroo Island Plantation Timbers (KIPT) proposal to develop and build a deep-water Seaport and wood chipping facility at Smith Bay on the north coast of Kangaroo Island.

I am a landholder and resident of Kangaroo Island and own a small farming property on Rose Cottage Road within the vicinity of Smith Bay. As my submission will reflect, I do not support the establishment of a deep-water Seaport and wood chipping facility at Smith Bay. I have presented my objections to the proposed development referring to the 19 criteria KIPT have been required to address where appropriate.

### [Native Vegetation and Fauna](#)

Vegetation clearance of 2.93 ha at the proposed port site and significant roadside vegetation clearance along proposed transport routes will be undertaken with no information provided on how the clearance could be avoided, minimised or offset. This clearance will potentially impact on 13 state-listed and 7 nationally listed flora species that grow within 10km of the proposed port.

Two fauna species of conservation significance recorded at the site are the white bellied sea-eagle and signs (droppings) of the Kangaroo Island echidna. 18 state listed species threatened species – 13 birds, four mammals and one reptile – have been recorded within 10km of the area. It is highly probably that echidnas, white-bellied sea-eagles and hood plovers will be affected during the construction and operation of the port development.

The increased volume of road traffic resulting from the development will produce increased levels of roadkill including threatened species such as the Kangaroo Island Echidna, and Rosenberg's Goanna. Many routes will pass through important habitat for the Glossy-black Cockatoo. Clearance, dust and noise pollution will have a detrimental impact on this species as well. KIPT make no attempt to identify how risks to these threatened flora and fauna will be addressed.

Dieback remains a threat to remnant vegetation on the site. Phytophthora is likely to be introduced through contaminated soil on vehicles, equipment and landscaping materials, including plants. The risk of introducing Phytophthora would be greatest during the construction period. KIPT have not provided detailed plans regarding hygiene protocols for both forestry and port sites nor the transfer of vehicles and machinery between them.

## Coast & Marine

There will be a loss of 10.2 ha of mixed marine habitat including seagrass, as a direct result of dredging and wharf construction. Dredging will remove 200,000 tonnes of material from the seabed.

In other locations around the Island, tens of thousands of State and Commonwealth dollars have been invested in restoring and revegetating seagrass beds due their importance as nursery habitat for marine species including commercial fishery species. It makes no sense to allow the clearance of seagrass habitat at Smith Bay considering this investment.

There are forty-six listed threatened or listed migratory marine species that have been recorded within 10km of Smith Bay. The nationally threatened species included the southern right whale, humpback whale, blue whale, Australian sea-lion, great white shark, loggerhead turtle, leatherback turtle and green turtle.

Dolphin movements through Smith Bay will be disrupted and dolphins will be pushed further out to sea where predation is a greater threat. The impacts of noise causes disorientation on dolphin food species which will affect dolphin feeding and therefore their health.

Ship movements, collisions, use of korts nozzles by tugs have proven to contribute to increased dolphin and seal deaths due to interactions between animals and the nozzles. With up to 40 tugs per year entering and leaving Smith Bay, this is a significant threat that hasn't been addressed.

The nationally threatened southern right whale that frequents Smith Bay is also at increased risk of ship collisions. Smith Bay is a biologically important area for the south eastern population of Southern right whales which is under threat and highly endangered with the population numbering less than 300 individuals.

KIPT have incorrectly stated that Smith Bay falls within the south western population and any impacts on this population by the loss of individual whales would be minor.

Eyre peninsular is the agreed boundary for these populations and Smith Bay falls within the south eastern population range. Any loss of whales from this population will have significant impacts on this population.

KIPT in its EIS does not provide enough gravity to the potential impacts on these species nor does its risk management approach do anything to address the very real threats that exist.

## Pollution

The use of dredging plant and equipment may potentially result in spills of fuel, oil and other contaminants.

Shipping contaminants could be discharged to the marine environment at Smith Bay.

Leachate from woodchips and logs is likely to contain tannins and phenols and could enter groundwater or stormwater runoff.

In all the above situations inadequate plans to deal with the risks have not been outlined in the EIS.

## Amenity/Noise & Light/Dust

According to KIPT and stated in the EIS, the proposed development would reduce the landscape quality of Smith Bay, to a rating of 5, from the current 6.5. This has the potential to reduce the value of property and tourism businesses operating nearby. People have made investments based on the current zoning of the area with is Primary Production. This engenders a vista of rolling farmlands and

scattered farmhouses, not one of a deep sea port, large woodchip pile, loading facility and the potential for stockpiled containers presenting a far more industrialised vista than anticipated.

Measured baseline noise levels are currently relatively low at Smith Bay, particularly at night. The terrestrial noise assessment undertaken by KIPT has predicted that night-time operational noise levels may exceed the Noise Environment Protection Policy criterion at nearby residences and the nearby aquaculture facility. No adequate mitigation measures have been outlined in the EIS.

Dust resulting from the construction activities and storage, loading and unloading of the 730,000 tonnes of timber that will be brought to the site each year, will interfere with the daily lives of local residents and business operations. KIPT indicate that water will be used to reduce the dust levels, however no detail as to where this water will be sourced, what additional infrastructure will be needed, or how wastewater will be dealt with are outlined in the EIS.

Where assessments of these issues have been made, they have only been made for the port site. No assessments of the routes or the onsite chipping sites have been assessed.

The expected peak demand of the development is approximately 400KW, with an annual consumption of approximately 350MWh. The electricity supply strategy for the development will include two 635kVA diesel-fuelled electricity generation sets. Access to the existing 3-Phase power supply has not been guaranteed and so it is likely that diesel generation will form the only source of power to the development, creating significant noise and air pollution.

### Economy

Primary industries on Kangaroo Island have worked hard for many years to establish a reputation for producing high quality commodities and value-added products in a clean and green environment. This brand has provided positive outcomes for many farming businesses, attracting premium prices, access to markets, and reduced costs of production (due to the relatively pest free status of Kangaroo Island compared to mainland). The proposed Smith Bay Deep Sea Port Development has the capacity to comprise these advantages.

The proposed seaport development will directly and adversely affect the productivity and viability of an existing and well-established aquaculture enterprise located at Smith Bay.

Many impacts to Yumbah Abalone have been identified in the EIS document by KIPT consultants and in broader scientific research.

- During construction, dredging would create silt plumes that could adversely affect water quality in Smith Bay and will significantly compromise abalone health and productivity at Yumbah Abalone farm. KIPT do not identify how they would mitigate these effects only stating that impacts would be minor which is not substantiated with scientific evidence.
- The KI Seaport, as a 24-hour-a-day, seven-day-a-week operation, would need artificial lighting so that operations could be undertaken safely and efficiently. Lighting would disturb abalone which actively feed at night, reducing productivity. Again KIPT underplay the level of lighting and its impacts without properly addressing its methods of mitigation.

### Biosecurity

Smith Bay is marine pest free. Up to 20 vessels per year will be releasing ballast water into Smith Bay. PIRSA has already expressed concerns at this prospect due to the risks posed to marine biosecurity. As well as potential impacts on the existing abalone farm, the introduction of marine pests will have significant impacts on the professional and recreational fishing activities in the region

not mention the affects this will have to recreational boat and yacht users from increased vessel inspections and hygiene activities.

In addition to the afore-mentioned vessels, up to 40 tugs per year will be used during the KI Seaport operations further raising the risk of the introduction of marine pests.

The introduction of abalone diseases from elsewhere in Australia has potential impact on Yumbah Abalone farm.

KIPT's response to the biosecurity risks posed by the port's development and operations is offensive and disrespectful to the many business operating with Kangaroo Island's waters and State waters, that rely on biosecurity risks being taken seriously. KIPT offers a low level of surveillance with no definitive resourcing identified and then states that it will notify relevant authorities, thereby washing their hands of the ongoing consequences. This is not a risk or management cost that should be introduced to or borne by the South Australian public.

### Traffic and Transport

The base case logistics strategy for transporting timber products from the plantations to the KI Seaport is an open network model under which general access vehicles (specifically 19-metre single articulated trucks with 30-tonne loads) use any passable road within the existing road network between the plantations and the KI Seaport. Whilst the roads most likely to be used frequently under this 'open network' have been identified as: Playford Highway, Stokes Bay Road, Bark Hut Road, Ropers Road, Gap Road, Miller Road, Gum Creek Road, Springs Road, Rose Cottage Road, Boxer Road, Ten Tree Lagoon Road, Birchmore Road, North Coast Road.

There are other feeder roads, serving the plantations themselves, that may be used depending on the location of the particular source plantation being harvested at any given time. These roads would be used whether or not an open network model is adopted, and include: South Coast Road, West End Highway, Baxters Road, Church Road, Gosse Ritchie Road, Mount Taylor Road, Jump Off Road, Turkey Lane, Snug Cove Road, Tin Hut Road, Yacca Jacks Road.

No final route has been confirmed. This makes the assessment of impacts from required road upgrades and maintenance and increased traffic volumes challenging as they will vary according to the routes used.

According to KIPT's EIS documents the overall volume of traffic on the proposed transport routes will increase significantly resulting in several impacts on road infrastructure and safety. Information presented in the EIS include the following statements;

- The increase in overall traffic is expected to be approximately 81 per cent on North Coast Road.
- Timber products from the various plantations would be transported 24 hours a day, seven days a week from the plantations to the KI seaport via the main road network.
- It is KIPT's preference to use high productivity vehicles, specifically B-double and A double vehicles.
- There will be up to 200 heavy vehicle trips per day with a single articulated truck expected to pass along the transport route every 22 minutes.

Conflicts with other road users have not been appropriately addressed with the EIS. Reference to driver training and publication of transport routes and schedules do not provide enough mitigation to the risks associated with this volume of heavy vehicle traffic.

The movement of livestock across and along road reserves may cause conflicts with the KIPT transport fleet and with trucks operating every 22 minutes it will be challenging to avoid interactions. The movement of farm machinery and equipment will also cause conflicts with the KIPT transport fleet particularly where seasonal production requirements for machinery movements between farm properties coincide with port utilisation times when forestry traffic volumes would be expected to be higher than the averages presented in the EIS.

The Kangaroo Island school community operates an extensive school bus service to families located across the Island and in particular to those families located in the northern and western areas of the Island. These bus services bring children into both the Parndana and Kingscote campuses of KICE. The interaction of school buses, children's and parents on roadsides, and 220 heavy trucks per day are of serious concern. Many of the routes involved do provide safe pull over areas for school buses and this issue hasn't been identified or addressed by KIPT in the EIS.

### Road safety

The KIPT timber haulage fleet is expected to travel approximately 3.4 million kilometres per annum in the peak traffic year and therefore may be expected (statistically) to be involved in approximately 3.2 accidents per annum, an increase of 18.4 % in road accidents. It could be expected that accidents involving the timber fleet are more likely to be serious in nature. This places an additional burden on the Island's emergency services' volunteers who respond to accidents in addition to those impacted directly through an accident via injury or through the costs of vehicle repairs. Other than mentioning the increased number of accidents per annum, the EIS is mute on how this risk will be managed.

The Tourism industry has been built on the natural environment, accessible beaches and natural areas, and extensive wildlife. Tourists are encouraged to explore the magnificent Island environment and increasingly many are choosing to do this as 'self-drive' visitors. Tourists may be inexperienced in driving on unsealed roads, distracted by wildlife and the scenery, and in some cases not used to driving on the left-hand side of the road. There are also increasing numbers of tourist coaches and cyclists using the Island's roads. KIPT offer no strategies to reduce the level of risk faced by visiting tourists. The impact on the tourism industry cannot be overstated, should Kangaroo Island's roads be deemed 'too dangerous' for a self-drive holiday.

### Infrastructure

Kangaroo Island's road network has limited carrying capacity and has not been developed to support heavy vehicle traffic proposed by KIPT. The use of heavy vehicles on unsealed roads is likely to result in increased surface wear, including rutting potholing and corrugations. KIPT have stated that they do not have the ability to directly implement many of the identified upgrades and improvements to the road network that are required to facilitate the transport of timber products to the KI Seaport. Routine maintenance and upgrades of roads would need to be undertaken by KPTI and/or the Kangaroo Island Council.

This places a significant cost burden on the Kangaroo Island Council and therefore the Kangaroo Island community. As a community with a high socio-economic disadvantage this is an inappropriate demand to be placed on local rate payers and will overshadow any minor economic benefit derived through the anticipated small increase in employment.

### Community

Many members of the Kangaroo Island community would like to see the permanent removal of forestry from the Island's landscapes and the return of forestry land to agricultural production.

Kangaroo Island Plantation Timbers (KIPT) have stated in their Environmental Impact Statement (EIS) that their anticipated operations include harvesting 600,00 tonnes a year in the first rotation (the first 13 years of harvesting operations), and at least 500,000 tonnes a year for the second rotation. (the following 12 years). A third rotation is also planned.

This means there is no planned reduction in the area under forestry for the next 37 years. This has not been actively promoted by KIPT who have taken advantage of people's perception that this development will remove forestry from the Kangaroo Island landscape.

The Kangaroo Island Community is yet to comprehensively explore alternative uses for the existing plantations that would enable the permanent removal of trees. These could include biothermal energy generation, milling and value adding, firewood etc, etc.

For KIPT to argue that this development provided the greatest economic return and benefit to the Kangaroo Island community is premature and not based on any comprehensive assessment of alternative uses.

Forestry does not have the support of the majority of the community.

An overarching master plan is required for Kangaroo Island that ensures that the community values around economic growth, environmental sustainability and community vibrancy are articulated and used to determine future directions.

### Environmental Impact Statement

The Environmental Impact Statement prepared by KIPT is inadequate in many areas and does not fully address the range of issues and impacts generated by the proposed development. KIPT does not apply a consistent and acceptable risk assessment approach that comprehensively identifies and assesses the project's risks in an objective manner. The range of mitigating actions put forward do not have detailed plans, procedures or policies developed that can be assessed with consideration to their appropriateness. This places respondents like me in the challenging position of dealing with uncertainties and lacking the detail held by KIPT which allows them to make statements such as 'impacts will be minor' when there is no clear evidence being provided to support such statements.

KIPT indicate that their operations will account for 20% of the capacity of the proposed port. In order to fully assess the impact of such a facility, the future uses of the site and risks associated with them need to be identified and assessed. KIPT indicate this is 'out of scope' for their operations, however I would argue that if they are seeking approval to construct a 'multi-use port' then these questions fall well within the scope of the EIS.

KIPT have not made any publicly documented commitment to establishing the port post approval, nor does the EIS cover the ongoing management and maintenance of the port site assets. What capacity will there be to ensure that future owner/operators will comply with development conditions and requirements?

### Consultation Process

As an experienced Stakeholder Engagement Professional, I have found the stakeholder and community engagement process designed and implemented by KIPT to be inadequate at best and deliberately inaccessible at worst.

The production of a 15 volume EIS document containing approximately 3,500 pages of at times, highly technical data as the primary source of information for the general community is both disrespectful and disingenuous.

Direct access to the EIS document was not made available on KIPT's main website or their dedicated Smith Bay EIS website. Only the EIS website provided a redirection to the DPTI website where the documents could be downloaded.

Hard copies of the EIS were available in only two locations – one in Adelaide and one on Kangaroo Island. To ensure adequate access by the broader Kangaroo Island community, copies could have been made available at additional locations across the Island. Islander's, many of who do not have access to reliable internet let alone high-speed internet often had no alternative access other than attempting to download large files from the DPTI website. There was no mail out of fact sheets or summaries to Island households which can be achieved at limited expense, to assist community members digest the information provided.

KIPT made no attempt to provide forums for genuine information sharing and questions. The three information sessions offered where held in an 'Open house' format which limits participants' interactions with each other and doesn't allow for the public sharing of questions and concerns nor the responses being made by KIPT. These were not forums that encouraged exploration of issues or demanded detailed responses from KIPT.

Consultation at its poorest.

In closing I would like to reiterate that I DO NOT support the establishment of a deep-water Seaport and wood chipping facility at Smith Bay.

Thank you for the opportunity to submit my objections. Please do not hesitate to contact me on [REDACTED] or [REDACTED] should you require any further information.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'J. Gellard', written in black ink.

Jeanette Gellard

**From:** [Janine Clipstone](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:04:16 PM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
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### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Janine Clipstone

**From:** [Kerry Riddell](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:06:03 PM

---

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- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Kerry Riddell

**From:** [Alan Noble](#)  
**To:** [DPTI:Minister Knoll](#)  
**Subject:** Response to Kangaroo Island Plantation Timber Port at Smith Bay EIS  
**Date:** Tuesday, 28 May 2019 4:33:28 PM  
**Attachments:** [AusOcean\\_Smith\\_Bay\\_EIS\\_response.pdf](#)  
[2019\\_AusOcean\\_Smith\\_Bay\\_Marine\\_Ecology\\_Report.pdf](#)

---

Dear Minister Knoll,

I write to you on behalf of the Australian Ocean Lab ([AusOcean](#)). Please find attached our response to the proposed Kangaroo Island Plantation Timber Port at Smith Bay. Please also find attached a copy of our Smith Bay Marine Ecology Report which we prepared earlier this year. Both reports are based on hard-won evidence and the best available scientific research.

If there is a single conclusion to be drawn, it is simply that if a port were to be built at Smith Bay it would irrevocably damage a pristine marine environment.

Regards,  
Alan Noble  
Founder, AusOcean

--

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## Smith Bay Wharf Environmental Impact Statement Response



Prepared by the Australian Ocean Lab  
(AusOcean)

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The information contained in this document has been prepared in response to Kangaroo Island Plantation Timbers Limited (KIPT) Smith Bay Wharf Draft Environmental Impact Statement assessment document. The latter is copyright Kangaroo Island Plantation Timbers Limited. Excerpts from the latter are included here under the Fair Dealing provisions of the Copyright Act 1968.

Photo: Smith Bay, facing east (source: Alan Noble).

## Acknowledgements

AusOcean would like to acknowledge all of its amazing employees, volunteers and partners who made this report possible. In alphabetical order:

Emily Braggs  
William Goh, University of Adelaide  
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Catherine Larkin  
Mandy Leimann  
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Susan Myers  
Saxon Nelson-Milton  
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Joel Stanley

Catherine Larkin, who was the author of AusOcean's Smith Bay Marine Ecology Report (Larkin 2019), deserves a special mention.

We would like to acknowledge the contribution by Dr John Luick of Austides Consulting who graciously contributed the analysis on waves and currents.

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## Purpose

This document is in response to the Kangaroo Island Plantation and Timber (KIPT) Smith Bay Wharf Draft Environmental Impact Statement, dated January (2019) herein referred to as “the EIS”<sup>1</sup>.

This document seeks to remedy inaccurate and/or misleading statements presented in the EIS, through a scientific and evidence-based assessment of the impact of the proposed development, based both on first-hand observations and the best-available science.

This document was prepared by the Australian Ocean Lab (AusOcean). AusOcean is a South Australian-based non-profit organisation and registered on the Commonwealth’s Register of Environmental Organisations (REO). AusOcean receives no public funding. AusOcean’s ABN is 34617043722.

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<sup>1</sup> Published on the South Australian Department of Planning, Transport and Infrastructure (DPTI) website on 28 March 2019 at:

<https://www.sa.gov.au/topics/planning-and-property/land-and-property-development/building-and-property-development-applications/major-development-applications-and-assessments/proposals-currently-being-assessed/kangaroo-island-plantation-timber-port-at-smith-bay>

## Introduction

Smith Bay is an open bay on the North Coast of Kangaroo Island approximately 4 km wide. Less than 5 km to the east is Dashwood Bay and a similar distance to the west is Emu Bay. The former is a location frequented by dolphins and the latter one is of the Island's most popular beach holiday destinations. Smith Bay is increasingly recognised as a location of significance for whales, including the threatened southern right whale.

In this document we describe how the proposed development would undeniably damage the marine environment of Smith Bay. Adjoining marine areas would also be damaged due to the movement of sediments resulting from dredging and increasing levels of turbidity. Based on modeling by Austides Consulting, the tidal currents would transport sediments back and forth along the coast over a 7.2 km total range, twice a day, throughout the spring portion of the tide cycle. Furthermore, the subtidal currents during winter could carry sediments an additional 4.3 km eastward, reaching all of Dashwood Bay. This movement of sediments is unimpeded by any significant geographical barriers due to the open aspect of Smith Bay.

Suspended sediments in response to dredging and ongoing port use have a very high probability in driving the loss of diversity in Smith Bay. Less productive habitats monopolised by turf-forming algae are likely to replace the highly productive and diverse macroalgae and sponge habitat. Maintaining the connectivity of shallow water habitats is vital for healthy fish communities. Seagrass meadows within Smith Bay play a pivotal role in shaping fish assemblages and diversity in the wider marine environment. Destruction of this system will result in habitat fragmentation impacting the interconnectivity of shallow water areas that comprise the wider "seascape nursery". Habitat loss and degradation are potentially the greatest conservation concerns for Australian coastal species, including species from the protected Syngnathidae family.

It should be noted that sediments are stirred up both as a result of the port construction, i.e., during "capital dredging", and ongoing port usage. The EIS states that the dredging required to create the proposed berthing pocket area would completely clear approximately 10 ha of seafloor. Furthermore, every time a vessel berths, exposed sediments would be re-disturbed and, due to the aforementioned tidal flows, spread over an area orders of magnitude larger than the berthing area. Ongoing vessel traffic will continue to disturb the dredged area of seafloor, resulting in persistent large-scale sediment movements. The EIS report measures a range of sediment characteristics which falls short of understanding the full effects as they may move across the different zones.

Our surveys suggest that much like the rest of Kangaroo Island, Smith Bay is an area of high biodiversity and home to many species of conservation significance. Any development at Smith Bay must be considered within the broader context of an interconnected marine environment. At the present time, the marine environment of Smith Bay and indeed the entire North Coast of Kangaroo Island, can only be characterized as pristine. If a port were to be built at Smith Bay it would irrevocably damage this environment. All of this considered, we suggest that Smith Bay is the wrong place for a port.

## Marine Ecology

We would like to raise direct concerns with the following statements contained within the EIS.

### Biodiversity

1. *“The site is not in an area of significant or high biodiversity value and the proposed seaport would not result in an unreasonable impact on marine or terrestrial ecology”.*

AusOcean conducted three week-long expeditions to Smith bay documenting both fish and invertebrate assemblage at 10 different locations (Larkin 2019). We surveyed 91 species, comprising several species of conservation concern as described by the Conservation council, reef watch feral or imperil program (Reef watch 2019) and species protected under the Australian Commonwealth *Environmental Protection and Biodiversity Conservation (EPBC) Act* (1999). Table 1 comprises species of conservation concern known to frequent KI waters.

**Table 1: Species of conservation and commercial value known to frequent KI waters.**

Conservation value	Commercial value
Western blue groper *	Southern rock lobster *
Southern blue devil *	Greenlip abalone *
Harlequin fish *	Blacklip abalone
Queen snapper	
Long-snout boarfish *	
Leafy seadragon	
Weedy seadragon *	
Species from the Syngnathidae family (pipefish, seahorses) *	
Spotted wobbegong	
Gulf wobbegong	
Cobbler wobbegong	
Black cowrie	
Giant Australian cuttlefish *	

**\*denotes species surveyed in Smith Bay either by AusOcean or SEA Pty Ltd. as per KIPT’s marine ecological assessment.**

Species of conservation significance surveyed in AusOcean's marine ecology surveys appear in earlier documents pertaining to fish and invertebrate biodiversity assessments along the north coast of KI. Surveys noted 8 species of conservation significance over 7 locations (McArdle *et al.* 2015) and 9 species of conservation significance over 10 locations (Reinhold *et al.* 2013). As stated in the EIS, the rocky reef habitat along the north coast supports invertebrate communities that are generally diverse and extensive relative to those in other parts of the state. This statement is consistent with our survey findings. AusOcean's marine ecology survey suggests that much like the rest of Kangaroo Island, Smith Bay is an area of high biodiversity and home to many species of conservation significance. These species are likely to be impacted both during construction and ongoing port use.

2. *"The seagrass progressively thins in the deeper water (>11 metres) to a relatively bare seafloor at 13 to 14 metres depth."*

AusOcean surveys discovered rocky reef shelves from 14-16m depth that supported an abundance of fish including the Southern blue devil and several species from the Syngnathidae family comprising weedy sea dragons and three species of pipefish. Although the environment is somewhat fragmented, these unique pockets of varied topography are integral components of the wider marine environment and provide important refuges for fishes.

## Syngnathidae

3. *"There is no reasonable or foreseeable possibility that construction of the wharf at Smith Bay will fragment or decrease the size of populations of any species of pipefish, affect their critical habitat or disrupt their breeding cycles. It is concluded that the project poses no credible risk to the viability of pipefish on the north coast of Kangaroo Island".*

Four species of protected pipefish and a number of weedy dragons were observed in AusOcean's marine ecology surveys of Smith Bay. An additional species of pipefish (*Stipecampus cristatus*) was noted in SEA Pty Ltd ecological survey (Table. 2).

The family Syngnathidae is protected under State and Commonwealth legislation (listed as threatened) by the *Environmental Protection and Biodiversity Conservation (EPBC) Act* (1999) and their export strictly controlled. Both leafy and weedy seadragons have been previously classified as Near Threatened in the International Union for Conservation of Nature (IUCN) Threatened Species Red List, with habitat loss partly contributing to the status (Browne *et al.* 2008). Syngnathid endemism is high in Australia with 25% of syngnathid genera and 20% of species known only from Australian waters (Kuitert, 2000; Pogonoski *et al.* 2002).

**Table 2: Species of Syngnathidae surveyed in Smith Bay (all photographs taken in Smith Bay).**

Species name	Common name	Image
<i>Stigmatopora nigra</i>	Wide bodied pipefish	
<i>Stigmatopora argus</i>	Spotted pipefish	
<i>Vanacampus margaritifer</i>	Mother of pearl pipefish	
<i>Stipecampus cristatus</i>	Ringed back pipefish	 <p>Source: SEA Pty Ltd.</p>
<i>Phyllopteryx taeniolatus</i>	Weedy sea dragon	

As outlined in the EIS, the density of pipefish in seagrass meadows on the north coast of KI was found to be approximately one per 20 square metres (Kinloch 2009). Assuming the same densities in Smith Bay, the direct loss of seagrass due to dredging would result in substantial losses of critical syngnathid habitat. Distributions of syngnathids vary considerably. Some syngnathids are abundant in their preferred habitat type, but can occur sparsely in other habitats and in some cases species are restricted to specialised habitats (Browne *et al.* 2019). These differences make it challenging to predict the likely impacts on population numbers. Although only five species were noted throughout surveys it is likely that diversity is much higher.

The life history traits of syngnathids make them particularly susceptible to decline (Foster & Vincent 2004; Martin-Smith & Vincent 2006). Studies have shown that most individuals in common with leafy seadragons, have limited home range sizes of <1 ha (Sanchez-Camara & Booth 2004). Species with juveniles that have limited dispersal are vulnerable to local extinction, especially if their habitats are fragmented (Fagan *et al.* 2002; Foster & Vincent 2004; Cushman 2006). Furthermore, some species of pipefish are particularly susceptible to habitat modification due to increased water temperature, silt and pollutants (Borum 2003; Foster & Vincent 2004). It has been suggested that habitat loss and degradation are potentially the greatest conservation concerns for Australian coastal species, including syngnathids (Australian State of the Environment Committee 2001).

Indirect effects due to sedimentation and increasing levels of turbidity have the potential to negatively impact syngnathids. Research has demonstrated the effects of turbidity on sexual selection in several species of pipefish (Sundin *et al.* 2010; Sundin *et al.* 2016). This evidence suggests that mate choice is environmentally dependent and that increasing levels of turbidity may affect processes of sexual selection through an impaired possibility for visually based mate choice. As such, ongoing environmental perturbations such as increasing levels of turbidity may have detrimental consequences.

Due to their limited mobility and small home range sizes, loss of critical habitat due to dredging is likely to result in the loss of substantial numbers of syngnathids. In the event that individuals can move away from the construction zone, environmental perturbations such as increasing levels of turbidity may have ongoing negative consequences.

## Sedimentation

4. *“The zone of influence (i.e. extent of detectable plumes but no predicted ecological impact) is predicted to extend east and west along the coastline for approximately 5–6 km for the expected case and approximately 8 km for the worst case.”*

The effects of sedimentation in temperate rocky reef systems has been well documented (Airoldi and Virgilio 1998; Gorgula and Connell 2004; Balata *et al.* 2007; Connell *et al.* 2008). The devastating effects of human induced disturbances (i.e. sedimentation and eutrophication) in conjunction with natural disturbances has driven the widespread loss of kelp canopies along Adelaide’s metropolitan coastline (Connell *et al.* 2008). The expansion of turf-forming algae and excessive sedimentation are key drivers in this process. Research suggests the localities most vulnerable to these ecosystem shifts are those associated with conditions that enhance sediment deposition (e.g. dredging and intensive land use) or excessive sediment accumulation (Connell *et al.* 2008). Loss of macroalgae habitat can result in ecosystem shifts from complex and productive habitat to less productive, homogeneous systems dominated by turf-forming algae. These altered conditions can persist under high nutrient and sediment loads (Gorgula

and Connell 2004). In some cases, these shifts may not be reversed over several generations of canopy-forming taxa (Benedetti-Cecchi *et al.* 2001; Eriksson *et al.* 2002).

Suspended sediments in response to dredging and ongoing port use have a high probability in driving the loss of diversity in Smith Bay. Less productive and structurally complex habitats monopolised by turf-forming algae are likely to replace the highly productive and diverse macroalgae habitat. The EIS report measures a range of sediment characteristics which falls short of understanding the full effects as they move across zones.



Figure 1: Canopy forming macroalgae forests (left) have been replaced with turf-forming algae dominated reefs (right) along the Adelaide metropolitan coastline (Connell *et al.* 2008).

## Habitat Connectivity

Shallow water habitats contribute globally to fisheries productivity and maintenance of biodiversity (Ramos *et al.* 2015; Nordlund *et al.* 2018). These systems are vital for healthy coastal areas. Species that utilise multiple habitats (i.e. rocky reef and seagrass meadows) are heavily influenced by the connectivity and structure of the seascape as whole (Pittman *et al.* 2007; Staveley *et al.* 2017). It is important to consider habitat connectivity and its role in ecosystem functioning for many reasons. Fish connect habitats via larval dispersal, daily movements and exchanges of biomass and energy via ontogenetic migrations (Perry *et al.* 2018). Additionally, many coastal fish species utilise multiple habitats during different life stages (Gillanders *et al.* 2003). Research has demonstrated the importance of seagrass habitat as nursery areas with higher species richness and abundance of juveniles and subadults compared with larger adults (Gullström *et al.* 2008; Berkström *et al.* 2013). Furthermore, nursery species often prefer the clearer water and the complex habitat of seagrass meadows over turbid waters that occur in unvegetated sandy areas (Nagelkerken and van der Velde 2004).

As anthropogenic disturbances continue to fragment and in some cases destroy important coastal habitat understanding the importance of habitat connectivity is pivotal. “Seascape

nursery” is a conceptual model that defines a mosaic of coastal habitats that are functionally connected (Nagelkerken *et al.* 2015). This concept implies that the existence of structure (regardless of type) is essential if shallow water habitats are to function as nursery grounds (Heck *et al.* 2003). Therefore, the combination of habitat structures (i.e. reef, sponge and seagrass meadows) and linkages between may be a key driver in improved species abundances observed in vegetated areas (Pittman *et al.* 2004; Gullström *et al.* 2008). The loss of marine structural habitats often results in reduced habitat functional connectivity. This is an area of concern, particularly for species with limited mobility which are expected to suffer more so than migratory species as a result of habitat fragmentation (Caldwell and Gergel 2013).

Maintaining the connectivity of shallow water habitats is important for healthy fish communities (Perry *et al.* 2018). Seagrass meadows within Smith Bay likely play a pivotal role in shaping fish assemblages and diversity in the wider marine environment. Destruction of this system will result in habitat fragmentation impacting the interconnectivity of shallow water areas that comprise the wider “seascape nursery”. Therefore, Smith Bay should be considered an integral component of a highly diverse and interconnected marine environment.

# Analysis of Waves and Currents

## Foreword

This chapter was prepared by Dr John Luick of Austides Consulting, Adelaide, in response to “Smith Bay EIS - Coastal Process Impact Assessment, Reference: R.822454.005.02.Coastal Process.docx, Date: December 2018”.

It represents his views in relation to Appendix G (Coastal Processes) of the KIPT EIS (“the BMT report”). It is in no way meant to be exhaustive.

### *Disclosure:*

*Dr John Luick has no financial or other connection or interest in the KIPT Smith Bay development, for or against. The following are his own professional opinions.*

## Waves

I was unable to find in the BMT report the time period for which data was obtained. Most of the wave statistics that are presented (significant wave height, peak wave period, and return periods) are not relevant to the main questions I would have regarding potential impacts on enterprises located to the east of the dredging. For my questions, I would need to know the statistics for peak wave height, direction, wavenumber, and frequency, and I would want them separately for a summer and a winter period. These would enable computations of “Stokes Drift”, the phenomenon by which waves transport sediment (in this case sediment from the dredging process).

## Currents

Figure 2.7 of the BMT report shows a scatterplot including data from mid-winter to early summer. As with the waves, it would have been useful to also have two plots (July/August for winter and one for the final month to represent summer). Also, the plots also do not seem to distinguish between tidal and residual (or “subtidal”) currents. The tidal currents sweep back and forth twice a day, like an “AC current”, whereas the subtidal currents (nontidal component) are like the DC part of an electrical current. The same also seems to apply to BMT’s Figures 2.8 and 2.9. This makes it difficult for me to make meaningful estimates of the alongshore drift, which is what I take to be the key issue.

The subtidal eastward currents in winter are correctly attributed by BMT to the effect of south-westerlies driving water in a series of storm surge-like events. These same events cause coastal currents to flow to the north along the Adelaide shoreline.

In the figures below, I show what the tidal and subtidal currents look like (see Figures 1 and 2). Note the different scales between the vertical axes of the two plots. The tidal current scale (Figure 1) runs between  $\pm 30$  cm/s, whereas the range on the subtidal currents (Figure 2) is  $\pm 6$  cm/s.

If the east-west tidal currents are integrated over a six-hour eastward (positive) flow period during “spring tides”, the result is the eastward distance tides can carry suspended particles. On 17 March, for example, this distance turns out to be over 3600 metres (3.6 km) over the six-hour period, prior to reversing.

The oscillating tidal currents are superimposed on the mean eastward flow (during winter) which is often more than 4.3 km/day.

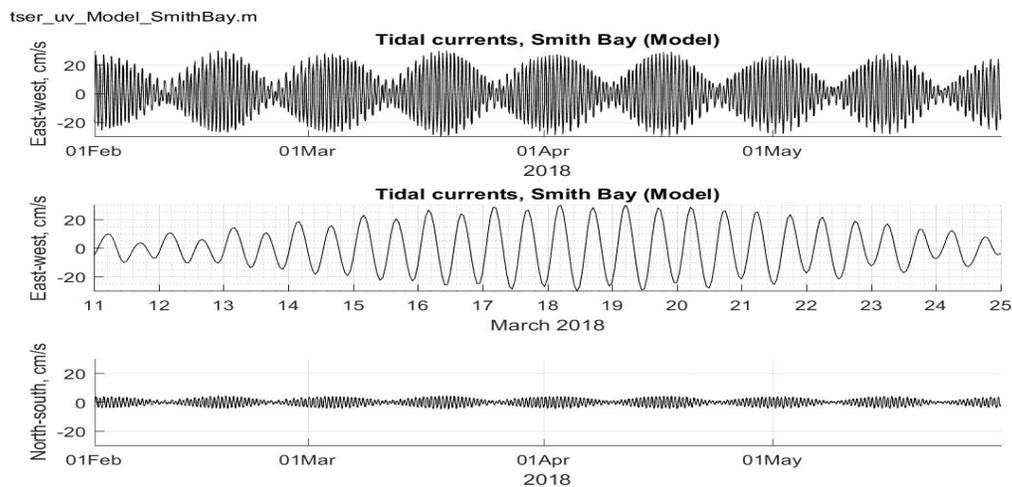


Figure 1. Tidal currents (east-west component).

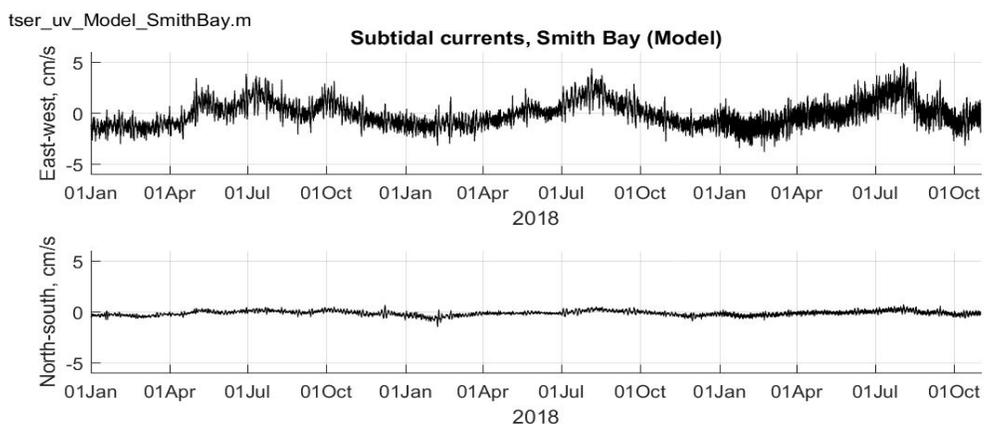


Figure 2: Subtidal currents (east-west components).

## Summary

The preceding comments emphasise the importance of distinguishing between the season, as well as the tidal and subtidal currents when discussing the potential for transport of disturbed sediments. While the BMT report discusses the tides and mean currents, it does not explicitly present the difference in the key graphics.

The tidal currents will transport dredged-up materials back and forth along the coast over a 7.2 km total range, twice a day, throughout the spring portion of the tide cycle. On top of that, the subtidal currents during winter could carry it an additional 4.3 km. The prevailing Stokes Drift would push the material onshore and to the east.

My estimates are based on an operational hydrodynamic model of the two Gulf region, which was calibrated and validated inside and outside the Gulfs, but without Smith Bay data. However, as far as I can tell, my results agree with the very limited data and analysis in this report. On the basis of this BMT report alone, a full understanding of the littoral drift is not possible.

Due to not separating the two time and two frequency domains of variability, an important connotation is ignored, which is that the negative impact of the dredging could be minimised by dredging only during summer, and only during neap tidal periods. To make this argument, impact estimates for those periods and frequency bands would have to be separately calculated.

I would expect the dynamics of the littoral drift of sand and dissolved substances at Smith Bay to be similar to those observed over many years along the Adelaide metropolitan beaches. There, the alongshore drift is caused by the same sort of subtidal flow during winter, with tidal currents primarily acting as “turbulence” keeping suspended particulates from sinking, and the process reinforced by Stokes Drift due to the waves. The only difference will be that at Adelaide, drift is to the north (not east). Since the analogue is so similar and obvious, I would have expected the developer to be required to show how the dynamics would differ, if they are claiming that their activities will not negatively impact their neighbours. I was unable to find any substantive discussion or data in the BMT report comparing the Smith Bay to the well-known Adelaide dynamics.

Dr John L Luick, Austides Consulting



Principal, Austides Consulting, Adelaide  
Adjunct Senior Lecturer, College of Science and Engineering, Flinders University  
Visiting Scientist, South Australian Research and Development Institute, Adelaide  
Expert Adviser, Tridel Engineering LLC (Dubai)

## Other Environmental Issues

### Environmental Offsets

As noted, the construction of a causeway and the dredging of the berthing pocket and approaches would result in the direct loss of about 10 ha of mixed habitat (rocky reef, sponge and seagrass), comprising the seagrasses *Posidonia sinuosa*, *Amphibolis antarctica* and *Amphibolis griffithii*, and associated invertebrate and fish communities. This loss of mixed habitat would supposedly be offset by providing financial support to optimise fertiliser use in the Cygnet River catchment that in turn would encourage the recovery of seagrass.

Despite the wide range of functional roles performed by sponges they are often overlooked in monitoring and conservation programmes (Bell 2008). Important functional roles of sponges include; habitat provision, stabilisation of sediments, nutrient recycling and water filtration (Wulff 2001). Hence, sponges are considered important components of benthic fauna communities throughout temperate habitats. The composition of mixed habitat (seagrass, sponges and rocky reef) should be taken into account when determining appropriate environmental offsets. As marine systems are unique, novel approaches to offsets are required (Bell 2016). Any exclusion of sponges from monitoring and conservation programs is concerning, particularly because they have the potential to exert a major influence on overall ecosystem functioning (Bell, 2008).

Deciding on the biodiversity value to be offset is a fundamental part of the offset process as it must be representative of the inherent value of the ecosystem (Bell 2014). Furthermore, the environmental offset program is intended to ensure “equivalence of conservation benefits”. Although we understand this type of offset is industry standard, the proposal doesn’t take into account the extensive loss of rocky reef habitat and sponges which are integral components of the wider marine environment. In conservation benefit terms, it is not clear that an equivalent acreage of seagrass can compensate for the loss of the latter. We suggest that restoration efforts should centre on improving water quality and restoring habitat and associated biodiversity where the damage has occurred, i.e. at Smith bay<sup>2</sup>.

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<sup>2</sup> By way of comparison, \$5M has been spent to date to restore 20 ha of shellfish reef at Windara Reef (personal communication with The Nature Conservancy, 25 May 2018).

## Biosecurity Hazards

Discharged ballast water can result in the introduction of invasive species (marine pests) (Gollasch *et al.* 2018). The proposal suggests that conventional ballast water management practices are adequate to manage the risk of biosecurity hazards. However, to date, international shipping has resulted in the introduction of over 200 introduced marine species into Australian waters (McCann *et al.* 2001).

In contrast, no introduced species were recorded in Smith Bay during either of the marine surveys conducted by SEA Pty Ltd. (Wiltshire & Brook 2018). The introduction of marine pests would therefore have a profoundly negative impact. Once marine pests established themselves on Kangaroo Island, their removal would be challenging.

## Underwater Noise Pollution

Smith Bay and nearby Dashwood Bay are regularly frequented by whales and dolphins (Cribb *et al.* 2018), including southern right whales which are listed as endangered under the EPBC act. The impact of anthropogenic noise on marine mammals is an area of increasing concern. Ocean noise pollution is of particular concern to cetaceans as they are highly dependent on sound as their principal sense (Weilgart 2007). Most noise in the ocean comes from commercial shipping which has been the main contributor to increases in ocean background noise over the past century (Parks *et al.* 2007). The long term impacts of increasing levels of noise are not well understood. However, recent studies on the Southern right whale (*Eubalaena australis*) show alterations in both short and long term behaviours as a result of increasing low frequency noise (Park *et al.* 2007).

Whales communicate from 30 Hz to about 8 kHz (Cranford *et al.* 2015) and dolphins from 20 Hz to about 150 kHz (Turl 1993). Commercial ships produce underwater noise with peak spectral power in the range 20 Hz to 200 Hz, extending at least to 100 kHz (Veirs *et al.* 2016), directly overlapping with frequencies essential to cetacean communication and navigation.

Construction and ongoing ship activities would make Smith Bay and adjoining areas much noisier than they are today, adversely impacting these iconic and protected marine mammals. As sound travels efficiently underwater, potential areas of impacts can be thousand of square kilometres or more (Weilgart 2007).

## Wood Chip Leachates

The proposed development includes wood chip storage areas on land adjacent to the shoreline. It is not clear how the proponent intends to prevent strong southerly winds from blowing wood chips into the bay. Tannins leach out of wood, forming so-called “leachates” (Tao *et al.* 2005). These react to form water-soluble substances, such as gallic acid and protocatechuic acid (Svensson *et al.* 2012). Ocean acidification, albeit caused by CO<sup>2</sup> absorption, is known to be highly detrimental to marine life (Dupont *et al.* 2009). Acidification caused by leachates is therefore likely have a similar detrimental effect.

## Non-Environmental Claims

Although the primary purpose of this document has been to address the environmental impact of the proposed port, we would also like to comment on the following claims made by the proponent.

### Sheltered, Deep Water Port?

The proponent claims that Smith Bay is the “*closest practicable sheltered north coast site*” and “*has deep water relatively close to the shore*”. In reality, Smith Bay is neither sheltered year round<sup>3</sup> nor is deep water located particularly close to shore.

In order to achieve sufficiently deep water (after significant dredging) the vessel berthing pocket would be ~500m offshore. Technically, the proposed berthing area would not lie within the confines of the bay. Such a location would therefore be highly exposed to Kangaroo Island’s violent winter storms, in particular, gales from the northwest. Mount Marsden, only 14 km away, is one of the windiest locations in South Australia, and Kingscote is the state’s third windiest town (BoM 2018).

The EIS does not mention the environment impact of vessels or berth infrastructure potentially damaged or run aground by storms.

### Alternative Uses

The proposal conflates not proceeding with the proposed port development as the “do nothing option” [sic]. There are other uses for the timber that do not require construction of a port, notably the use of the timber biomass for energy production. Energy production can take the form of either power generated by combustion and fed into the grid, or biofuel production, such as biodiesel, through hydrothermal liquefaction (Elliott *et al.* 2015). Biofuels that are produced in such a way are carbon neutral, i.e., there are no net carbon emissions produced when the biofuel is consumed. In particular, Tasmanian blue gum (*Eucalyptus globulus*) which comprises the bulk of KIPT’s plantings, is already considered to be fuel wood, and deemed a fire hazard for this reason.

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<sup>3</sup> Mariners also deem Smith Bay to be an unsuitable anchorage. Of the several dozen Kangaroo Island anchorages listed in “*Anchoring and Anchorages in South Australia*” by James Cowell, Smith Bay is not mentioned.

In 2018 Kangaroo Island Council commissioned a report (EEA 2018), which detailed how timber biomass could be used for power and fuel, enabling the Island to achieve energy security in a manner consistent with its clean, green brand.

We therefore suggest that alternative business models for utilising the Island's timber resources should be considered. Over time, cleared timber forests could be returned to their former state, e.g., farm land or native vegetation, without degrading Kangaroo Island's natural environment.

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Australian Ocean Lab  
(AusOcean)

# SMITH BAY MARINE ECOLOGY REPORT

2019



# SMITH BAY

# MARINE ECOLOGY REPORT



A report prepared for  
AusOcean

by

Ms Catherine Larkin

Marine Biologist

## Copyright

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## Foreword

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I learned to dive in the cold, clear waters of the Monterey Bay, California, and for that I am very grateful. Had I learned in warmer waters, I might never have donned a 7mm-thick wetsuit. Many divers never experience the wonders of temperate waters, eschewing them for the tropical coral reefs that attract so much media and research attention. Yet temperate waters hold a great diversity of marine life and few more so than the waters of southern Australia, increasingly referred to as the *Great Southern Reef (GSR)*. Unlike tropical reefs in which species are distributed globally, 90% of species found in the Great Southern Reef are endemic to southern Australia, and what marvellous creatures they are; from the colony-forming bryozoans that rival corals in their fantastic shapes and colours, to those masters of camouflage, the stunning seadragons. These are not cosmopolitan species that might just as easily pop up on the Great Barrier Reef (GBR) as a reef in Belize, The Maldives or The Philippines. These are marine species that are native to Australia and geographical isolation has confined them to *our* waters. They are as much a part of the Australia's wonderful natural heritage as our unique terrestrial wildlife.

Kangaroo Island's marine environment is particularly significant as it encompasses semi-protected Gulf waters, unprotected Southern Ocean waters and areas of confluence between the two. While several marine studies have been conducted over the years, generally these have been quite sparse in their geographical coverage. During the summer of 2018-2019 AusOcean therefore embarked upon a series of expeditions to intensively study Smith Bay on the North Coast of Kangaroo Island. This bay was chosen for two reasons. Firstly, it is the location of a proposed port, and it therefore seemed prudent to study a place that might be impacted by development. Secondly, preliminary work suggested that Smith Bay would present a great range of benthic environments, namely sandy seafloor, rocky reef, dense seagrass, kelp and combinations of all of the above.

As such, it would represent a microcosm of the marine environment of Kangaroo Island's North Coast. We anticipated that such a range of habitats would foster good species diversity. We were not disappointed.

A handwritten signature in black ink that reads "Alan Noble".

Prof. Alan Noble

Founder, AusOcean

*B.Eng. (Hons) (Adelaide), M.S. (A.I.) (Stanford), Fellow, Engineers Australia*



## Introduction

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Kangaroo Island (KI) is uniquely situated at the confluence of several oceanographic systems (Kinloch, 2005). This unique positioning and, the effects of the warm waters of the Leeuwin current have a profound influence on marine assemblages (Middleton & Bye 2007). The northern coastline comprises a mixture of macroalgal (“seaweeds” such as kelp) dominated rocky reef systems and dense seagrass communities. These systems form part of the wider Great Southern Reef (GSR) spanning the entire southern coastline of the Australian continent (Bennett *et al.* 2015). In addition to the many significant economic and social benefits, these systems provide key ecological services such as nutrient cycling, sediment stabilisation, enhanced biodiversity, trophic transfers and carbon sequestration (Orth *et al.* 2006; Smale *et al.* 2013).

KI’s marine environment exhibits high species richness and endemism supporting an abundance of emblematic and threatened species with high conservation value such as the Leafy sea dragon (*Phycodurus eques*), the Western blue groper (*Achoerodus gouldii*), Blue devil (*Paraplesiops meleagris*) and Harlequin fish (*Othos dentex*) (McArdle *et al.* 2015, Reinhold *et al.* 2013). KI’s coastline provides unique habitat that is paramount for the existence and longevity of these species, whose numbers have declined significantly elsewhere. Additionally, valuable commercial fisheries such as Yumbah aquaculture- the world’s largest exporter of Greenlip abalone and the Rock lobster industry rely heavily on the local environment for quality production.

Eleven species of fish and one invertebrate are listed as ‘in peril’ by the SA conservation Council (Reef Watch, 2018). These species are known to frequent South Australian waters and have been previously noted on KI (McArdle *et al.* 2015, Reinhold *et al.* 2013, Shepherd *et al.* 2009). The Western blue groper is listed as *Vulnerable* on the IUCN red list of threatened species (Choat *et al.*, 2010) and the giant cuttlefish is listed as *Near threatened* with populations declining drastically since the turn of the century (Prowse *et al.* 2015) (table 1). All members of the Syngnathidae family (seahorses, sea-dragons and pipefish) are listed as protected species under the Australian Commonwealth’s *Environmental Protection and Biodiversity Conservation (EPBC) Act (1999)*.

Table 1: Focal species of Kangaroo Island.

Conservation Value	Commercial Value
Western blue groper	Southern rock lobster
Southern blue devil	Greenlip abalone
Harlequin fish	Blacklip abalone
Queen snapper	
Long-snout boarfish	
Leafy sea dragon	
Weedy sea dragon	
Spotted wobbegong	
Gulf wobbegong	
Cobbler wobbegong	
Black cowrie	
Giant cuttlefish	

Southern Australia’s marine macroalgal flora has the highest levels of species richness and endemism of any regional macroalgal flora in the world (Phillips 2001). However, despite their intrinsic and economic value, temperate reef systems are often overlooked by their tropical reef counterparts. A defining feature of these reef systems is the kelp (*Ecklonia Radiata*), which is largely supported by neighbouring seagrass systems that facilitate both reef interconnectivity (Heck *et al.* 2008; Ricart *et al.* 2015) and provide important ‘nursery’ areas for fishes (Jenkins and Wheatley 1998; McDevitt-Irwin *et al.* 2016). In South Australia, seagrass habitats are protected under the *Native Vegetation Act* (1991).

Current levels of both scientific and public engagement threaten the health and longevity of these significant systems (Bennett *et al.* 2015). As part of AusOcean’s first expedition to KI’s north coast, Smith Bay was selected as an appropriate site for a comprehensive marine life survey due to both its high diversity of flora and fauna and unique variety of habitats. Although a number of both scientific and community-based programs have conducted surveys along the north coast of KI collecting baseline data on fish, invertebrate and algae communities for long term reef health monitoring (McArdle *et al.* 2015, Reinhold *et al.* 2013, Scorseby & Baker 2008), Smith Bay remains relatively lightly studied.

## Methods

---

Ten survey locations within Smith Bay on the northern coast of Kangaroo Island were selected for marine life surveys (figure 1). Sites were strategically selected to encompass both the eastern and western sides of the bay and deeper waters located more centrally (table 2). Survey data was collected on two dive trips in December of 2018 and one in February of 2019. All dives were off a boat and undertaken during daylight hours.

Standardised Reef Life Survey (RLS) methods were adapted to gather substrate, fish and invertebrate species composition and abundance data at each site (Reef Life Survey Foundation 2013). The standard RLS method involves laying out 50m long transects along continuous depth contours to assess reef biodiversity. A complete survey consists of the following components:

- Photo quadrats taken at 2.5m intervals along the transect line (20 per 50m transect).
- Fish surveyed in two 5m wide by 5m high bands parallel with the transect line.
- Cryptic fish and large (>2.5cm) macroinvertebrate (mollusc, echinoderm and crustacean) searches in 1m wide by 2m high bands either side of the transect line.

Each survey location was located >200m apart. Multiple transects within a survey location were located within 50m of each other. The only sites in which transects were not undertaken was Smith Bay North (N) and North Central (NC) as they did not adhere to the requirements of the RLS methods. However, location species was noted via an area 'swim around'. Therefore, these sites have been excluded from the main data analysis but are included in Appendix 1. Species identifications were supported by - Fishes of Australia's Southern Coast (Gomon *et al.*, 2008).

Table 2: Number of transects at sites.

Smith Bay	No of transects
East Rocks (ER)	1
East (E)	2
East Shore (ES)	2
North Central (NC)	N/A
North (N)	N/A
Creek Channel (C)	1
West Central (WC)	2
West Shore (WS)	2
West (W)	2
West Rocks (WR)	2



Figure 1: Map of survey locations and image of Smith Bay facing east.



Plate 1: Divers preparing to survey.



Plate 2: Divers conducting reef life surveys.

## Results

Smith Bay is comprised of mixed rocky reef, dense seagrass and sponge habitat. Rocky reefs were dominated by macroalgal assemblages comprising *Cystophora* spp., *Sargassum* spp., and *Ecklonia radiata* with interstitial patches of *Posidonia* spp., *Amphibolis* spp. and *Zostera nigricalis* seagrasses. Rocky reef habitat sites were often covered in the brown alga *Lobophora variegata*. Survey locations have been grouped together in relation to their area ecology (table 3). East Rocks, East shore and West Shore had much higher macroalgal cover in comparison to other sites which consisted of mixed seagrass, rocky reef and sponge with areas of bare sand. The northern sites substrate comprised of bare sand, shell fragments and rhodoliths (*Sporolithon durum*) with interspersed patches of seagrass, rocky reef and sponge. It is worth noting that although the habitat at these deeper-water sites was somewhat fragmented, supporting less dense canopies, a number of macroalgae species including *Scaberia aghardii* and several species of *Cystophora* and *Sargassum* were noted (table 3).

Table 3: Area ecology of each site.

Site	Area Ecology	Image
<b>East Rocks</b> <b>East Shore</b> <b>West Shore</b>	Dense macroalgae covered rocky reef.	
<b>East</b> <b>West Rocks</b>	Mixed macroalgae covered rocky reef and seagrass.	

<b>West Creek Channel West Central</b>	Mixed sponge/seagrass and patches of macroalgae covered rocky reef.	
<b>North North Central</b>	Rubble and shell fragments with mixed seagrass/sponge and patches of rocky reef.	

Across all surveyed sites within Smith Bay, 55 species of fish and 35 species of invertebrates were noted, comprising 1124 individuals (902 fish and 222 invertebrates). Of these, 539 fish and 162 invertebrates were noted within transects. Where multiple transects were undertaken, data has been collated to assess each site. It should be noted that the scallop count from the both North and North Central has been excluded due to their occurrence in large abundances and lack of formal transects.

The Senator wrasse was the most commonly occurring species appearing at all sites followed by the Blue throat wrasse at 7 sites and the Blackspotted wrasse at 6 sites (table 4). The most frequently occurring invertebrates were the Western slatepencil urchin at 6 sites and both the Painted lady mollusc and the Biscuit star noted at 5 sites (table 4).

Table 4: Frequency of Occurrence (FOO) of the most commonly sighted species.

<b>Fish Species (FOO)</b>	<b>Invertebrate Species (FOO)</b>
Senator Wrasse (8)	Western slate pencil urchin (6)
Blue throat Wrasse (7)	Painted lady (5)
Black-spotted Wrasse (6)	Biscuit Star (5)
Castelnau's wrasse (5)	
Dusky Morwong, Pencil weed whiting, Magpie perch, Yellow-headed hula fish, Toadfish (4)	

Almost 50% of fish species were recorded at one site only. Over 80% of invertebrate species occurred in three or less sites (figure 2).

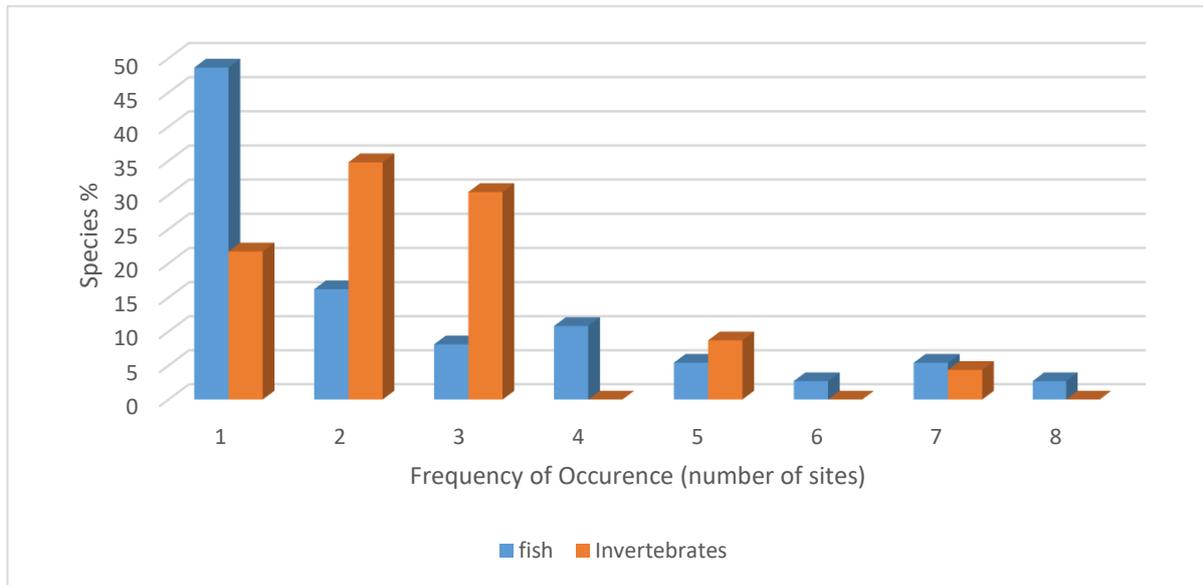


Figure 2: Frequency of Occurrence of fish and invertebrate species.



Plate 3: Senator wrasse (*Pictilabrus laticlavus*).



Plate 4: Western slatepencil urchin (*Phyllacanthus irregularis*).

The site with the highest number of species (both fish and invertebrate) surveyed was West Central, followed by East Shore, and West Shore (figure 3).

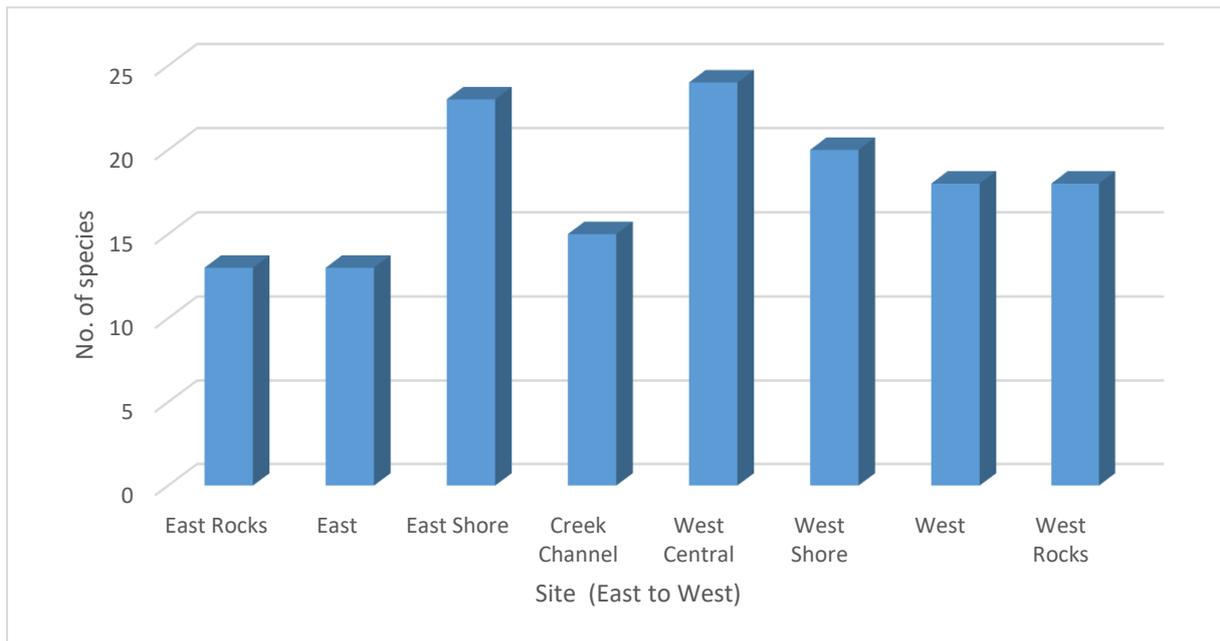


Figure 3: Total species at each site.

Both West and West Rocks exhibited the highest number of invertebrate species and sites East Shore, West Central and West Shore had the highest number of fish species (figure 4). Sites with the highest number of invertebrate species exhibited the lowest number of fish species.

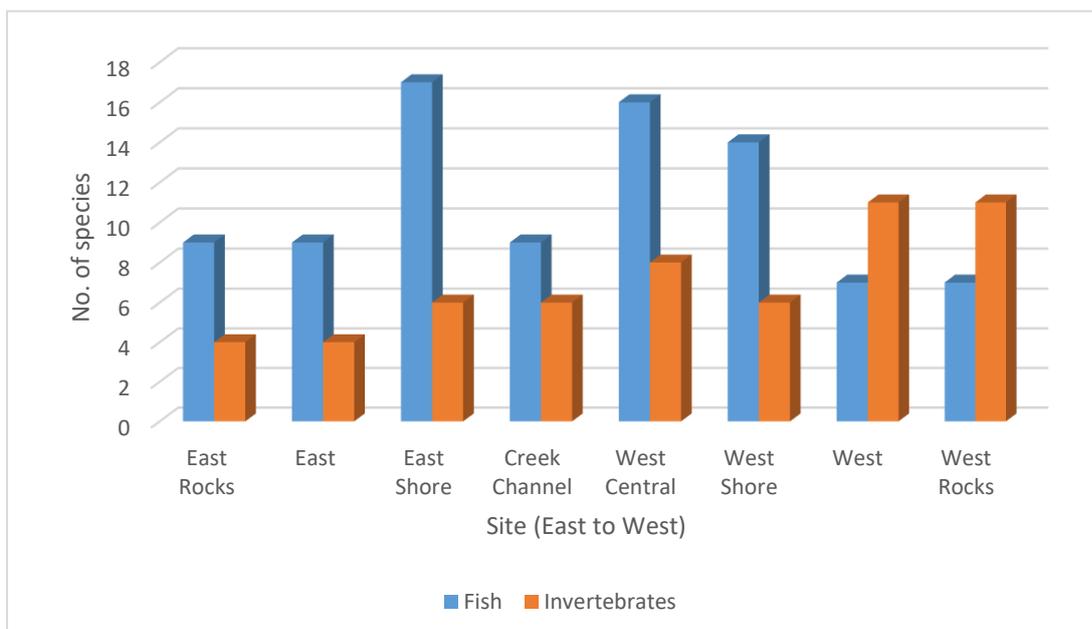


Figure 4: Fish and invertebrate species occurring in each site.

The most abundant fish (highest number of individuals) was the Black-spotted wrasse followed by the Yellow-headed hula fish and the Bluethroat wrasse. The most abundant invertebrate was the Western slate pencil urchin followed by the Painted lady mollusc and the Biscuit star (table 5).

Table 5: Most abundant fish and invertebrate species (\* denotes schooling species).

Fish Species	Invertebrate Species
Black spotted wrasse (108)	Western slate pencil urchin (23)
Yellow-headed hula fish (96)*	Painted lady (17)
Bluethroat wrasse (68)	Biscuit star (14)
Zebrafish (62)*	Vermillion biscuit star (11)
Silverbelly (50)*	Southern rock lobster (11)

Sites East Shore and West Central exhibited the highest number of individuals, comprising mostly fish. These high numbers were due in part to the presence and abundance of schooling species (table 5). East Rocks and Creek Channel exhibited the lowest number of individuals (figure 5). However, this may be in part due to the lack of replicated transects. Sites West and West Rocks on the western side of the bay, were the only locations where more invertebrates than fish were surveyed.

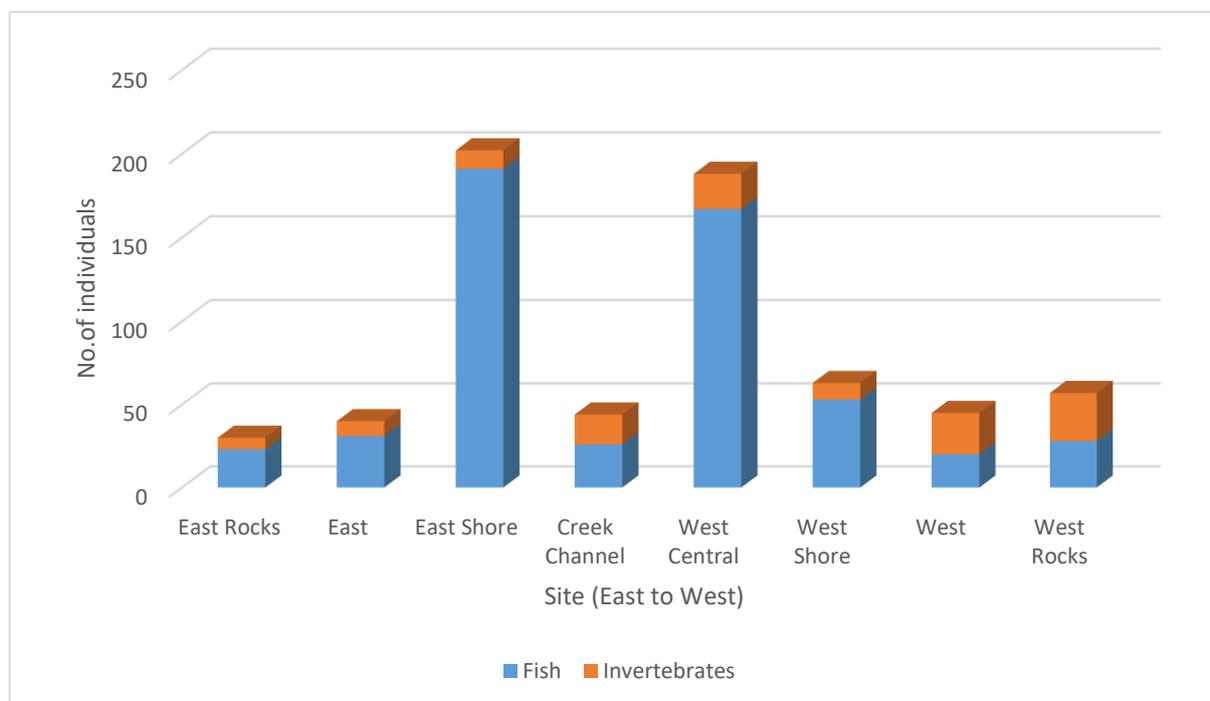


Figure 5: Total number of fish and invertebrates recorded at each site.

## Species of Conservation Significance

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Several species of conservation significance were noted. The Western blue groper was sighted at East Rocks, the Long-snout boarfish was sighted at Creek Channel, West Central and North and both the Southern blue devil and Weedy seadragons at North Central.

### Syngnathids

Three species of Syngnathidae were noted at North Central in the deeper waters of the bay at 16-18m depth comprising three pipefish; *Stigmatopora nigra*, *Stigmatopora argus* and *Vanacampus margaritifer*, and six Weedy seadragons; *Phyllopteryx taeniolatus*.

### Cetaceans

Three bottlenose dolphins were sighted at West rocks outside the surveyed transect. It should be noted, in transit through Smith Bay, Common bottlenose dolphins were present at each site outside surveying hours.

### Coral

Two colony forming corals were sighted; *Plesiastrea versipora* and *Coscinaraea mcneilli*. One large temperate coral of *P.versipora* nearing 2m tall and 6m in circumference and a smaller coral approximately 2m in circumference was located in close proximity to East rocks. Analysis indicated that the larger coral supported at least 14 fish species visible in collected footage. A colony of *C.mcneilli* was sighted at North Central.

### Commercially Valuable Species

Southern rock lobsters were sighted at West Rocks, East Shore and West Shore and Abalone at West.

### Other species of interest

The only octopus sighted was located at Creek Channel outside a transect.



Plate 5: Common Bottlenose dolphin (*Tursiops spp.*) Photographed at West.



Plate 6: Weedy seadragon (*Phyllopteryx taeniolatus*) Photographed at North Central.



Plate 7: Mother of pearl pipefish (*Vanacampus margaritifer*) Photographed at North Central.



Plate 8: Western Blue groper (*Achoerodus gouldii*) photographed at East Rocks.



Plate 9: Long-snout boarfish (*Pentaceropsis recurvirostris*) photographed at Creek Channel.



Plate 10: Southern blue devil (*Paraplesiops meleagris*) photographed at North Central.

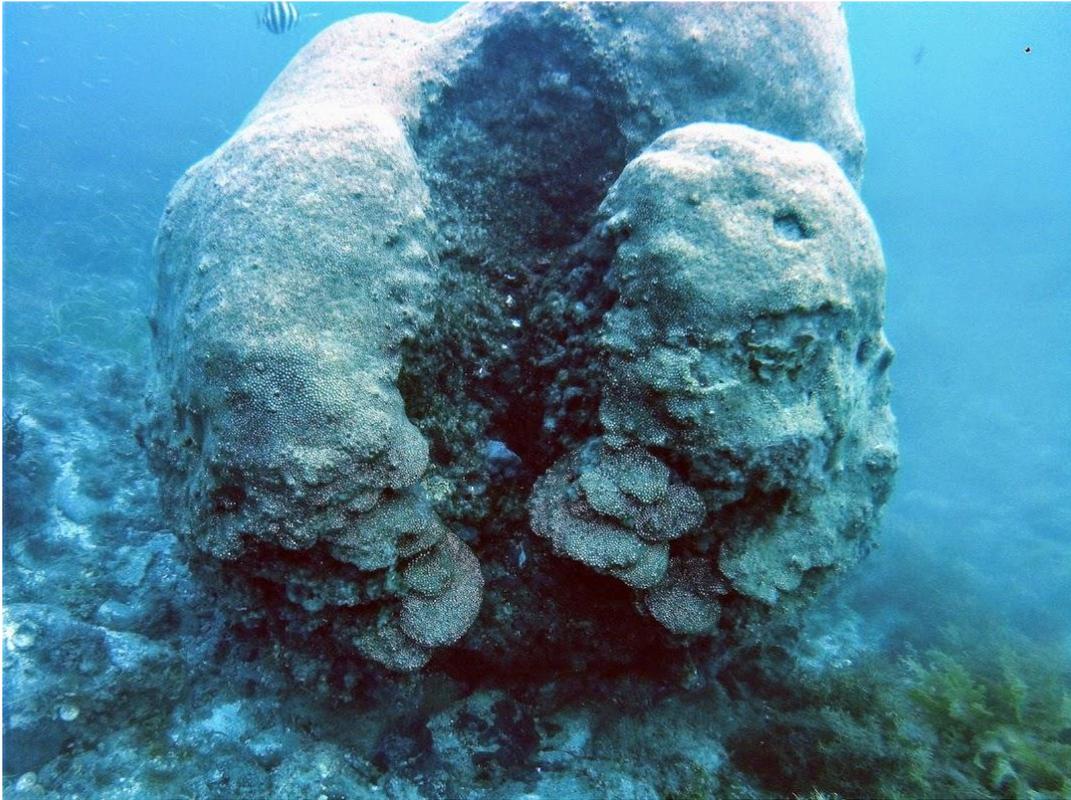


Plate 11: Coral (*Plesiastrea versipora*).



Plate 12: Diver surveying coral.

## Discussion

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The ecology within Smith bay is highly heterogeneous providing complex habitat for a myriad of species including fishes and invertebrates. The abundance of fishes on reefs is influenced by a variety of physical and biotic factors (Scoresby & Baker, 2008). Phillips (2001) indicates that high macroalgal speciation rates in Southern Australia are influenced by fluctuating environmental conditions, abundance of suitable rocky reef substrate, habitat heterogeneity and the warm waters of the Leeuwin current. These features aid in maintaining favourable conditions. The Leeuwin current flows South along the Western Australia coast, bringing warmer water east through the Great Australian Bight (Middleton and Bye 2007) having a profound effect on habitat conditions.

Smith Bay is part of a highly connected marine environment. To the east are Emu Bay and Boxing Bay and to the west is Dashwood Bay. The latter is particularly noteworthy as a location frequented by dolphins, which were observed in great numbers during our second expedition. High dolphin presence on the north coast is supported by new evidence that suggests population connectivity of bottlenose dolphins between Kangaroo Island and South Australian mainland waters (Cribb *et al.* 2018). The bay's diverse assemblage of organisms may be influenced in part, due to its unique location ideally situated between two marine parks. To the east lies the Encounter marine park and the southern Spencer Gulf marine park to the west (Natural Resources Kangaroo Island, 2018). Marine parks are known to influence adjacent marine environments via the 'spillover' effect, involving the movement of individuals across reserve boundaries (Rowley 1994) and exportation of larvae and recruits (McClanahan and Mangi 2000). However, the spatial extent of these effects vary considerably (Harmelin-Vivien *et al.* 2008; da Silva *et al.* 2015).

A total of 55 species of fish and 35 invertebrates were surveyed, including several species listed as 'In peril' by the conservation council (Reef Watch, 2019). The most commonly occurring species comprising the wrasses were also the most abundant appearing at survey locations in both sides of the bay. Fish exhibited strong habitat association with almost 50% recorded as single site associated species, due in part to the unique ecology of sites across Smith Bay. These ecological variations are influenced by physical complexities such as substrate composition and topography and presence and abundance of macroalgal and

seagrass communities. Many species surveyed in this study appear in earlier documents pertaining to fish and invertebrate biodiversity assessments (McArdle *et al.* 2015, Reinhold *et al.* 2013, Scoresby & Baker, 2008).

Sites dominated by dense macroalgae cover, supported species such as the Zebra fish and Silver drummer, which were not noted anywhere else in the Bay. These species frequent high algal biomass areas due to their herbivorous diets consisting of a variety of green, brown and red algae (Clements & Choat, 1997). Environments with high macroalgal cover also provide habitat complexity and protection from predation making them ideal refuges for a variety of fishes (Dayton 1985). East Shore, characterised by dense macroalgae cover supported both the highest abundance of individuals and number of fish species.

Sites consisting of a mixed sponge/seagrass/rocky reef habitat often neighboured patches of high density seagrasses. Species such as the Longtail weed whiting, Sharpnose weed whiting and Slender weed whiting were surveyed only at these sites. Research indicates weed whiting species show strong habitat association to seagrass near reef edges (Shepherd *et al.* 2009). This is consistent with the area ecology exhibited at sites where these species were noted. High numbers of invertebrates were surveyed in the western sites of the bay including West Central, West and West Rocks. This is likely due to the absence of canopy-forming macroalgae, and associated habitat structure and food webs (Grutter & Irving 2007). In support of this, research indicates areas of high density seagrass aid in sustaining large macroinvertebrate communities (Attrill *et al.* 2000). Interstitial seagrass habitats are important ecological components ensuring reef interconnectivity (Heck *et al.* 2008) whilst providing essential 'nursery' habitat for a variety of fishes (Jenkins and Wheatley 1998; McDevitt-Irwin *et al.* 2016).

At surveyed sites North and North Central reef shelves and sponge gardens provide protection and habitat for a diverse range of species. 19 species of fish and 14 species of invertebrates present at these sites were not noted anywhere else in the bay. Although the environment is somewhat fragmented, these unique pockets of varied topography are integral components of the wider marine environment and provide important refuges for fishes. These sites were not included in the main data analysis, however, a number of species of conservation concern such as the Southern blue devil and Weedy seadragon were noted, as well as two species of protected pipefish.

A large temperate coral - *Plesiastrea versipora* was located in close proximity to surveyed site East rocks, with a smaller coral noted less than 100m away. The larger coral was approximately 6m in circumference and supported at least 14 species of fish. The smaller coral was approximately 2m in circumference. Large colonies of this coral were first discovered in South Australia over 100 years ago (Howchin 1909). Hard corals such as these are very slow growing in temperate waters, with varying rates of less than 1cm per year (Burgess *et al.* 2009). Due to the rarity of long-lived specimens in temperate waters, there have been few studies of environmental records (Burgess *et al.* 2009). Growth of these corals is dependent on upon a multitude of environmental factors including temperature, nutrient availability, turbidity, depth and light availability (Burgess *et al.* 2009). Historically, many of these larger colonies were dredged up by trawlers (Edyvane, 1999) and impacted through ecological modifications such as breakwater construction (The Register, 1909).

Species of interest such as the Long snout boarfish, Western blue groper, Southern blue devil and Weedy seadragon were noted in the bay and are listed as species of conservation concern. In Addition, two more species from the Syngnathidae family protected under the EPBC Act 1999 were also noted. Syngnathids exhibit life histories and behaviours which makes them vulnerable to decline (Foster and Vincent 2004) hence their notable protected status. Studies tracking *Phyllopteryx taeniolatus* indicate small home ranges and high site fidelity which has major implications for effective habitat management and conservation of this protected species (Sanchez-Camara and Booth 2004).

## Limitations

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Multiple transects were unable to be surveyed at every site. This reduced our overall data collection affecting species counts and the overall results. This should be taken into consideration when comparing data from East rocks and Creek channel where only one transect was undertaken. Additionally, the more central parts of the bay were not surveyed. This was due to both weather and time restrictions that inhibited further data collection.

All dives were undertaken during the day. As species behaviours vary at night, it would have been valuable to undertake surveys both during the day and at night.

The trips consisted of four divers, three of which were new to the RLS survey method and species identification. It was evident that diver's observational capabilities and species identification skills improved extensively during *in situ* activities. Therefore, it is likely that there are discrepancies between earlier and later conducted surveys. Variability in local conditions such as currents and/or visibility also affected surveying capabilities, which may have influenced the final results.

Utilising the RLS transect method is effective in standardising data collection methods, however many 'skittish' species of fish were likely missed due to divers presence and transect restrictions (i.e. 5m wide band).

## Conclusions and Future Research

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The ecology within Smith bay is highly heterogeneous providing complex habitat for a myriad of species both fishes and invertebrates. The distribution and abundance of species is influenced by a variety of physical and biotic factors including but not limited to, substrate composition and topography and, presence and abundance of macroalgal and seagrass communities. The unique ecology of sites across the bay is reflected in the high number of single site associated species.

Macroalgal covered reefs provide key ecological services, habitat protection and are an important food source for many species. Interstitial seagrass habitats are essential ecological components ensuring reef interconnectivity whilst providing vital 'nursery' habitat for a variety of fishes. These systems are integral components of the wider Great Southern Reef System spanning the entire southern coastline of Australia. Although Southern Australia marine macroalgal flora has the highest levels of species richness and endemism of any regional macroalgal flora in the world, current levels of both scientific and public engagement threaten the health and longevity of these significant systems.

Much like the rest of Kangaroo Island, Smith Bay's marine environment exhibits high species richness and endemism supporting an abundance of emblematic and threatened species with high conservation value. The now documented presence of numerous large temperate corals and a number of protected species, including those from the Syngnathidae family, outlines the importance of ongoing marine life surveys, with much left to be discovered. AusOcean aims to increase public awareness, perception and appreciation of these magnificent temperate ecosystems that are often overlooked by their tropical reef counterparts. These were the first of many Kangaroo Island expeditions highlighting the diversity and richness of Smith Bay and the north coast. Future research will involve additional marine life surveys, substantial footage collection via camera sled and/or ROV and potential analysis of the internal compositions (via coral core drilled sampling) of the coral, which can provide historic climate data of the area.

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## Appendices

### Appendix 1: Inventory of species

\*Total and FOO includes North Central and North which were excluded from the main data analysis.

Species	Common name	East Rocks	East	East Shore	North Central	North	Creek Channel	West Central	West Shore	West	West Rocks	Transect Total	FOO	Total*	FOO*
Fish															
<i>Austrolabrus maculatus</i>	Blackspotted wrasse		10		11	3	15	60	2	6	15	108	6	122	8
<i>Trachinops noarlungae</i>	Yellow-headed hula fish		4	30	100			60			2	96	4	196	5
<i>Notolabrus tetricus</i>	Bluethroat wrasse	5	4	25				4	26	2	2	68	7	68	7
<i>Girella zebra</i>	Zebra fish	2		60	2							62	2	64	3
<i>Parequula melbournensis</i>	Silverbelly			50								50	1	50	1
<i>Pictilabrus laticlavius</i>	Senator wrasse	1	4	3			1	4	5	3	5	26	8	26	8
<i>Parapercis haackei</i>	Wavy grubfish				5		1	11				12	2	17	3
<i>Dotilabrus aurantiacus</i>	Castlenau wrasse	3	1	3		2			3		1	11	5	13	6
<i>Siphonognathus beddomei</i>	Pencil weed whiting					4	1	5		2	2	10	4	14	5
<i>Dactylophora nigricans</i>	Dusky morwong	2		1	2	1		5	1			9	4	12	6
<i>Notolabrus parilus</i>	Brownspotted wrasse	3	1							5		9	3	9	3
<i>Heteroscarus acroptilus</i>	Rainbow cale							5	3			8	2	8	2
<i>Parma victoriae</i>	Scalyfin		2	3					3			8	3	8	3
<i>Scorpis aequipinnis</i>	Sea sweep	4		2				2				8	3	8	3
<i>Upeneichthys vlamingii</i>	Goatfish		2	1	7	4	4					7	3	18	5
<i>Cheilodactylus nigripes</i>	Magpie perch			1	3			3	1		1	6	4	9	5
<i>Omegophora armilla</i>	Toadfish						1	1	1	1		4	4	4	4
<i>Tilodon sexfasciatus</i>	Moonlighter			3						1		4	2	4	2
<i>Kyphosus sydneyanus</i>	Silver drummer	1		2								3	2	3	2

<i>Pempheris klunzingeri</i>	Rough bullseye		3		1						3	1	4	2
<i>Acanthaluteres brownii</i>	Spiny tailed leatherjacket							2			2	1	2	1
<i>Achoerodus gouldii</i>	Western blue groper	2									2	1	2	1
<i>Helcogramma decurrens</i>	Blackthroat threefin			1			1				2	2	2	2
<i>Hypoplectrodes nigroruber</i>	Banded seaperch						2				2	1	2	1
<i>Meuschenia hippocrepis</i>	Horseshoe leatherjacket			2							2	1	2	1
<i>Nesogobius greeni</i>	Twinbar goby							2			2	1	2	1
<i>Pempheris multiradiata</i>	Common bullseye			2							2	1	2	1
<i>Pentaceropsis recurvirostris</i>	Longsnout boarfish					3	1	1			2	2	5	3
<i>Siphonognathus attenuatus</i>	Slender weed whiting				1				2		2	1	3	2
<i>Siphonognathus caninis</i>	Sharp-nosed weed whiting							2			2	1	2	1
<i>Sphyraena novaehollandiae</i>	Snook			2							2	1	2	1
<i>Diodon nichthemerus</i>	Globefish							1			1	1	1	1
<i>Haletta semifasciata</i>	Blue weed whiting								1		1	1	1	1
<i>Heteroclinus perspicillatus</i>	Common weedfish						1				1	1	1	1
<i>Olisthops cyanomelas</i>	Herring cale								1		1	1	1	1
<i>Siphonognathus tanyourus</i>	Longtail weed whiting						1				1	1	1	1
<i>Aracana aurita</i>	Shaws cowfish				1						0	0	1	1
<i>Aracana ornata</i>	Ornate cowfish				2						0	0	2	1
<i>Atule mate</i>	Yellowtail scad				30						0	0	30	1
<i>Caesioperca lepidoptera</i>	Butterfly perch				1						0	0	1	1
<i>Caesioperca rasor</i>	Barber perch				4						0	0	4	1
<i>Centroberyx gerrardi</i>	Bight redfish				2						0	0	2	1
<i>Chelmonops curiosus</i>	Western talma				3	3					0	0	6	2
<i>Cochleoceps bicolor</i>	Western cleaner clingfish				1						0	0	1	1
<i>Dinolestes lewini</i>	Longfin pike				100						0	0	100	1
<i>Enoplosus armatus</i>	Old wife				3						0	0	3	1
<i>Meuschenia freycineti</i>	Sixspine leatherjacket				2						0	0	2	1
<i>Neosebastes pandus</i>	Big head gunard perch					1					0	0	1	1
<i>Paraplesiops meleagris</i>	Southern blue devil				2						0	0	2	1

<i>Parapriacanthus elongatus</i>	Elongate Bullseye				20							0	0	20	1
<i>Paristiopterus gallipavo</i>	Brownspeckled boarfish				1							0	0	1	1
<i>Pempheris ornata</i>	Orangelined bullseye				30							0	0	30	1
<i>Phyllopteryx taeniolatus</i>	Weedy seadragon				6							0	0	6	1
<i>Stigmatopora nigra</i>	Wide-bodied pipefish				1							0	0	1	1
<i>Stigmatopora argus</i>	Spotted pipefish				1							0	0	1	1
<i>Vanacampus margaritifer</i>	Mother-of-pearl pipefish				1							0	0	1	1
	<b>Total Fish</b>	23	31	191	342	21	26	167	53	20	28	539		<b>903</b>	
	<b>Total Fish Species</b>	9	9	17	28	8	9	16	14	7	7	37		<b>56</b>	
<b>Invertebrates</b>															
<i>Phyllacanthus irregularis</i>	Western slatepencil urchin		6	2	4	3		8	1	2	4	23	6	30	8
<i>Phasianella australis</i>	Painted lady	2	1					2		8	4	17	5	17	5
<i>Tosia australis</i>	Biscuit star	2		1	2		4			1	6	14	5	16	6
<i>Jasus edwardsii</i>	Southern rock lobster			5					4		2	11	3	11	3
<i>Pentagonaster duebeni</i>	Vermillion biscuit star				2		7			3	1	11	3	13	4
<i>Scallop spp.</i>	Unidentified scallop					*	4	6				10	2	10	2
<i>Paguroidea spp.</i>	Unidentified hermit crab								4		4	8	2	8	2
<i>Australostichopus mollis</i>	Southern sea cucumber				2			1		1	2	4	3	6	4
<i>Echinaster glomeratus</i>	Orange reef star		1					1		2		4	3	4	3
<i>Haliotis spp.</i>	Abalone									4		4	1	4	1
<i>Uniophora granifera</i>	Granular seastar								1		3	4	2	4	2
<i>Echinaster arcystatus</i>	Pale mosaic sea star			1					1	1		3	3	3	3
<i>Lunella undulata</i>	Periwinkle	2		1								3	2	3	2
<i>Plectaster decanus</i>	Mosaic sea star						1			1	1	3	3	3	3
<i>Anthaster valvulatus</i>	Mottled seastar					1					2	2	1	3	2
<i>Coscinasterias muricata</i>	Eleven armed seastar			1			1					2	2	2	2
<i>Fusinus australis</i>	Southern spindle							1			1	2	2	2	2
<i>Paguristes frontalis</i>	Southern hermit crab	1						1				2	2	2	2
<i>Pinna bicolor</i>	Pinna				20	17		1		1		2	2	39	4
<i>Pleuroploca australasia</i>	Tulip shell					3	1			1		2	2	5	3

<i>Goniocidaris tubaria</i>	Stumpy pencil urchin				1					1			1	1	2	2
<i>Nectria pedicelligera</i>	Multi spined seastar		1										1	1	1	1
<i>Thylacodes siphon</i>	Worm snail				1								0	0	1	1
<i>Astroboa ernae</i>	Basketstar				5								0	0	5	1
<i>Austrofromia polypora</i>	Many-spotted sea star				1								0	0	1	1
<i>Ceto cuvieria</i>	Curviers sea cucumber				10	2							0	0	12	2
<i>Australostichopus mollis</i>	Australasian brown sea cucumber												0	0	0	0
<i>Conocladus australis</i>	Southern basketstar				3								0	0	3	1
<i>Holothuriid spp.</i>	Sea cucumber				1	2							0	0	3	2
<i>Meridiastra gunnii</i>	Gunn's six armed seastar				2								0	0	2	1
<i>Cassis fimbriata</i>	Snail				1								0	0	1	1
<i>Nectria saoria</i>	Saori's seastar				2								0	0	2	1
<i>Doris chrysotherma</i>	Lemon lolly doris				1								0	0	1	1
<i>Petricia vernicina</i>	Cushion seastar				1								0	0	1	1
<i>Phasianotrochus eximius</i>	Snail				1								0	0	1	1
<i>Smilasterias irregularis</i>	Seastar					1							0	0	1	1
	<b>Total invertebrates</b>	7	9	11	60	29	18	21	12	25	30	162			<b>222</b>	
	<b>Total Invertebrate Species</b>	4	4	6	18	7	6	8	6	11	11	29			<b>35</b>	
	<b>Total Count of fish and invertebrates</b>	30	40	202	403	50	44	188	65	45	58	701			<b>1125</b>	
	<b>Total number of fish and invertebrate species</b>	13	13	23	46	15	15	24	20	18	18	66			<b>91</b>	

## Appendix 2: Expedition images



Plate 13: Reef ledge photographed at North Central.



Plate 14: Old Wives (*Enoplosus armatus*) photographed at West Central.



Plate 15: Basket star's (*Astroboa ernae* & *Conocladus australis*) photographed at North Central.



Plate 16: Widebody pipefish (*Stigmatopora nigra*) photographed at North Central.



Plate 17: Shaws cowfish (*Aracana aurita*) photographed at North Central.



Plate 18: Weedy seadragon (*Phyllopteryx taeniolatus*) & Ornat cowfish (*Aracana ornata*) photographed at North Central.



Plate 19: Diver and sponge Photographed at West Central.



Plate 20: Doughby scallops (*Mimachlamys asperima*) photographed at North Central.



Plate 21: Pink lace bryozoan (*Iodictyum phoeniceum*) photographed at North Central.



Plate 22: Coral (*Coscinaraea mcneilli*) photographed at North Central.



Plate 23: Diver and Coral (*Plesiastrea versipora*).



Plate 24: Coral (*Plesiastrea versipora*).

**From:** [David Bertram](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:11:04 PM

---

Dear Minister,

**RE: Local infrastructure concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this anywhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Kangaroo Island's road network and the community's trust in its local businesses.

**Traffic and Transport**

- Kangaroo Island's road network has limited carrying capacity and has not been developed to support the heavy vehicle traffic proposed by Kangaroo Island Plantation Timbers. It can barely cope with existing vehicles and their frequency.
- The company's EIS in support of its own proposal does not address or outline how it intends to fund the necessary road upgrades to better protect other users, or the maintenance of roads to support its Smith Bay infrastructure.
- It proposes heavy vehicles not used on Kangaroo Island's sub-standard roads, and without making any contribution to road safety or capacity, presents the Island with the certain threat of what has happened with log trucks in Glenelg Shire in Victoria.
- Kangaroo Island Plantation Timbers' land is mainly on the west of the island, more than 100 kilometres from Smith Bay and the sealed KI Ring Route. So why build this Seaport so far from its own plantations?
- Why replicate the horror of the Glenelg Shire, whose bitumen highways have been torn apart by B-doubles carrying logs to a chip mill at Portland? The Green Triangle's roads have been asked to support [535 heavy-vehicle movements a day](#).
- To maintain the current Kangaroo Island road network, an average of at least \$5 million will be required annually for the next decade.

In [response](#) to a Parliamentary question from Mark Parnell MLC, the Minister for Transport, Infrastructure and Local Government, Stephan Knoll, confirmed Kangaroo Island Plantation Timber's "...proposed freight routes would require upgrading to accommodate the freight task..." and that as "...the roads in question are local roads under the care and control of Kangaroo Island Council, there is no intention for the State Government to commit to a contribution towards the upgrade of local roads, should the development be approved..."

- Does this mean if your Government gives this proposal a green light – despite the guaranteed impact seen across the border in Victoria – it also expects a small community of Kangaroo Island ratepayers not just to live with this road trauma nightmare, but also to pay the costs of your decision?
- Degrading the road network so dramatically threatens the tourism industry (already at risk). It also constrains mobility for other industries (particularly primary producers) reliant on roads to trade, damages amenity across the island, and places the lives of every road user at greater risk.

### **Community**

- In its spruiking for a seaport at Smith Bay, Kangaroo Island Plantation Timbers has been fluid with the truth, not least in how it stacks up the apparent benefits for Kangaroo Island.
- The EIS suggests this proposal will create approximately 230 FTE jobs on the Island.
- That is, indeed, a bold claim, Minister. Especially since there is no picture of the long-term viability of these jobs, who will fill them, what skills will be required, how many will fly in/fly out, and how many will be imported. This will put under even greater pressure an already challenging housing, energy and public infrastructure supply.
- By comparison, two other much larger woodchipping facilities at the Port of Portland in Victoria and at Bunbury Fibre Exports in Bunbury, Western Australia employ less than 70 and 16 full time employees respectively.
- The entire workforce of OneFortyOne Plantations totals 64 FTE managing 80,000 hectares of Green Triangle plantations. Kangaroo Island Plantation Timbers manages 14,000 hectares. The company's claim of 230 FTE is, in the true sense of the word, incredible.

Thank you for taking the time to consider my objection to this proposal.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

David Bertram

**From:** [debra van beek](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:11:34 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

debra van beek

**From:** [Lem Koutlakis](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:12:03 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Lem Koutlakis

**From:** [Jesse Hunter](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:12:03 PM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Jesse Hunter

**From:** [Lily Woodhouse](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:12:03 PM

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Yours faithfully

Lily Woodhouse

**From:** [Jennifer Jones](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:12:04 PM

---

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- The proponent's means to address this assault are inadequate.
- Smith Bay is host to a number of other threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.

**Native Vegetation and Fauna**

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Yours faithfully

Jennifer Jones

**From:** [Gabrielle Reeve](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:14:46 PM

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Gabrielle Reeve



28 May 2018

Dear Minister,

**RE: Concerns regarding matters of National Environment Significance and Jobs regarding Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island.

I have reviewed the Environmental Impact Statement (EIS) prepared by the proponent (KIPT), and I strongly believe that the proposed development should NOT proceed.

I would like to start by stating for the record that this project should never have been granted Major Development Status by the previous government. The entire North Coast of Kangaroo Island is zoned Coastal Conservation for a reason, namely to prevent precisely this type of destructive development from spoiling the island's beautiful coast. The coastal land will obviously suffer greatly if a port were to be constructed at Smith Bay, however the damage would not stop there.

Smith Bay's marine environment would also suffer greatly, due to dredging and the movement of sediment. Smith Bay is home to seadragons and pipefish which are protected under the Environmental Protection and Biodiversity Conservation (EPBC) Act. These iconic animals, including South Australia's marine emblem, the leafy seadragon, must be protected.

Finally, there is the matter of the large koala population which resides in the timber plantation. In 2012, the Australian Government declared the koala as vulnerable under the EPBC Act in New South Wales, the ACT and Queensland. While South Australia was excluded at the time, koala populations in our state are also declining and losing genetic diversity. Earlier this month the Australian Koala Foundation announced they believe "there are no more than 80,000 koalas in Australia", making the species "functionally extinct."

Kangaroo Island is currently the exception due to the koala habitat provided by the plantation timber blue gums. Koalas are one of the top reasons tourists visit South Australia, and could also be a driver of tourists to Kangaroo Island. The clearing of blue gum forests on Kangaroo Island should not proceed until there is a koala protection plan in place.

With respect to jobs, most of the jobs gained by this project are largely temporary in nature. Due to Kangaroo Island's small workforce, KIPT will be required to bring in workers. After the construction period most of the workers will be gone. The timber jobs that KIPT proposes creating are not exciting careers: truck drivers and dock hands, jobs that will vanish as the 21st century progresses.

Kangaroo Island should instead be taking advantage of its beautiful natural environment to attract the jobs of the future, jobs such as renewable energy, marine science, agriculture technology, etc., while leveraging its traditional strengths in tourism and hospitality.

Kangaroo Island cannot be simultaneously marketed to the world as a “pristine and unique nature experience”, while at the same time degrading its environment and killing its iconic Australian land and sea animals.

Which is it to be? Kangaroo Island *“too good to spoil”* (as the slogan goes), or Kangaroo Island *“too spoilt to be good”*?

Regards,

A handwritten signature in blue ink that reads "Susan Myers". The signature is fluid and cursive, with a long horizontal stroke at the end.

Susan Myers

**From:** [Jamie Holyoake](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:15:15 PM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To "offset" its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is "the main factor threatening the echidna population".
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed "offset".
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Jamie

Jamie Holyoake

**From:** [Becker Melina](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:18:13 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Becker Melina

**From:** [Steven Burgess](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:22:51 PM

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Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

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vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

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## Coast and Marine

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- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
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The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Steven Burgess

**From:** [Beckers Annick](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:23:12 PM

---

Dear Minister,

**RE: Local infrastructure concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

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More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this anywhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Kangaroo Island's road network and the community's trust in its local businesses.

**Traffic and Transport**

- Kangaroo Island's road network has limited carrying capacity and has not been developed to support the heavy vehicle traffic proposed by Kangaroo Island Plantation Timbers. It can barely cope with existing vehicles and their frequency.
- The company's EIS in support of its own proposal does not address or outline how it intends to fund the necessary road upgrades to better protect other users, or the maintenance of roads to support its Smith Bay infrastructure.
- It proposes heavy vehicles not used on Kangaroo Island's sub-standard roads, and without making any contribution to road safety or capacity, presents the Island with the certain threat of what has happened with log trucks in Glenelg Shire in Victoria.
- Kangaroo Island Plantation Timbers' land is mainly on the west of the island, more than 100 kilometres from Smith Bay and the sealed KI Ring Route. So why build this Seaport so far from its own plantations?
- Why replicate the horror of the Glenelg Shire, whose bitumen highways have been torn apart by B-doubles carrying logs to a chip mill at Portland? The Green Triangle's roads have been asked to support [535 heavy-vehicle movements a day](#).
- To maintain the current Kangaroo Island road network, an average of at least \$5 million will be required annually for the next decade.

In [response](#) to a Parliamentary question from Mark Parnell MLC, the Minister for Transport, Infrastructure and Local Government, Stephan Knoll, confirmed Kangaroo Island Plantation Timber's "...proposed freight routes would require upgrading to accommodate the freight task..." and that as "...the roads in question are local roads under the care and control of Kangaroo Island Council, there is no intention for the State Government to commit to a contribution towards the upgrade of local roads, should the development be approved..."

- Does this mean if your Government gives this proposal a green light – despite the guaranteed impact seen across the border in Victoria – it also expects a small community of Kangaroo Island ratepayers not just to live with this road trauma nightmare, but also to pay the costs of your decision?
- Degrading the road network so dramatically threatens the tourism industry (already at risk). It also constrains mobility for other industries (particularly primary producers) reliant on roads to trade, damages amenity across the island, and places the lives of every road user at greater risk.

### **Community**

- In its spruiking for a seaport at Smith Bay, Kangaroo Island Plantation Timbers has been fluid with the truth, not least in how it stacks up the apparent benefits for Kangaroo Island.
- The EIS suggests this proposal will create approximately 230 FTE jobs on the Island.
- That is, indeed, a bold claim, Minister. Especially since there is no picture of the long-term viability of these jobs, who will fill them, what skills will be required, how many will fly in/fly out, and how many will be imported. This will put under even greater pressure an already challenging housing, energy and public infrastructure supply.
- By comparison, two other much larger woodchipping facilities at the Port of Portland in Victoria and at Bunbury Fibre Exports in Bunbury, Western Australia employ less than 70 and 16 full time employees respectively.
- The entire workforce of OneFortyOne Plantations totals 64 FTE managing 80,000 hectares of Green Triangle plantations. Kangaroo Island Plantation Timbers manages 14,000 hectares. The company's claim of 230 FTE is, in the true sense of the word, incredible.

Thank you for taking the time to consider my objection to this proposal.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Beckers Annick

**From:** [Jessica Burgess](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:23:54 PM

---

Dear Minister,

**RE: Local infrastructure concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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- Degrading the road network so dramatically threatens the tourism industry (already at risk). It also constrains mobility for other industries (particularly primary producers) reliant on roads to trade, damages amenity across the island, and places the lives of every road user at greater risk.

### **Community**

- In its spruiking for a seaport at Smith Bay, Kangaroo Island Plantation Timbers has been fluid with the truth, not least in how it stacks up the apparent benefits for Kangaroo Island.
- The EIS suggests this proposal will create approximately 230 FTE jobs on the Island.
- That is, indeed, a bold claim, Minister. Especially since there is no picture of the long-term viability of these jobs, who will fill them, what skills will be required, how many will fly in/fly out, and how many will be imported. This will put under even greater pressure an already challenging housing, energy and public infrastructure supply.
- By comparison, two other much larger woodchipping facilities at the Port of Portland in Victoria and at Bunbury Fibre Exports in Bunbury, Western Australia employ less than 70 and 16 full time employees respectively.
- The entire workforce of OneFortyOne Plantations totals 64 FTE managing 80,000 hectares of Green Triangle plantations. Kangaroo Island Plantation Timbers manages 14,000 hectares. The company's claim of 230 FTE is, in the true sense of the word, incredible.

Thank you for taking the time to consider my objection to this proposal.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Jessica Burgess

**From:** [Reuter Johnny](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:24:37 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Reuter Johnny

**From:** [Ebony Burgess](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:25:01 PM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To "offset" its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is "the main factor threatening the echidna population".
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed "offset".
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Ebony Burgess

**From:** [Rob Zee](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:25:02 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To "offset" its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is "the main factor threatening the echidna population".
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed "offset".
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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Rob Zee

Submission regarding the proposed Smith Bay Wharf development on Kangaroo Island, prepared by Dr. S. Petit, Associate Professor in Wildlife Ecology

27 May 2019

To: majordevadmin@sa.gov.au

Thank you for the opportunity to provide comments on the Smith Bay Wharf development.

1. Unfortunately, the time allocated for investigation and response by the community is too short considering the thousands of pages of documents, even for people who may not work full time. Consequently, experts may not be able to highlight some potentially highly detrimental flaws of the proposal.
2. It seems that destroying a pristine bay on Kangaroo Island is a very poor idea, when the island depends on its ecological integrity for economic and other reasons. Wood chips are not reliable as an export product. Softwood chips export prices varied by 100% between 2014 and 2015, for example; a 30% variation in hardwood chips prices is common. It is sad to consider destroying a bay and much biodiversity for an industry that is not appropriate for Kangaroo Island. What will happen when prices, currently high, drop again, and new and more competitive markets develop elsewhere?
3. The wharf is expected to be used for a total of two months per year. The proponent states that it would be used by others at other times. It is unclear who is going to use the wharf at other times and what combined impacts are going to result. If additional uses are to exist, they must be planned so that all impacts may be evaluated. (The blue gum industry did not conduct appropriate planning when it planted the trees and look at what happened). The combination of impacts would likely reveal that the project is a greater threat to many factors assessed than previously considered (e.g. biosecurity, disturbance to whales...).
4. A newspaper article mentioned the bringing of logs from the Yorke Peninsula as an additional use for the wharf. It is quite extraordinary that logs should be brought in to Kangaroo Island when the wharf is supposed to lead to the export of wood products.
5. Some biosecurity issues have been mentioned and ballast water is supposed to be dealt with away... when possible. What about when it is not? Biofouling also represents a great risk because it is unavoidable. Other crucially important aspects of biosecurity have been omitted. If logs or other products are going to come directly from the Yorke Peninsula, for example, a grave danger to the economy of Kangaroo Island would be the introduction of the tick *Amblyomma triguttatum triguttatum*, which is invasive on part of the peninsula and would spread rapidly on Kangaroo Island. It is also particularly abundant in the south west of Western Australia, a place where ships are supposed to stop and come from (Freemantle). All life stages of this tick attach to mammals including humans, and a person

can take a walk in the bush and come back covered in dozens of ticks (as happened to my students and me during stays on the Yorke Peninsula) that carry debilitating diseases. This tick would negatively affect tourism on KI and have a dramatic impact on people's wellbeing. The introduction of other pests and diseases is a very high risk that no international seaport has been able to avoid. An international seaport would mark the end of the island as a green and clean sanctuary. Marine pests would spread around Kangaroo Island. The development could cost many millions in biosecurity issues every year to the community. Can Kangaroo Island afford it? Can the state government afford the maintenance of an international seaport on Kangaroo Island? Certainly, the Kangaroo Island community cannot. Wouldn't an international seaport with only a few weeks of activity per year be a financial bottomless pit? Who would own the port located in State (public) waters? No information is presented on the cost of maintaining the proposed international seaport, but information about other seaports such as Fremantle refers to extraordinarily high costs. Would visitors offset the costs? The proponent mentions following the standards of Biosecurity SA. Would ships coming from Indonesia (for example) follow the prescribed Biosecurity SA standards? "Consulting Biosecurity SA" is not going to stop invasions.

6. The damage to a 10-ha seagrass meadow for dredging has been mentioned, with some likely damage to adjacent areas. Having worked on seagrass in Queensland before, I know that the impact of sediments can be wide-ranging and long-lasting. The model showing a sediment plume limited to within 300 m for the low level (still a gigantic impact in terms of area) is underestimating the real impacts of different sediments over much greater areas. Poor photosynthesis will decrease the carrying capacity of species of economic, ecological, and touristic significance to the island. Seagrass meadows are of considerable value to marine life including species relevant to fisheries (silver trevally occurs in the area). The impacts of such sediments on seagrass meadows are never "temporary minor impact[s]". Note also that dredging is never a once off.

7. The large amounts of wood dust that would constantly drift into the sea and on land, combined with the dust from the extraordinary large volume of truck transport, will affect both the marine and terrestrial environments (pollution, reduced photosynthesis).

8. The extraordinarily large volume of truck traffic predicted during both the construction phase and the operational phase goes completely against the peace and serenity of the island, and will have strong impacts on people and wildlife. The 24/7 schedule is completely inappropriate and puts at risk people, including employees, and vast numbers of animals. Already large numbers of nocturnal animals (most mammals of Kangaroo Island are active at night) are killed daily on the island, causing unease and even trauma among visitors and local people. Many vertebrates are also active during the day, including several threatened iconic species (e.g. Rosenberg's goanna, Vulnerable).

9. Other animal ethics issues include the koala situation. What would happen to the koalas currently residing in the plantations? I assume they would be killed by heavy machinery. Considering they are the only healthy population in Australia (free of Chlamydia) and an international icon, what would the backlash be for Australia and Kangaroo Island? Currently the aquaculture at the site, which would likely be dramatically affected by the proposed development, has strong animal ethics practices and is an important and safe export business.

10. The current aquaculture business at the site requires pristine water in an unpolluted bay. The bay has pristine water and sediments, but would be affected by diesel, wood, and sediment pollution.

11. The pollution from chemicals (for example powerful and broad-spectrum fungicides) and leachate from the piled wood chips would be considerable at the site. The space-consuming facilities proposed to mitigate this type of pollution cannot avoid soil and water contamination.

12. How could money given to DEW offset dead echidnas? Echidnas are endangered.

13. The report has waved off a large number of animal species, including shorebirds, which would be significantly affected by the development. Light is very detrimental to many species, including marine species. My own research has shown that bat species richness was negatively affected by light, unlike what is randomly stated in the report (an increase in number of bats would most likely be one species, if at all, to the detriment of the others). The report overall demonstrates a poor understanding of both terrestrial and marine ecosystems, and ecological interactions. The marine environment of Kangaroo Island is extraordinary and still poorly known. As a diver and snorkeller having explored other marine environments on the planet, I have found that Kangaroo Island's is the most pristine, richest, and most fascinating.

14. The conclusion that the proposed seaport would not result in an unreasonable impact on marine or terrestrial ecology is incorrect in view of the points mentioned above, and damage to native vegetation.

15. Road upgrades would be necessary, presumably paid for by taxpayers, with impacts on native vegetation and wildlife. The cost of road maintenance will increase dramatically.

16. The conclusion of the social cost/benefit analysis is absurd. It clearly indicates ongoing destruction of an island that prides itself on its green and clean image. The island does not need a denser population and the report only shows potential economic gains and not the losses, simply for accelerating "growth", which cannot be sustained. A cost-benefit analysis has to include true costs. Financial modelling is needed including a better grasp of costs rather than just presumed benefits.

17. The “social” section has also omitted the detrimental impacts of the development including the constant truck traffic, the pollution, the loss of serenity, the loss of nature, the cumulative impacts of the development, the potential loss of the existing business in the area. Most people who have chosen to live on Kangaroo Island have chosen to do it because they love nature. Tourists from all over the world to see nature, not large trucks driving day and night in a splatter of dead wildlife.

Many questions should be addressed seriously before a decision is made about the potential destruction of an extraordinarily rich area of pristine marine wilderness and associated terrestrial impacts.

**From:** [Kerry Williams](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:26:28 PM

---

Dear Minister,

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by Southern Right Whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
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- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
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- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Kerry Williams

Kerry Williams

Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport and Infrastructure  
GPO Box 1815  
ADELAIDE SA 5000

28 May 2019

Dear Minister

**RE: SUBMISSION OF INFORMATION FOR DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR PROPOSED PORT AT SMITH BAY, KANGAROO ISLAND**

The following is information and response in relation to the Draft Environmental Impact Statement submitted by Kangaroo Island Plantation Timbers Ltd (KIPT), regarding a proposed development for a port at Smith Bay on Kangaroo Island. Information provided hereafter relates to specifically to the Guidelines set by the Development Assessment Commission.

**Guideline 4: Economy – 4.1** of this Guideline states: *Provide a full economic analysis of the proposal including the long term economic viability and efficiency of the operational aspects of the development, incorporating the cost-benefit (risk return) analysis.*

The analysis presented in the Draft EIS, specifically Appendix O3 – Cost Benefit Analysis, does not provide a full valuation of the costs. The analysis provided is limited a direct application of the port infrastructure and timber harvesting and costs associated with the built infrastructure only. The costs counted do not take into account in anyway those attributable to ecosystem interactions and changes to ecosystem services, particularly for the coastal and marine areas surrounding the port. The information provided does therefore not appear to meet the criteria of a full economic analysis.

Ecosystem services are goods and services provided to society that have a known and measureable economic value. There are a number of widely known, used and respected frameworks that can be used to attribute monetary values to nature's goods and services. For example, *The Economics of Ecosystems and Biodiversity*<sup>1</sup> provides a relevant framework and guiding processes for accounting. This framework (or others) could be used to identify and value additional costs that would be associated with the proposed development.

These costs may be listed against the development as potential impacts, such as to commercial fisheries and food production, water filtration, biodiversity. However, evaluation of these effects only as 'impacts' for management or mitigation does not recognise their economic value as a good or service. Because we have the ability and knowledge to value goods and services it is suggested that to adequately meet Guideline 4.1 the ecosystem services provided by the coastal and marine areas surrounding the port – and other interactions throughout the production chain, e.g. plantation, road use, emissions – should be included as a formal part of the Cost Benefit Analysis.

Additionally, a growing body of research indicates that a wide range of aquaculture activities can deliver ecosystem services. These services are often overlooked or undervalued, however, recent papers describe the parts of this system, approaches and values that could be considered in making a fuller, and far more accurate, economic analysis of the proposal (e.g. see review<sup>2</sup>).

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<sup>1</sup> *The Economics of Ecosystems and Biodiversity*, <http://www.teebweb.org/>.

<sup>2</sup> Weitzman, J. 2019. Applying the ecosystem services concept to aquaculture: a review of approaches, definitions, and uses. *Ecosystem Services*. 35: 194-206.

**Guideline 2: Coast and Marine – 2.1** of this Guideline states: *Provide baseline information on, and undertake a comprehensive risk analysis that identifies, the key ecological assets of the site (including, but not limited to, any communities and species of conservation significance, migratory species, seagrasses, macro algae and other reef habitat).*

The methods used to acquire the baseline data are rudimentary and unlikely to provide a comprehensive assessment of the local environment. The Draft EIS describes the use of dive surveys for all three assessments. Dive surveys are known to be limited in their application, subject to bias depending on the skills of the divers, and as noted in the Draft EIS itself, subject to impacts for environmental conditions:

*“Taxa were generally identified to the lowest taxonomic level possible in the field (typically genus or species). It should be noted that the small (<0.5 metre) swell present during the first survey caused significant re-suspension of sediment which reduced visibility to less than five metres.” Page 236 of Draft EIS.*

Given the scale of the proposed development a mixed method approach to obtaining baseline data should have been taken. Additional methods should have been used to detect species that might be associated with the benthic environment not detected during limited time available through diving, e.g. Baited Remote Underwater Video, and to ensure a broader representation of the benthic community could be provided, e.g. day and night comparisons, seasonal comparisons. Mixed method approaches are extremely common and wide range of methods exist that could have been used to more appropriately inform the response to Guideline 2.1.

Furthermore, the assessment undertaken only occurred within the ‘footprint’ of the development. This coverage is not adequate to reasonably account for regional ecology and any connectivity to the area for species associated with their lifecycle or seasonality. The three surveys completed do not account for seasonal variation, or interannual variation.

The cursory nature of the ecological data acquired is not adequate to suggest a comprehensive assessment has been made, which would severely limit the ability to complete a comprehensive risk analysis.

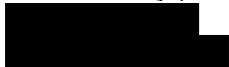
**Guideline 1: Matters of National Environmental Significance – 1.12** of the Guideline relates to the reasonable allocation of offsets and an analysis of how proposed offsets meets the requirements of the *EPBC Act 1999 Environmental Offsets Policy (2012)*.

The allocation of environmental offsets is a challenging topic that exposes gaps in policy when a proponent does not adequately the context in which their development will occur. Offsets that describe, as is the case in the Draft EIS, the use of ‘sponsorship’ for existing programs are not consistent with ‘like for like’ approaches. They do not accurately represent the baseline of ‘no net loss’ against which offsets should be assessed and approved<sup>3</sup>. This scenario has not be appropriately described in the Draft EIS and it is considered the proposed offsets will achieve very little in offsetting the impact of the development. This is particularly true for the offset associated with clearing of seagrass, which is proposed to be sponsorship of a nutrient reduction program for agricultural land holders in an entirely separate catchment system and embayment, and is obviously subject to the uptake of this program by farmers.

The gaps in the Draft EIS outlined above are significant. It is considered that much greater detail is needed to make an appropriate, adequate and defensible case for the proposed development. The Draft EIS does not provide this basis in its current form.

Yours sincerely

Heidi Alleway (PhD, BioScience)



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<sup>3</sup> Maron, M et al. 2015. Locking loss: baselines of decline in Australian biodiversity offset policies. *Biological Conservation*. 192:504-512.



**From:** [Anthony Hoff](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 11:45:10 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To "offset" its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is "the main factor threatening the echidna population".
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed "offset".
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
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- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Anthony Hoff

**From:** [Derek Dixon](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:32:21 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

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Yours faithfully

Derek Dixon

**From:** [Nicole Schneider](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:38:01 PM

---

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Yours faithfully

Nicole Schneider

**From:** [Jenny Buick](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 11:27:02 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Jenny Buick

**From:** [Julie Griffiths](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 10:44:43 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Yours faithfully

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**From:** [Jill Borrett](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:38:21 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Jill Borrett

**From:** [Maira OViedo](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 10:42:44 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To "offset" its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is "the main factor threatening the echidna population".
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed "offset".
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Moira OViedo

**From:** [Christopher Sferrazza](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 10:42:11 AM

---

Dear Minister,

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Christopher Sferrazza

**From:** [Wendy Hall](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 10:27:43 AM

---

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Yours faithfully

Wendy Hall

**From:** [Sybille Wolff](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 10:25:41 AM

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Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Sybille Wolff

**From:** [Ralf Schneider](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:40:10 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Yours faithfully

Ralf Schneider

**From:** [Margaret Marshall](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 10:17:01 AM

---

Dear Minister,

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
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- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
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- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Margaret Marshall

**From:** [Linda Pennock](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 10:16:34 AM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Linda Pennock

**From:** [Alex Bowden](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 9:01:42 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Alex Bowden

**From:** [Lucy Pollard](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 9:52:35 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Lucy Pollard

**From:** [Leanne De Young](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 9:00:20 AM

---

Dear Minister,

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Leanne De Young



27 May 2019

By Email  
majordevadmin@sa.gov.au

Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport and Infrastructure  
**GPO BOX 1815, ADELAIDE SA 5000**

Dear Minister

**KANGAROO ISLAND PLANTATION TIMBER'S DEEP WATER PORT FACILITY PROPOSAL, SMITH BAY, KANGAROO ISLAND**

**Introduction**

I am writing in support of Kangaroo Island Plantation Timber's (KIPT) proposal for an export port facility located at Smith Bay. This facility, if approved and constructed, will become a 'flagship facility' for both the Kangaroo Island and South Australian economies.

I believe KIPT has put together a proposal that will provide substantial and long-term economic benefit to the company, the community of Kangaroo Island and South Australia more broadly., KIPT has prepared and delivered a professional and critically assessed EIS submission based entirely on actual and scientific study.

**Forest Estate**

There is approximately 17,500 hectares of plantation forest on Kangaroo Island, of which KIPT owns 14,200 hectares. There is a further 3,250 hectares held by private owners.

The species mix by area (hectares) is:

	KIPT	Private	Total
Hardwood - Blue Gum	12,400	1,450	13,850
Softwood – Radiata Pine	1,850	1,800	3,650
Total Hectares	14,250	3,250	17,500

These forests were planted with the encouragement of federal, state and local governments at the time. They were planted with the intention to provide an additional economically viable, reliable and high-quality resource for industry. The South Australian Government's Strategic Plan included a specific goal to increase plantation area in appropriate locations, including Kangaroo

Island, as it was recognised that private forestry development could provide long-term economic, environmental and social benefit to the region.

The growth rates for plantation trees on Kangaroo Island are amongst some of the highest in Australia, due to its rainfall and mild climate. Almost all the plantations on the Island are ready for harvest, at a time when world demand for timber, is outstripping supply.

The KIPT estate has dual Forest Stewardship Council (FSC) and Responsible Wood certification. This provides third party verification that the plantations are managed to the highest economic, social and environmental standards and practices, which makes the forest products from the estate highly sought after.

### **Port location**

The EIS clearly shows that all possible locations for an export facility were critically investigated and that the Smith Bay option was the only location that could meet the environmental and economic considerations required. Prior to KIPT purchasing the New Forest estate in 2017, New Forests had also concluded that the other primary location, Ballast Head, was not feasible and they believed that Smith Bay was also the only option for a port.

The terrain at Smith Bay allows for the development of the onshore facility with little, or no, environmental impact. It is also suitable for the establishment of handling areas for other cargos that will no doubt in time make use of the port, such as bulk fertilizer, grain export.

The port and adjoining facilities are being funded entirely by KIPT with no government capital requested. However, KIPT has made it clear that it will welcome other users to make use of the facility. This leaves only the off-site infrastructure, such as public roads and urban infrastructure for an increasing population to be funded by local/state government. The average annual GRP over the first 5 years to Kangaroo Island is estimated to be \$41.7 million and a further \$7.2 million to the South Australian economy more broadly. This indicates that any public investment required will be recovered quickly.

### **Employment**

The planned port, as detailed in section 20 of the EIS, will generate an estimated 234 full time positions on Kangaroo Island, 163 directly and 71 from flow-on effects. These positions will ensure a regular flow of work through the year as forestry is not a seasonal industry and will not exacerbate the seasonal nature of the Islands two dominant industries: agriculture and tourism.

Forestry has become a highly mechanised industry requiring a high level of expertise in all facets of the operation. Jobs in the industry, from management to field operations, are now seen as a career opportunity that offers a permanent employment path for those joining the workforce. The direct employment positions that will be generated on Kangaroo Island will allow multiple full-time career opportunities to become available in the community and wider South Australia in a sustainable industry.

Operations like log ship loading also require additional trained operators that are required for the period of loading only. Loading operates 24 hours/day and marshallers and stevedores carrying out the loading operations require a core number of extra workers, primarily operating log loaders, trucks to ship side and stevedoring positions. As many of these positions are filled by local part time staff to avoid the necessity of using staff from other ports ('Fly In-Fly Out'). This would offer local workers, who might be involved in a seasonally operated industry, and

who could be available to fill these positions an opportunity to gain further experience, training and employment.

### **Environmental**

The EIS thoroughly covers the environmental effects of the proposed facility and shows clearly that the site of the proposed port will have minimal impact on the environment. The site itself is previous industrial land with no native or protected areas within the scope of the project. The EIS found that the only native species that may be adversely impacted by the development is the echidna. KIPT will implement an offsets package to reduce impacts to Kangaroo Island echidnas.

KIPT has invested in excess of \$100,000 in local environmental programs to flora and fauna recovery programs.

It is clear KIPT takes its environmental responsibilities extremely seriously and I am confident that this will continue.

The EIS shows clearly that the port development is benign with minimal environmental impacts, that can be easily managed.

### **Conclusion**

KIPT has done all, and more, that could reasonably be required of a proponent for a development of this nature, with significant positive implications for the Kangaroo Island community. KIPT has produced clear and concise evidence in the EIS, supported by research that shows the development will produce substantial economic and social benefits to Kangaroo Island, South Australia and Australia.

The economic and social benefits through increased employment, not only directly within the forest industry but the wide range of downstream jobs that will be required to support the industry will be long term and will bring an increased level of prosperity to the Island. It will also offer the ability for young school leavers to obtain highly skilled work and long-term security on Kangaroo Island.

**The KIPT Deep Water Port Facility in Smith Bay should be approved as a matter of urgency, along with the off-site infrastructure required to facilitate the supply of timber to the port.** In doing so, the government will ensure that the residents of Kangaroo Island and South Australia can realise the potential this development has to offer.

Yours sincerely,

**PF OLSEN (AUS) PTY LTD**



**Pat Groenhout**

*Managing Director*

**From:** [Tomas Kiprillis](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:48:39 PM

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Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

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- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
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- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
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- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
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  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Tomas Kiprillis

**From:** [Heather Bourne](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 8:53:25 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To "offset" its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is "the main factor threatening the echidna population".
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed "offset".
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Heather Bourne

**From:** [Jess Marsh](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 8:52:52 AM

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Yours faithfully

Jess Marsh

**From:** [Glenn Booker](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 8:47:42 AM

---

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Glenn Booker

**From:** [Mary Anderson](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 8:40:03 AM

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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Yours faithfully

Mary Anderson

**From:** [Kristine Jonas](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 8:16:03 AM

---

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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**From:** [David Bushell](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 8:09:37 AM

---

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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### **Native Vegetation and Fauna**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

David Bushell

**From:** [Elizabeth de Fredrick](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 7:49:40 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Elizabeth de Fredrick

**From:** [Jan Evans](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 7:47:10 AM

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

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Yours faithfully

Jan Evans

**From:** [Suzanne Goodchild](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 7:35:29 AM

---

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Suzanne Goodchild

**From:** [Jill Mallard](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 7:30:37 AM

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**From:** [Joanne Howie](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 7:25:23 AM

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Joanne Howie

**From:** [Rick Mervau](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 6:57:52 AM

---

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Rick Mervau

**From:** [Suzan Mervau](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 6:56:57 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Suzan Mervau

**From:** [Isabelle Harwood](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 6:22:59 AM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Isabelle Harwood

**From:** [Kate Prynne Mathews](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 5:52:39 AM

---

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**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Kate Prynne Mathews

**From:** [Campbell Jones](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:49:06 PM

---

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Yours faithfully

Campbell Jones

**From:** [Louisa Oborn](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 2:59:07 AM

---

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Yours faithfully

Louisa Oborn

**From:** [Charlotte Elliott](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 4:51:34 PM

---

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Charlotte Elliott

**From:** [Zoe Marriott](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 1:09:09 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Zoe Marriott

**From:** [Suellen Cook](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 1:02:06 AM

---

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Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Suellen Cook

**From:** [Fran Parsons](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 12:11:30 AM

---

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Thank you for taking the time to consider my objection to this proposal.

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Fran Parsons

**From:** [Sally Walters](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 5:04:59 PM

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Sally Walters

**From:** [Neil Rawson](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 11:35:02 PM

---

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Neil Rawson

**From:** [Jess Bourchier](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 5:07:45 PM

---

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Jess Bouchier

**From:** [Shelley Derrick](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 10:40:48 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Shelley Derrick

**From:** [Philip Mather](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 10:37:56 PM

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Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Philip Mather

**From:** [E Metcalf](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 10:37:40 PM

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Dear Minister,

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

E Metcalf

**From:** [Lara Tilbrook](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 10:34:18 PM

---

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Lara Tilbrook

**From:** [Noelleen Kiprillis](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 10:20:18 PM

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Yours faithfully

Noelleen Kiprillis

**From:** [Janet Power](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 9:58:14 PM

---

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- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To "offset" its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is "the main factor threatening the echidna population".
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed "offset".
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
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- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Janet Power

**From:** [Aimee Petersen](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 9:54:01 PM

---

Dear Minister,

**RE: Local infrastructure concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this anywhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Kangaroo Island's road network and the community's trust in its local businesses.

**Traffic and Transport**

- Kangaroo Island's road network has limited carrying capacity and has not been developed to support the heavy vehicle traffic proposed by Kangaroo Island Plantation Timbers. It can barely cope with existing vehicles and their frequency.
- The company's EIS in support of its own proposal does not address or outline how it intends to fund the necessary road upgrades to better protect other users, or the maintenance of roads to support its Smith Bay infrastructure.
- It proposes heavy vehicles not used on Kangaroo Island's sub-standard roads, and without making any contribution to road safety or capacity, presents the Island with the certain threat of what has happened with log trucks in Glenelg Shire in Victoria.
- Kangaroo Island Plantation Timbers' land is mainly on the west of the island, more than 100 kilometres from Smith Bay and the sealed KI Ring Route. So why build this Seaport so far from its own plantations?
- Why replicate the horror of the Glenelg Shire, whose bitumen highways have been torn apart by B-doubles carrying logs to a chip mill at Portland? The Green Triangle's roads have been asked to support [535 heavy-vehicle movements a day](#).
- To maintain the current Kangaroo Island road network, an average of at least \$5 million will be required annually for the next decade.

In [response](#) to a Parliamentary question from Mark Parnell MLC, the Minister for Transport, Infrastructure and Local Government, Stephan Knoll, confirmed Kangaroo Island Plantation Timber's "...proposed freight routes would require upgrading to accommodate the freight task..." and that as "...the roads in question are local roads under the care and control of Kangaroo Island Council, there is no intention for the State Government to commit to a contribution towards the upgrade of local roads, should the development be approved..."

- Does this mean if your Government gives this proposal a green light – despite the guaranteed impact seen across the border in Victoria – it also expects a small community of Kangaroo Island ratepayers not just to live with this road trauma nightmare, but also to pay the costs of your decision?
- Degrading the road network so dramatically threatens the tourism industry (already at risk). It also constrains mobility for other industries (particularly primary producers) reliant on roads to trade, damages amenity across the island, and places the lives of every road user at greater risk.

### **Community**

- In its spruiking for a seaport at Smith Bay, Kangaroo Island Plantation Timbers has been fluid with the truth, not least in how it stacks up the apparent benefits for Kangaroo Island.
- The EIS suggests this proposal will create approximately 230 FTE jobs on the Island.
- That is, indeed, a bold claim, Minister. Especially since there is no picture of the long-term viability of these jobs, who will fill them, what skills will be required, how many will fly in/fly out, and how many will be imported. This will put under even greater pressure an already challenging housing, energy and public infrastructure supply.
- By comparison, two other much larger woodchipping facilities at the Port of Portland in Victoria and at Bunbury Fibre Exports in Bunbury, Western Australia employ less than 70 and 16 full time employees respectively.
- The entire workforce of OneFortyOne Plantations totals 64 FTE managing 80,000 hectares of Green Triangle plantations. Kangaroo Island Plantation Timbers manages 14,000 hectares. The company's claim of 230 FTE is, in the true sense of the word, incredible.

Thank you for taking the time to consider my objection to this proposal.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Aimee Petersen

**From:** [CLYDE GAILEY](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Proposed deep water port facility at Smith Bay on Kangaroo Island  
**Date:** Tuesday, 28 May 2019 5:11:03 PM

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Minister for Planning  
Attention: Robert Kleeman, Unit Manager Policy and  
Strategic Assessment  
Planning and Development, Development Division  
Department of Planning, Transport and Infrastructure (DPTI)

Dear Mr Kleeman,

I am writing to object to the proposed development of a deep water port facility at Smith Bay on Kangaroo Island, and to KIPT's preferred transport route for the following reasons.

- 1) The North Coast Rd on Kangaroo Island is one of the most scenic tourist drives in SA. Turning a section of it into what would amount to a private logging road, would destroy its untapped potential for futur tourist development and community amenity.
- 2) A Google Earth view of SA reveals very little natural vegetation and wildlife habitat left. Industrial traffic and roadside clearing on Kangaroo Island's roads would further compromise South Australia's environment, ecology and biodiversity.
- 3) The continuous noise of 24 hour, 7 day a week heavy vehicle traffic would destroy the peace and lifestyle of the people living and working along KIPT's preferred route.
- 4) Damage and disruption to the marine environment and eco tourism.

Yours Faithfully

Clyde Gailey  
Cassini, Kangaroo Island. 25/5/19

**From:** [Julie Wright](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 9:50:35 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Julie Wright

**From:** [James Golder](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 5:11:03 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
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- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

James Golder

**From:** [Andrea Palling](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 9:37:16 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
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### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Andrea Palling

**From:** [Neil Curwen](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 9:26:42 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Neil Curwen

**From:** [Jade Smith](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 9:15:58 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To "offset" its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is "the main factor threatening the echidna population".
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- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Jade Smith

**From:** [Natalie Davey](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 5:23:24 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Natalie Davey

**From:** [Jennifer Cartmill](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 9:10:08 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

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- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
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- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
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### **Native Vegetation and Fauna**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Jennifer Cartmill

**From:** [Maxine Pitts](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 9:03:45 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Maxine Pitts

**From:** [Amanda Hook](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 8:56:21 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Amanda Hook

**From:** [Mandy Woetzel](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 8:15:49 PM

---

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Yours faithfully

Mandy Woetzel

**From:** [Clare McCook](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 8:08:04 PM

---

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- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

Additionally, this project would have major negative impacts on the families who live and farm on Kangaroo Island.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment

and its people.

Yours faithfully

Clare McCook

**From:** [Connell Healy](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Saturday, 25 May 2019 7:57:53 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To "offset" its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is "the main factor threatening the echidna population".
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed "offset".
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Connell Healy

**From:** [Neil Waller](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Re: Concerns about KPT's Seaport development at Smith Bay  
**Date:** Sunday, 26 May 2019 11:06:49 AM  
**Attachments:** [image001.gif](#)  
[image002.gif](#)  
[image003.gif](#)  
[image004.gif](#)

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Somehow the web site didn't work!

My submission is as follows:

Dear Minister

***RE: Roads and trucks concerns, Kangaroo Island Plantation Timbers Seaport proposal***

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

Kangaroo Island roads with only a handful of exceptions are unsealed, and those that are sealed only tar sealed without a hotmix surface.

With the exception of the Penneshaw to Kingscote and Kingscote to Parndana roads maintained by DPTI the roads are maintained by the Kangaroo Island Council which has limited resources to perform this maintenance. Any heavy vehicle traffic, and it appears that it will be quite frequent, will serve to damage those roads at a great cost to the ratepayers of Kangaroo Island.

The particular questions I ask are:

1. who funds the road upgrade?
2. to what standard?
3. who funds the ongoing maintenance of the roads and it looks like it will be for at least 12 or 13 years?

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Neil Waller

On 22/05/2019 9:35 am, DPTI:State Commission Assessment Panel wrote:

Hi Neil

Your email has been received but no submission has been received.

Kind regards,

**State Commission Assessment Panel - Administration**

Planning and Land Use Services

Department of Planning, Transport and Infrastructure

T 7109 7060 (internal 97060) • E [SCAPadmin@sa.gov.au](mailto:SCAPadmin@sa.gov.au)

Level 5, 50 Flinders Street, Adelaide SA 5000 • PO Box 1815, Adelaide SA 5001 •

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**From:** Neil Waller [<mailto:nwaller@internode.on.net>]

**Sent:** Wednesday, 22 May 2019 6:25 AM

**To:** DPTI:State Commission Assessment Panel <[scapadmin@sa.gov.au](mailto:scapadmin@sa.gov.au)>

**Subject:** Concerns about KPT's Seaport development at Smith Bay

Neil Waller

Minister for Planning

c/- Robert Kleeman

Unit Manager

Policy and Strategic Assessment

Department of Planning, Transport and Infrastructure

26<sup>th</sup> May 2019

Re Proposed Kangaroo Island Plantation Timber Port at Smith Bay

Dear Sir

We write to you with concerns we have if the Smith Bay Port is given the green light. We do not believe that Smith Bay is suitable at the expense of already existing businesses, that the noise, lighting, visual and sea disturbance will affect them greatly. We do want the trees to go, but this company is going to replant not sell off the blocks so that we can get our farming community back to the western end. Surely there is a better solution closer to where the trees are planted that will cut down on road usage by large heavy vehicles.

Our main concern is the travelling routes of these large heavy vehicles. We have dot pointed below our concerns for your consideration.

- Of the proposed 5 potential routes to Smith Bay – 4 are along the Stokes Bay road – we live on this road, we are fully aware of how many tourists use this road on a daily basis, all year round. They are international tourists mainly, so they are not used to our side of the road or dual lane roads. Anyone living along this road will tell you a weekly ‘near miss’ story with one of these cars (drive wrong side of road, stop on corners or over hills to look at wildlife, all doors open, take no heed of ‘stock crossing’ signs or school buses!). If you add a large logging truck every 7 minutes, it’s a recipe for disaster.
- It is a School Bus Route
- If the route that is chosen is the one that passes right to the end of Stokes Bay Road and then onto North Coast road it will impact heavily on the already existing businesses who pride themselves on being quiet little get aways in the serenity of the Stokes Bay beauty (Stokes Bay Café, Table 88, shacks, several privately owned and operated holiday homes that line this route), this will be destroyed by constant truck noise – these are local businesses run by local people who live here
- If the route is chosen that uses McBride’s road – this is a fair weather track – not a road suitable for heavy vehicles – who pays for this upgrade and upkeep?
- The Stokes Bay Road, whilst it is bitumen, is not large truck sturdy and will not hold up to that constant pressure – and when this happens, who fixes it and who pays for that?

- The bridge over the Cygnet River on Stokes Bay road is at the bottom of a very steep descent and the beach side road out of it is not straight up but angled– hazardous for truck versus car
- The last hill on the Stokes Bay road before the T section onto North Coast road is steep, there is nowhere to put an arrester bed for heavily laden trucks
- The bridge by the Stokes Bay café is one lane – during peak times this will cause large bottle necks of traffic
- As farmers, we all move stock across the Stokes Bay road and surrounding roads, this is going to be stressful with large trucks, 7 minutes apart – we have been told that there will be an app we can download that tracks these trucks so that we can plan the crossing – all good if you have good mobile phone reception – we don't
- A majority of the dirt roads along these proposed routes need drainage channels and vegetation trims – who carries out this work and who pays for it?
- As soon as there is constant heavy vehicle usage on the dirt roads they will break up, who fixes these roads and who pays?
- These roads are all winding country roads with forward vision no more than a few hundred metres – not giving either the truck driver or oncoming driver of another vehicle any great amount of time to slow down and pass carefully – or any decent amount of room
- The report from KIPT suggests an overtaking lane on the Playford Highway – who will pay for this?
- All roads have bridges – we are doubtful that any of these bridges are sturdy enough for constant heavy vehicles or wide enough if 2 vehicles have to pass – another expense to whom?
- The Bark Hut road has recently been re sheeted, however the marle at the Stokes Bay end is already giving way with normal vehicle usage – this part of the road will be completely impassable within a week of heavy vehicle traffic – and then what – who does the repairs and who pays?

Our Kangaroo Island Council does the best it can with the small rate base it has to keep our roads in drivable condition. They do not have the funds to upgrade or repair any of the above situations. This is of large concern to us as rate payers, what are we going to be left with, large debt and crappy roads and a large company that does not care?

Please consider this proposal from our point of view – we are the ones that will be left with the mess to deal with.

Yours sincerely

Simon & Madelyn Kelly

Mine Creek

Stokes Bay Road, Kangaroo Island

**From:** [Andy Young](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Re Smith Bay Wharf EIS\_ submission  
**Date:** Saturday, 25 May 2019 10:20:26 PM  
**Attachments:** [EIS response.docx](#)

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Hello to the team at Major Developments.

I am attaching my submission regarding the KIPT proposal for the wharf and deep water port at Smith Bay.

I would also like to endorse the Councillors submission forwarded by the Kangaroo Island Councillors to you, as I think it is a measured position and makes some valid safety and logistics-based suggestions I would indicate that I was present through much of the debate that resulted in this document and I approved of the points supported by Council resolutions on this topic.

Please find my submission, with a focus on roads and road safety, attached. Could you please confirm your receipt when you receive the document and please make sure you can open it for examination.

All the best to you and the Minister in your deliberations.

David A. 'Andy Young, [REDACTED]  
[REDACTED]

---- Message sent via Adam Internet WebMail - <http://www.adam.com.au/>

To Whom It May Concern;

Dear Sir/Madame, I am writing to you my own behalf.

I am a member the Kangaroo Island Road Safety Committee (KIRSC) and as such have a defined interest in road safety on Kangaroo Island. It is in this context I wish to raise several issue that have been identified while working through the various EIS-related documents that have been provided by the proponent, Kangaroo Island Plantation Timbers (KIPT), in relation to their proposed wharf development at Smith Bay. The document provided here summarizes logistical and road safety concerns identified within the information provided in the EIS documents. It represents concerns that are held regardless of my views as regards the merits of the proposal in total.

The first area of concern is the seeming inconsistencies in data relating to road kilometres travelled by the heavy-haulage fleet while transporting resource from plantation to wharf. In the executive summary (page 62) it states that the total number of road kilometres travelled in a given year will be approximately 6.6 million, with an extrapolation that this will result in roughly 6.5 extra 'non-serious' accidents over background numbers in that year.

This 6.6 million kilometre figure contrasts with a figure of 3.4 million kilometres travelled P.A. quoted in several sections of the main report, such as at page 475. On this page these road kilometres are further extrapolated to determine that 3.2 'non-serious' accidents, over and above otherwise expected accident levels, are likely to occur.

Both the numbers and the extrapolative process used to determine outcomes in terms of accidents seem to vary between these two sections. I would ask that this seeming inconsistency be explained or resolved.

Another point of interest is the data examined on page 470 of the main report.

In this section it examines the averages of road-use-kilometre by vehicle type and the types and frequencies of the accidents they are involved in while travelling these kilometres.

It would appear from this statistical analysis, that heavy vehicles are involved in fatal accident, in a disproportionate manner when compared to the other road users, compared with the kilometres they travel. In fact they are twice as likely to be involved in fatal accidents when compared to other road users and are, to some degree, commensurately less likely to be involved in minor traffic accidents.

In this context it is interesting to examine the EIS statements which only envisions 'non-serious' traffic accidents resulting from the KIPT operations on Kangaroo Island, stating these should increase slightly following a quite significant increase of heavy-haulage road users on the island.

I wish to know if the atypical nature of other road users on Kangaroo Island has been adequately examined during the formulation of the EIS? It would be true to state that Kangaroo Island has, in general, a far higher proportion of road users from third countries, when compared to average rural road use demographics from around Australia.

Many of these users are very inexperienced in travelling on rural road systems. They may come from home countries where driving on the right hand side of the road is the norm and may have English as a second or third language, assuming they speak and/or read it at all. This is causing issues throughout road on the island already and is a primary focus of the committee I sit upon.

It could be suggested that a significant increase in the proportion of heavy vehicles using the already stretched road system on Kangaroo Island, might possibly lead to an increase in both crashes and the severity of crashes which may not have been adequately dealt with in the documents at hand.

I would note that the whole of this document is predicated in terms of the public funding that would need to be accessed by this project. This would, in the first instance, upgrade existing, not fit-for-heavy-transport-purpose roads and, in the second place, maintain the whole of the feeder road and transport corridor road network in adequate condition. It is clear that this is to be paid for by public funding, sought and accessed by KI Council and

DPTI 'assisted by KIPT'. This is indicated at the start of the Executive Summary, as well as at page 58; 4.2.6 and elsewhere.

This would seem to indicate that at least some, and possibly all, funds may be sought through the mechanism of Capital Works Grants, with the flow on implications for Kangaroo Island rate payers, through the levied depreciation and transference of such costs to the host Council. I would note that Kangaroo Island Council has previously expressed a deep reluctance to expose rate payers to any further liabilities by paying for assets or upgrades with Capital Works Grants.

Would it be possible to ask the proponents to provide estimates of the average increase (if any) in Kangaroo Island rates, if the projects roads upgrade wishes occur and are paid for via the mechanism of Capital Works Grants?

I am also keen to gain assurances that any upgrades of the corridor routes used by KIPT will not result in the neglect of the social and commercial road networks elsewhere.

I would note that when these types of issues were raised with KIPT around 24 months ago, they appeared to indicate that it was their intention to fully self-fund all road upgrades and to pay for all maintenance of roads impacted by their operations.

In fact, we believed that it was KIPT's intention to restore all public roads damaged as part of their harvest cycle to the 'original condition', by the company and from its own resources.

This undertaking now appears to no longer exist and I would request an explanation of why this apparent reversal of previous commitments made during public consultations has occurred?

Another major change in the nature of the project is outlined at page 88 and again at page 460 of the main report.

In these sections it is stated that the operation of harvest and haulage, when undertaken, will be a 24 hour a day, seven day a week operation. While I have always understood that harvest and haulage will be continuous at times when resource is available and when either storage or shipping is also open to accepting product, we were of the understanding the operation was to be conducted during daylight hours only. This premise was clearly spelled out in the engineering report by Anna Osmond in 2017. It has been a core consideration during consultations which have been conducted examining the proposal.

I would request an explanation of why the working hours have, (apparently), been extended from daylight hours, to a twenty-four hour schedule during harvesting and haulage?

I would note the statements made at page 474 of the main report dealing with road surface impacts.

In this section, the assertion is made that the increased usage of Kangaroo Island roads by KIPT vehicles represents only a 6% increase in usage of the road system. It further is stated that this will therefore have a 'negligible' effect on the road system.

I would point out that current usage patterns have considerable impacts on road surfaces and, in fact, the previous State Government committed significant extra funding to Kangaroo Island, via the Council, to address the serious impacts experienced on our already over taxed and often inadequate roads.

While a further 6% of traffic does not seem a massive burden to be placed on the system overall, I would point out that this analysis may be inadequate, as the impacts will be centred on a small-subset of roads and not spread evenly over the entire network.

Within the EIS it appears to provide the statistic that nearly a third of vehicles using a significant section of the Playford Highway may be reasonably expected to be heavy B-double or A-double vehicles in the next 15 years, should the KIPT operations commence. It is hard to see how these usage figures can be achieved without having commensurate negative effects on road surface quality on high-usage roads that have been defined as part of the transport corridor within the documents under consideration.

Finally, I also would like to express reservations regarding a series of points made on the topic of multiple-interest road usage on page 480.

In the first of the dot-points provided here, it appears that firstly KIPT is claiming that it may be possible for greater road funding for joint tourist/ haulage routes to be obtained, but then in the next dot point it states it should be possible to dissuade tourists from utilising these routes and that locals will learn to avoid these roads, presumably because of the inherent risks that exist when light vehicles and heavy haulage vehicles share a relatively constricted transport corridor.

I would question if these seemingly contradictory statements are possible to reconcile?

In closing I would like to commend the proponent and the consultant in producing a series of high quality EIS documents and I would like to thank you for your attention in examining my comments.

I would indicate should any or all of the answers to these questions regarding the specifics relating to road safety in this expansive document be able to be provided, I would be grateful to received them;

Yours sincerely;

David Andrew 'Andy' Young, 25<sup>th</sup> of May, 2019

[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [James Cooper](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Smith Bay Development Concerns  
**Date:** Monday, 27 May 2019 12:40:46 AM

---

Hello,

Further to my previous email, we own a family farm overlooking Smith Bay and we have collected significant photographic evidence over the years with Southern Right Whales and their calves taking shelter in and around Smith Bay. It may be worth considering that Australia is a member under the International Whaling Commission which requires the protection of whales against habitat destruction under international law.

Best regards,

James



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**From:** [James Cooper](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Smith Bay development concerns  
**Date:** Monday, 27 May 2019 12:19:34 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.

The proponent's means to address this assault are inadequate at best and are presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To "offset" its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is "the main factor threatening the echidna population".
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed "offset".
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully,

James Cooper



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**From:** [Cecilia](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Smith Bay wood chipping proposal  
**Date:** Sunday, 26 May 2019 3:50:29 PM

---

Objections and observations of a resident.

1:Extremely high visual impact on the well frequented and popular North Coast Road.  
Kangaroo Island is promoted as a unique tourist destination with its emphasis on a natural environment.  
This development is the antithesis of this in such a public spot on the North Coast.

2:Smith Bay marine environment totally compromised.  
The area is a haven for many marine species . The development would permanently impact on recreational and professional fishermen and affect those businesses which rely on the income derived from marine tourism.

3:The danger of having large commercial vehicles delivering their loads to Smith Bay.  
The North Coast Road is unsealed. The risk of fatal accidents on this winding narrow road cannot be underestimated.  
It would become extremely dangerous to be on this road for local residents and in particular, for the many tourists who are unused to driving under such dangerous conditions and in conjunction with the increased number of very large transport vehicles.

4:Pollution. The establishment of such a processing facility MUST have a detrimental affect on every aspect of the environment in that location.  
Runoff into the ocean from chemical pollutants, machine oils, disturbed soil, chips from the “chip mountain “, large ocean vessels; all would contribute to the degradation of the marine structure.  
To argue otherwise would appear to be wilfully ignorant of common sense.

5: There is no current infrastructure to support the enormous requirements of this facility.  
Where would the power base come from on an island which already has a limited power network?  
Will this compromise what currently exists?  
Will the 24 hour lighting and production needs of such a plant be totally out of place in this pristine environment?

IF the trees are to be harvested for people to see a return on their investment, surely a more sensible secure location could be found closer to the tree supply, not on the coast.  
Even then a safe and sustainable method of transport and shipping must be found.  
#We are not living in the third world where environmental impacts are so often flagrantly disregarded and foisted onto local communities who must then live with the consequences.

The company and the government have no right to force this current proposal onto the residents, tourists, farming community and nearby affected businesses of Kangaroo Island.

Colin Feneley

Janine Mackintosh  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

26 May 2019

Attention:

**Department of Planning Transport and Infrastructure**

I'm a Kangaroo Island resident, landowner and business owner and I wish to submit an objection to Kangaroo Island Plantation Timbers' proposed Smith Bay development for the following reasons:

- The high risk of introducing marine pests, plants and diseases via biofouling and ballast water into a high value ecological area, which could impact the unique marine environment of Kangaroo Island and the abalone farm; once they are introduced, they will be impossible to control; any attempts to control them will be borne by taxpayers;
- The poor choice of site means it is necessary to dredge the shallow waters of Smith Bay, creating silt plumes and destroying 15 hectares of the rich sea floor environment and creating 200,000 cubic metres of material to be disposed of; the loss of 10 ha of seagrass is not acceptable;
- An industrial port will be detrimental to many marine species, including nationally threatened species eg. southern right whale, humpback whale, blue whale, Australian sea-lion, great white shark, loggerhead turtle, leatherback turtle and green turtle, along with species of high conservation value such as temperate corals and iconic protected species such as the weedy seadragon;
- Threatened flora would be impacted both on site and en route, including eight state listed species and seven nationally listed species, including the EPBC-listed Kangaroo Island Narrow-leaved Mallee (*Eucalyptus cneorifolia*);
- Many threatened fauna species would be impacted, including white-bellied sea-eagles, Kangaroo Island echidnas (particularly en route!)
- The risk of spreading *Phytophthora* via vehicles and movement of soil etc is high; it only takes a teaspoon of contaminated soil!
- The land and marine environments will be at risk from fuel, oil and chemical pollution; phenols and tannins from the woodchip processing could pollute the groundwater and run into the ocean and large volumes of dust will be generated; woodchipping activities should occur inland.

- Light pollution will affect the abalone farm, tourist businesses, the nearby residents and native species; noise pollution from heavy trucks, diesel generators etc is clearly an issue, both on site and en route; the current lack of noise and light pollution associated with industrial scale developments is highly prized on Kangaroo Island by residents and visitors; the visual amenity of Smith Bay will be ruined (along with property values); tourists do not come to Kangaroo Island to see woodchip facilities, logging trucks and moored ships. The entire region will become a “no go” zone.

- The use of A-double and B-double vehicles, used 24/7 with such high frequency, on a network of narrow unsealed roads is a recipe for disaster; tourists, cyclists, school buses and residents in general, should not have to be put at risk or live in fear; ratepayers (or taxpayers) should not have to foot the bill for maintaining roads that are being relentlessly thrashed by an industrial scale commercial enterprise, we simply can't afford it; roadkill would obviously increase, including the Kangaroo Island echidna and Rosenberg's goanna.

- There are alternative port sites; better still, alternative uses for the plantations, which don't require an international port or a wide network of logging truck routes, should be thoroughly explored eg. <https://www.abc.net.au/news/rural/2019-02-10/western-australia-oil-mallee-could-power-town/10640764>

- The koala issue: *this is not seen as being relevant to the Smith Bay port so was not included in the EIS but it cannot be ignored.* The government has, for decades, refused to allow humane culling of this over-abundant introduced species, so their population has exploded despite the millions spent on sterilisation programs. If this port is given approved, the government is, in effect, approving the inhumane death of tens of thousands of koalas during the harvesting of the plantations, or their dispersal into the wider environment, which can't support them. This would be a public relations and environmental disaster for Kangaroo Island. A solution to this problem MUST be found BEFORE the port is approved.

Regards,

A handwritten signature in black ink, appearing to read 'Janine', with a stylized, flowing script.

Janine Mackintosh

Kate & Richard Stanton [REDACTED]  
[REDACTED]

#### Overview

We feel the development will change the nature of the island for all those living along the route and at Smith's Bay. The trucks will be a disastrous thing to live amongst and the thought of losing the road improvements we have spent a lifetime working towards is very upsetting. We feel a more appropriate plan could be to truck to an already existing port along DIPT roads that will not be at a huge cost to KI Council. Many assurances about ongoing problems have been made by KIPT who will ensure compliance for all these factors?

#### Environmentally

As we live and run a farming business along the route (both Stokes Bay Road and Bark Hut road) the noise and dust pollution will be increased remarkably. We have a home within 100 metres on the Bark Hut road where the dust and noise were difficult to cope with while the road was being upgraded over several months, now this will be ongoing day and night endlessly. Although the noise is quoted as minor the ongoing noise from one truck every seven minutes will be a life changing event.

#### Economic impacts

We have farming land diagonally opposite each other around Amen Corner (the corner of Stokes Bay Road and Bark Hut Road) we continually move stock around this corner all year. As we have no shearing shed or truck loading infrastructure on one of these farms it can be necessary to shift stock hundreds of times a year. We already find the summer traffic during shearing a difficulty and if the trucking route travels along these roads our ability to operate will be greatly diminished. At the very least we will need to employ men to help shift equipment and stock as trucks will be coming from both directions without warning. We also run a cropping program with oversized machinery we need to move header's, seeders and field bins along this route continuously, the road is not wide enough and has many barriers. When asked what their plan for managing this, the answer was to have gps trackers on their trucks so we can work around them, but they have forgotten we do not have mobile coverage when this was pointed out the KIPT manager had no reply.

No one will want to buy our farms or our homes that are along the traffic route resulting in a greatly devalued lifetime of work!

#### Transport/Traffic

The community of the Stokes Bay area has lobbied long and hard for the recently bitumised surface on Stokes Bay Road, in fact we personally donated money to KI Council to complete the road as funding was short. The community all donated in a six-week period to find the money needed to bitumen all the way to Stokes Bay. Since its completion there are areas of this road that have springs under them and the road surface sinks or breaks up needing repair. With the planned massive increase of trucking traffic by KIPT there is no doubt this thin single layer of bitumen will soon be destroyed.

School bus, the small Stokes Bay school bus stops and drops off children along the route and the KIPT has promised to not have trucks on the road at these times. will this be a legal agreement or promises quickly forgotten? Or will the KIPT business be on sold and the new owners of KIPT have no requirement to adhere to these promises?

#### Social impacts

The two north coast choices (Smiths bay and Cape Dutton) for KIPT port are both unsuitable as the area has already been deemed important enough to close for a marine park yet has been identified by KIPT to be a potential second choice to Smiths Bay!

Our sons and their young families are renovating a home and have developed a huge undercover garden which is a business in its own right. The dust will be a major problem for producing vegetables ready to sell also the red dust and dirt that will be airborne all summer will be very difficult to live with. The Stokes Bay community Hall of which we are members will have a greatly changed space, our children and grandchildren run free at tennis with no worries about being unsafe the numbers of fast-moving truck with dramatically change this. The Hall itself is a haven for events that are peaceful and slow, weekly church will never be the same as the trucking has been quoted to run seven days a week and up to twenty-four hours a day.

Thank you for considering our submission

Kate & Richard Stanton [REDACTED]  
[REDACTED]

#### Overview

The Stokes Bay Hall Community feel the development will change the nature of the island for all those living along the route in a bad way. The trucks will be a disastrous thing to live amongst and the thought of losing the road improvements we have spent a lifetime working towards is very upsetting. We feel a more appropriate plan could be to truck to one of the many other existing ports along DIPT roads that will not be at a huge cost to KI Council. Many assurances about ongoing problems have been made by KIPT who will ensure compliance for all these factors?

#### Environmentally

Trucking noise and dust is quoted as minor the ongoing noise and dust from one truck every seven minutes will dramatically change events that we run at the Stokes bay Hall.

#### Economic impacts

No one will want to buy our farms or our homes that are along the traffic route resulting in a greatly devalued lifetime of work! The ongoing hire for our hall and grounds will be lessened as people find other more peaceful places to have their events.

#### Transport/Traffic

The community of the Stokes Bay area has lobbied long and hard for the recently bitumised surface on Stokes Bay Road and the upgrade of the Bark Hut road. The community all donated \$16,000 in a six-week period to find the money needed to bitumen all the way to Stokes Bay. Since its completion there are areas of this road that have springs under them and the road surface sinks or breaks up needing repair. With the planned massive increase of trucking traffic by KIPT there is no doubt this thin single layer of bitumen will soon be destroyed. The Stokes Bay community feels the road is not wide enough for two trucks to pass each other and has many barriers along the bitumen that are the minimum 8 metres apart. When asked what their plan for managing this, the answer was to have GPS trackers on their trucks so we can work around them, but they have forgotten we do not have mobile coverage at the hall, when this was pointed out the KIPT manager had no reply.

School bus, the small Stokes Bay school bus stops and drops off children along the route and the KIPT has promised to not have trucks on the road at these times. will this be a legal agreement or promises quickly forgotten? Or will the KIPT business be on sold and the new owners of KIPT have no requirement to adhere to these promises? The bus pulls off the main road onto the hall roadside to increase the safety for these children as this can be a point where several families catch the bus.

#### Social impacts

The Stokes bay hall considers the two north coast choices (Smiths Bay and Cape Dutton) for KIPT port are both unsuitable as the Cape Dutton area has already been deemed important enough to close for a marine park yet has been identified by KIPT to be a potential second choice to Smiths Bay!

Our area is renowned for glossy black cockatoos and sea eagle nests both of which will not like the noise and dust, there is also many rare endemic plants along the area adjacent to the hall, as identified by Bev Overton during her studies. The Stokes Bay community Hall will have a greatly changed space, our children and grandchildren run free at tennis, and other events with no worries about being unsafe, the numbers of fast-moving trucks with dramatically change this. The Hall itself is a haven for events that are peaceful and slow, weekly church will never be the same as the trucking has been quoted by KIPT to run seven days a week and up to twenty-four hours a day.

Thank you for considering our submission

**From:** [Ellyse Greer](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 5:28:21 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To "offset" its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is "the main factor threatening the echidna population".
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed "offset".
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Ellyse Greer

**From:** [Jennifer Glendining](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 5:30:32 PM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
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- The proponent's means to address this assault are inadequate at best and are

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- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

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- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Jennifer Glendining

**From:** [Hilary Walker](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 5:38:14 PM

---

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
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- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Hilary Walker

**From:** [Raizelle Corcuera](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 5:40:31 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Raizelle Corcuera

**From:** [Mafalda Moutinho](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 5:45:21 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
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- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Mafalda Moutinho

**From:** [Jemima McArthur](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 6:01:10 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Jemima McArthur

**From:** [Amanda Boogert](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 6:11:51 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Amanda Boogert

**From:** [Marijs Vrancken](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 6:19:22 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

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Yours faithfully

Marijs Vrancken

**From:** [Aluson O'Brien](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 6:22:36 PM

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All of the above, we already have a port suitable, how long will this venture last, do we need to start replanting, where and who will do this, where will they stay. There is no housing here. If you disrupt our coast line, the tourist will not come and the locals will suffer again. Do you live on an Island! . We love it and want to share all its natural beauty. Don't take that away, it will never return. Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport I write to lodge a formal objection to Kangaroo Island Plantation Timbers proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government wrongly considered. After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent. Following that, I strongly believe this development should not proceed <u>Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it is abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

### **Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

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Yours faithfully

Alison O' Brien

Aluson O'Brien

**From:** [Paul Rawlingson](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 6:38:17 PM

---

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

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Yours faithfully

Paul Rawlingson

**From:** [Kate Lynch](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 6:51:21 PM

---

Dear Minister,

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
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- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
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- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Kate Lynch

**From:** [Catarina Lima](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 7:05:09 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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Yours faithfully

Catarina Lima

**From:** [Haidee Kinter](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 7:08:48 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Haidee Kinter

**From:** [Karen Lilley](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 7:11:44 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Karen Lilley

**From:** [Jessica Carter](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 7:23:46 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Jessica Carter

**From:** [Jasmine Clift](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 8:06:18 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Jasmine Clift

**From:** [Sacha Robinson](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 8:15:14 PM

---

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
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- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Sacha Robinson

**From:** [Magi Findlay](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 8:32:06 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Magi Findlay

**From:** [Emma Nicholson](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 8:35:57 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
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- The proponent's means to address this assault are inadequate at best and are

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- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Emma Nicholson

**From:** [Michelle Leroux](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 8:36:03 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
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### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Michelle Leroux

**From:** [Nikita Pring](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 8:44:15 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Nikita Pring

**From:** [Andrew Dunlop](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 8:48:01 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Biosecurity**

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vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

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## Coast and Marine

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The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

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Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Andrew Dunlop

**From:** [Matthew teston](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 9:08:56 PM

---

Dear Minister,

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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

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- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

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- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Matthew teston

**From:** [Duncan Heuer](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 9:30:27 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
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Yours faithfully

Duncan

Duncan Heuer

**From:** [Lavinia Holloway](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 9:49:16 PM

---

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Lavinia Holloway

**From:** [Kevin Plumlee](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 10:09:47 PM

---

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Yours faithfully

Kevin Plumlee

**From:** [Theo Horbelt](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Re: Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 10:41:00 PM  
**Attachments:** [image001.gif](#)  
[image002.gif](#)  
[image003.gif](#)  
[image004.gif](#)

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Dear Nick,

Thank you for your reminder.

My concerns re the KPT's seaport Development at Smith Bay are as follows:

I am a German translator for an up-market company showing Swiss and German guests our serene Island.

The biggest thrill for us as guides is to witness the sheer delight of our guests as they encounter grazing sheep, mobs of kangaroos, the odd goanna digging to lay eggs on the side of termite mounds, and echidna waddling across the road, a wedge-tail eagle flying above, a koala or two in the branches above as we stop to take in this peaceful scene. And it is the PEACE that they love as much as anything else.

This would all be SHATTERED by the noise and movement of huge trucks and equipment. The road kill would be more than alarming, and the sound of screaming koalas as their trees are decimated would be unbearable.

Our well travelled tourists would stop coming as the word got out that "Australia's Galapagos" was no longer the place to go to find undisturbed "nature pure". Multiple dead kangaroos on the roadside is NOT a tourist attraction! As a result many of us would lose our jobs, which we enjoy so much and are proud of.

The mainly dirt roads would be a mess in a short time, and I can imagine the cost of keeping them in some sort of condition would be astronomical.

I thank you for considering the importance and sincerity of my concerns.

Ann Horbelt  


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**From:** DPTI:State Commission Assessment Panel <scapadmin@sa.gov.au>  
**Sent:** Tuesday, 28 May 2019 5:00 PM  
**To:** annhorbelt@hotmail.com  
**Subject:** RE: Concerns about KPT's Seaport development at Smith Bay

Good Afternoon Ann,

SCAP acknowledge receipt of your submission, but it has come through blank.

Could you please re-send by midnight, tonight (12am – 29 May 2019) in order to be considered a valid submission.

Kind Regards,

Nick Kretschmer

**State Commission Assessment Panel - Administration**

Planning and Land Use Services

Department of Planning, Transport and Infrastructure

T 7109 7060 (internal 97060) • E [SCAPadmin@sa.gov.au](mailto:SCAPadmin@sa.gov.au)

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**From:** Ann Horbelt [mailto:annhorbelt@hotmail.com]

**Sent:** Sunday, 26 May 2019 12:41 PM

**To:** DPTI:State Commission Assessment Panel <scapadmin@sa.gov.au>

**Subject:** Concerns about KPT's Seaport development at Smith Bay

Ann Horbelt

**From:** [Andrew Triggs](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Cc:** [triggsy1965@gmail.com](mailto:triggsy1965@gmail.com)  
**Subject:** Smith Bay Wharf EIS comments [DLM=For-Official-Use-Only]  
**Date:** Wednesday, 29 May 2019 10:49:29 AM  
**Attachments:** [Smith Bay Wharf EIS comments.docx](#)  
[ATT00001.htm](#)

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Mr Kleeman

Please find attached my specific comments and suggestions on the draft EIS for the Smith Bay Wharf.

I provide these as both a KI community member and as a practitioner of Biosecurity for almost 30 years.

My main concerns relate to a lack of a specific Biosecurity Management Plan (which includes the Biosecurity Response Procedure). Without these key documents it is hard to ascertain what, if any, on the ground actions will be taken to manage Biosecurity risks during construction and operation. The second significant risk I have identified is how ballast water will be managed. I understand the legislative framework and requirements, but feel there is a real case for a commitment to best practice which includes chartering if vessels with ballast water treatment systems rather than relying on traditional ballast water exchange.

Here are my general comments.

## **Smith Bay Wharf – EIS – Comments on biosecurity**

The Environmental Impact Statement documents recognise that there are biosecurity risks associated with the proposed development and operation of the Smith Bay Wharf. The EIS process has undertaken extensive research into the specific biosecurity risks (both marine and terrestrial) and the legislative framework that needs to be complied with to reduce these risks. The Biosecurity Strategy for Kangaroo Island is extensively referenced throughout the sections in the EIS dealing with biosecurity and as such there is alignment with the strategies and objectives of this document. There is also recognition of the regulatory agencies involved in managing biosecurity including Department of Agriculture and Water Resources and Biosecurity SA as well as the role the Kangaroo Island Natural Resources Management Board has in supporting activities to assist in managing biosecurity risk to Kangaroo Island.

The EIS provides a reasonable level of commitment to managing biosecurity and does indicate there will be a 'Biosecurity Management Plan (which includes the Biosecurity Response Procedure)'. This does not appear to have been completed as yet and would be critical in identifying all the proactive operational activities that could support actions to minimise biosecurity risk.

There is also reference to a 'detailed Construction Environmental Management Plan and an Operations Environmental Management Plan would be produced before construction began.' There are drafts provided in Appendix U but there is an indication that these will be 'developed in consultation with DAWR, Biosecurity SA and the Biosecurity Advisory Committee of the Kangaroo Island Natural Resources Management Board'. The timing and process for this to occur needs to be clarified as it has not been raised with the membership of this committee.

### **Specific notes from the reading of the Guidelines and the documents provided are below**

#### **Main report Chapter 4.6 Infrastructure Operations**

4.6.2 Vessel movements – recognises the risk of ballast water to marine environment of Smith Bay. Provides details of types of vessels to be chartered for loading activities but no real detail of biosecurity risk management as part of that charter process i.e will vessels with ballast water treatment systems be given priority in respect to charter arrangements? Will there be dedicated vessels to the trade so that biosecurity requirements can be implemented and maintained?

4.6.3 Biosecurity – good coverage of Commonwealth and International obligations of vessel operators in respect to ballast water and biofouling management. Recognises that the local Port Management Officer is required to ensure vessel masters comply and are provided direction in regards to management of ballast water under certain conditions. No real indication of how vessels when in port will be monitored for compliance.

#### **Main report Chapter 12. Marine Ecology**

12.5.7 Marine Pests and Diseases – recognises impacts of introduced marine species and the freedom of Smith Bay of any know records of introduced species near Smith Bay. Recognises marine invasive species and diseases that could affect aquaculture (including abalone). Covers legislative framework relating to Ballast Water, Biofouling, EPA guidelines and KI BS Strategy.

Outlines that a 'detailed Construction Environmental Management Plan and an Operations Environmental Management Plan would be produced before construction began.' Drafts provided in

Appendix U. Indicates these will be 'developed in consultation with DAWR, Biosecurity SA and the Biosecurity Advisory Committee of the KI NRM Board' (page 236). Has this happened??

Pontoon purchased from Korea – no indication if it will be inspected by DAWR or any divers engaged by KIPT prior to arrival at Smith Bay?

Indicates a 'small number of known log and woodchip vessels' – not sure if this is just wishful thinking or a reality?

### **Main report Chapter 15. Biosecurity and Appendix D2 – Ballast water management and biosecurity**

- Heavily references Biosecurity Strategy for KI 2017 -27
- Addresses Guideline 3 – provide information on potential biosecurity impacts from the wharf development proposal (build and then ongoing use)
- Details in 15.2.2 'one of the more significant environmental issues associated with the proposal is the biosecurity risk arising from discharge of ballast water' whilst this is a valid statement, it is only relevant to the operation of a built facility – initial focus should be on the construction of the facility itself. A biosecurity Management Plan like the one Chevron Australia did for the Barrow Island LNG wharf and infrastructure should be included as part of the EIS..
- Indicates in this section 'the 'base' position of the Commonwealth under the Biosecurity Act is that it is an offence for a vessel to discharge ballast waters into Australia seas (waters)' this is a bit misleading and may indicate it is not allowed at all – this is not the case as it is impossible for bulk vessels to navigate without ballast on board which is discharged during loading activities.
- Biofouling – mentions new requirements being developed by DAWR – almost a reality so would rather see that they undertake to comply with the new requirements which will impact both on construction vessels and those that operate the loading of cargoes
- 15.4.2 refers to Giant pine scale – current requirements are in place by PIRSA to reduce movements of pine bark etc to KI
- 15.5 – suggest looking at the Chevron Australia Barrow Island biosecurity requirements for construction of port and facilities
- 15.5.3 as a land manager there should be recognition of the need to manage weeds in the study area – more commitment here would be good
- Page 334 refers to vessels as 'few in number making regular visits to the Island.' Need more info on how vessels will be chartered etc
- Page 335 first para is a bit odd as there is reference to 'rodents on ships' – this is a responsibility of DAWR and any such risk would be managed at the first port and unlikely that vessels would be permitted to travel to KI prior to this risk being managed through de-ratting of the vessel by treatment. Any such pests should be reported to DAWR for action and activities such as rat guards, lifting gangway etc should be put in place. Ongoing pest control monitoring and wharf side should also be in place as exposing vessels to land based species such as rats, mice and even possums should be considered
- Fumigation 'would be undertaken at the port of exit (not KI Seaport) ?? Approval of ports usually require a hardstand area for fumigation (in case of an emergency) . On page 53 of the Main Report Step 6 which indicates 'logs and wood chips would be exported from KI Port to other Australian where other market-specific timber treatments (such as fumigation) maybe undertaken prior to transport
- Overall – reasonable coverage of how biosecurity will be managed with staff training, signage, monitoring - probably could have had more emphasis on how the DAWR has

ultimate control over international vessels and activities associated with movements of goods, people on / off etc.

Table 15-1

- Importation of rock material – should include visual checks for soil & plant material
- Importation of machinery – from overseas would be cleared by DAWR, from mainland – should be stipulated that it should be free of soil & plant material. Who will carry out vehicle inspections?
- Importation of foods by construction crews – OK for the entry requirements to KI (no honey, seed potatoes etc)
- Importation of foods by shipping crews – refers to movement of food from Smith Bay to vessel – this is not a biosecurity risk. This point should be about prohibition of removal of foods, plant material etc from vessel which is controlled by DAWR
- Importation of equipment for loading timber – I assume this is break bulk and not fixtures of the vessel? Vessels don't usually carry their own equipment for these cargoes other than vessel cranes which are fixed. Clearance of imports of other equipment is quite rightly the remit of DAWR
- Movement of shipping vessels into Australian waters are processed / cleared in first port of entry. There can be subsequent visits to the vessel as wharf / vessel surveillance. There is no mention of the controls that are imposed by Australian Customs legislation.
- Importation of plants for landscaping (including Appendix J1) this is ok – preference for plants of KI provenance is a very good strategy to reduce biosecurity risk and hopefully the KI NRM Native Plant nursery can play a big role here.

#### **Appendix D2 Ballast Water Management and Biosecurity**

- Good overview of technical, legislative and operational requirements relating to ballast water management
- Same risk area (6.4) is a potential biosecurity issue for Smith Bay operations as it will allow vessels that have taken up at least 95% of their ballast in say Port Adelaide to discharge this in Smith Bay (Exception 3 – Discharge Covered by Prescribed Conditions)
- 8.2 stipulates that KI Seaport will not be a first point of entry - correct
- 8.3 not sure about this statement 'relatively few ships, including bulk timber carriers, have on board ballast water treatment systems' at the time of writing this maybe so but with new vessels (from Sept 2017) required to have bw treatment systems on board – these vessels could be targeted for chartered to reduce the risk. I would prefer to see a more committed approach to chartering vessels with bw treatment systems so they reduce the risk of contaminating Smith Bay.
- 8.5 same risk area 'highly unlikely that this ballast water management option would be practicable or cost effective for international bulk carriers.' I think this is a bit misleading as it would be highly cost effective to charter a vessel that has discharged fertiliser, steel coils etc in Port Adelaide and come to Smith Bay in ballast from PA to take on KI products.
- Last para under 8.5 is a bit lame on detail – what 'advice would be given by PIRSA'?
- No real mention of biosecurity risk during construction of marine pests??

**Appendix U draft Construction Environmental Management Plan & draft Operational Environmental Management Plan 1-5: Management measures for biosecurity (pages 18 -21 & 11-14)**

- Over all OK. Refers to various 'Identifier' documents which I assume are internal SOPs or the like. (left message with Graham Holdaway for him to find out and advise 13:30 14/5) - Graham passed this onto Peter Locket who called back 15:00 14/5. He doesn't know what this refers to either and will call back. Called 15/5 and Peter advised that he had referred to Maria Petacini from EBS. Maria called 11:10 15/4 0421 708 757. Confirmed 'identifiers' are a reference to a master document that they cross reference to ensure that each of the procedures are covered off. It was also confirmed that the development of a Biosecurity Management Plan (including a response plan) has 'not yet occurred and would be done in consultation with agencies'.
- This section replicates the activities detailed elsewhere in document.
- Refers to a 'Biosecurity Management Plan (which includes the Biosecurity Response Procedure) ' I can't find this anywhere in the document. Really a response procedure would be stand alone and outline the monitoring process, detection methods, reporting when detection occurs, containment, management to prevent cross infestation, trace back & forward, engagement with authorities.

-

To whom it may concern,

Please accept my submission below in response to the proposal to construct and operate at port at Smith Bay on Kangaroo Island's north coast.

This submission seeks to detail and highlight the significant risk that the establishment of regular international shipping to Kangaroo Island poses. It is my view, based on my own comparative observations of the ecology surrounding port and maritime infrastructure in South Australia, that the introduction of exotic species to Kangaroo Island will be an inevitable consequence of the approval of this proposal (should that decision be made).

I have come to appreciate that bio-security resources in South Australia are *very* limited, so much so that removal or eradication responses to the detection of introduced species are rare. This port proposal, if approved, will inevitably alter the composition of the ecology of Smith Bay with unknown long-term consequences. The surrounding ecology of the north coast and other parts of the island may also be at risk if introduced organisms find local conditions favourable and proliferate beyond the port area. Once introduced, total eradication of any introduced species is almost impossible to achieve.<sup>[1]</sup>

Given that Kangaroo Island has had very few records of introduced species, and its reputation is one of "a place apart, of unspoilt nature"<sup>[2]</sup> *it is in my view, not environmentally acceptable to establish a new international shipping port on Kangaroo Island at all, given the project's inevitable detrimental impact to the island's inshore marine ecology. Ships' ballast discharges and hull fouling provide proven pathways for the introduction of various exotic organisms.*

### **Status of exotic marine species on Kangaroo Island**

I have been visiting Kangaroo Island, and occasionally snorkeling there during annual visits from 2009 to present. During this time I have rarely seen evidence of introduced species. On a recent visit to Kangaroo Island, I looked specifically for evidence of introduced species at three locations: Kingscote, Penneshaw and Bay of Shoals (all located on Kangaroo Island's north coast, east of Smith Bay).

No introduced species were found at Penneshaw jetty. Only the Spaghetti bryozoan (*Amathia verticillata*) and the pleated sea squirt (*Styela plicata*) were found at Bay of Shoals' boat ramp. Beneath Kingscote jetty, the Branching bryozoan (*Schizoporella errata*), the Spaghetti bryozoan and a single European fanworm (*Sabella spallanzani*) were seen and photographed.<sup>[3]</sup> These records were all uploaded to iNaturalist, and can be seen here:

<https://www.inaturalist.org/projects/introduced-marine-species-of-kangaroo-island-s-north-coast>

It is worth noting that international shipping to and from Kangaroo Island did occur prior to the formal establishment of the colony, by way of whaling and sealing vessels which traveled to and from the northern hemisphere. It is possible that some of these organisms were introduced during that early period. The European fanworm introduction (to SA) was far more recent, since the advent of modern shipping and KINRM has organised occasional removal efforts beneath Kingscote jetty

(Ben Florance, pers. comm).

Since the end of sealing and whaling industries on Kangaroo Island, maritime traffic has consisted of mostly domestic vessels, ranging from personal craft and fishing vessels to passenger ferries. In more recent history, visiting cruise ships on domestic routes have moored off Penneshaw, but have done so with no discernible impact to the ecology at the nearest maritime infrastructure: the Penneshaw jetty. Visiting yachts are another example of potentially international shipping, but are few in number and present much lower risk than large ocean going bulk carriers. This is because large vessels take onboard large volumes of water as ballast when crossing oceans. This is then partly or fully discharged close to the destination port, in order to accommodate the receiving cargo. By this means, larvae of a great range of species can be translocated from one international port to another. Hull fouling is another vector for the introduction of exotic organisms. Hull fouling organisms such as bryozoans can grow on the outside of the hulls of vessels. That growth can also feed other organisms, such as gastropod molluscs. A good local example of this is the discovery of the Winged thecacera (*Thecacera pennigera*) at Outer Harbour, Port Adelaide.<sup>[4]</sup> This exotic organism feeds on an introduced bryozoan (*Bugula plumosa*) exclusively, and that bryozoan is known to foul the hulls of ships.<sup>[5]</sup>

### **Comparison with a working harbour (Port Adelaide)**

The comparison between the apparent state of the ecology surrounding working marine infrastructure on Kangaroo Island and the long-established working harbour of Port Adelaide is stark. The Port Adelaide River (comprising the Port River, Inner Harbour and West Lakes) is heavily modified and dominated by introduced species, most conspicuously *Sabella spallazani*, *Caulerpa taxifolia*, *Magellana gigas* and *Stylela plicata*. The system supports resident populations of numerous other introduced species and seasonal blooms of even more still (*Ercolanea boodlea* and *Cassiopea* sp. are examples of seasonal bloomers). A broad range of taxa are represented in the records of introduced species living in the Port River, from alga and ascidians to nudibranchs, shellfish and fishes.<sup>[6]</sup>

Since 2017, I have been opportunistically exploring the Port River, seeking to photo document all biota. I report my findings via the website iNaturalist.org ( <http://bit.ly/PortRiver> ) and where pertinent, I also notify PIRSA and relevant scientists at the South Australian museum. Prior literature on introduced species occurring in the Port River circa 2010-11<sup>[7]</sup> creates the false impression that there are only a few introduced species present there. If this was the case at that time, it certainly doesn't hold true today. Perhaps there were shortcomings and limitations to PIRSA's search efforts at the time. Or perhaps many of the recently recorded species have only recently arrived and established themselves.

My recent body of work has been extended and verified through the efforts of many other individuals, including Steve Reynolds (President of the Marine Life Society of South Australia), Janine Baker (independent marine invertebrate expert) and Ralph Foster (ichthyologist at the South Australian Museum). To accompany this submission, I have created three relevant projects on iNaturalist. They are intended to illustrate the difference in introduced species occurrence between a busy working harbour (Port Adelaide) and a relatively pristine coastal environment (the north coast of Kangaroo Island).

My project methodology was as follows:

- Distribute search effort geographically across whole system (West Lakes to Outer Harbour)
- Photograph all taxa observed
- Upload and identify collaboratively via the website iNaturalist.org
- Ascertain which species are introduced or likely to have been introduced
- Report new introductions to PIRSA/SAM
- Establish a list of introduced species to apply to three regions: Port Adelaide, north coast of Kangaroo Island, and whole state of South Australia's marine waters

The resulting searching revealed 33 species of introduced organisms living in the Port Adelaide river, harbour and West Lakes combined. This number may increase further as more already-documented organisms remain unidentified. The known results can be viewed here:

<https://www.inaturalist.org/projects/introduced-marine-species-in-port-adelaide-west-lakes>

The same list of species was then used to capture iNaturalist records from the northern coast of Kangaroo Island. This yielded a comparatively small result, with just four of the same set of introduced species from the Port River also occurring in northern Kangaroo Island waters. The results can be seen here: <https://www.inaturalist.org/projects/introduced-marine-species-of-kangaroo-island-s-north-coast>

A side by side comparison, which also compares both projects with the total statewide occurrence record of the same set of known, introduced species is also provided for your reference:

<https://www.inaturalist.org/projects/introduced-marine-species-in-south-australia-by-region>

This comparison is not without its problems, but it still provides a valuable indication of the relatively pristine state of Kangaroo Island waters when compared to Port Adelaide. For starters, far fewer hours of effort have been invested in searching for introduced species along the north coast of Kangaroo Island than in the Port River. Despite this imbalance, a critical observation was made. In the Port River, introduced species dominate, and often smother or crowd out native species. On Kangaroo Island's north coast, this inverse is true, and one must look hard to find any occurrence of an introduced species.

### **PIRSA's readiness to respond to biosecurity breaches**

One of my recent discoveries was a small colony of a carnivorous nudibranch, the Brazilian aeolid (*Spurilla braziliana*), in the Port River in April 2019.<sup>[8]</sup> This was a first sighting of the species in that locality. I brought the sighting to the attention of PIRSA, and pointed out that the location for their destruction was easily accessible: a floating pontoon at a boat ramp that could be reached by foot. Regardless of the convenient location, I was informed that PIRSA would not be collecting or destroying the animals, even though they are a quite recent introduction (they were first sighted at Aldinga in 2015). In this case, my sighting was of a breeding group, with a large egg mass adjacent to a group of adults. This presented an opportunity to destroy both adults and eggs. I was advised that I could destroy them myself as they were considered feral, but that PIRSA would not, due to the expense and a lack of resources.

My experience with *Spurilla braziliana* illustrates the inability of PIRSA Biosecurity agents to respond to all sightings of introduced species in order to make efforts to contain populations of new or recent introductions.

## Improved reference guides to introduced species are needed

Currently there is no publicly accessible database that one can visually search an index of known introduced species in South Australia. Such a resource would help an observer to establish whether they are looking at a native species or a potential biosecurity problem. Pamphlets from PIRSA are dated, and severely limited in their scope.<sup>[9]</sup> Similarly, PIRSA's 2010 review of introduced species records shows outdated range data, incomplete species lists and lacks photo-illustrations.<sup>[10]</sup> A case exists for PIRSA to create a photo-illustrated visual guide to introduced species in SA waters. Such a guide could help identify emerging biosecurity problems early, by empowering other users of the marine environment with useful and current information and clear illustrations.

It would also be appropriate for PIRSA to acknowledge the results of CSIRO's work in prioritising responses to introduced species, circa 2005. This work concluded that the ten introduced species with the most impact potential were: *Gymnodinium catenatum*, *Alexandrium minutum*, *Asterias amurensis*, ***Sabella spallanzanii***, ***Crassostrea gigas***, ***Ciona intestinalis***, ***Bugula neritina***, ***Polysiphonia brodiaei***, ***Schizoporella errata***, ***Codium fragile ssp. Tomentosoides***, *Undaria pinnatifida* and ***Carcinus maenas***.<sup>[11]</sup> While the majority of these (those marked in boldface) are found in South Australia, only a minority of these are photo illustrated or otherwise included in PIRSA brochures for the general public about biosecurity control and introduced species. This inconsistency should be corrected.

## Hull fouling and ballast dumping controls can't protect KI environment

PIRSA's biosecurity website states that "Biofouling and ballast water can introduce new marine pests and diseases to Australia, or spread ones established interstate to South Australian waters. Marine pests are virtually impossible to eradicate once established. Marine pests are usually highly adaptable, multiply rapidly, compete with native species and devastate the environment. Marine pests can also be hosts for infectious and notifiable diseases. Together these factors mean that marine pests threaten the sustainability of South Australian coastal industries, commercial and recreational fishing, aquaculture, tourism and the health of the marine environment."<sup>[1]</sup>

In light of this openly declared threat, combined with the relatively pristine nature of Kangaroo Island's inshore marine environment and the impossibility of guaranteeing that exotic species unintentionally transported by ship will not forever change the ecology of the island's marine environment, *I recommend that this port proposal not proceed.*

## **Recommended conditions (if the development does receive approval)**

If my recommendation is rejected, I would expect to see not only regulations on biosecurity controls duly enforced by the Commonwealth, but also world's best practises applied to onboard ballast water pumping and discharge systems (sterilisation of discharge to kill any passenger organisms) and preventative hull cleaning practises undertaken at vessels' port of departure. Various technological options exist for ballast water sterilisation, including Panasonic in-line electrolysis system, which was announced in 2014.<sup>[12]</sup>

Given that the EPA's Code of Practise for Vessel and Marine Facility Management and National Biofouling Guidelines are not rules but rather recommendations,<sup>[1]</sup> additional protective measures must be taken to safeguard the Kangaroo Island marine environment.

To facilitate early detection of a potential exotic introduction, sub-sea video monitoring of port maritime structures and incoming vessel hulls should be made mandatory as a condition of development approval. Regular visual inspections made by divers or ROV should be mandatory. The proponents (shipping company, port operator or both) should be fined in accordance with the offences listed under the [Fisheries Management Act 2007](#) and [Livestock Act 1997](#) for biosecurity breaches. These offences carry penalties of up to \$250 000 for a body corporate or \$120,000 for individuals for the introduction of exotic species to South Australian waters<sup>[1]</sup> and no special exemptions or immunity should be afforded to the proponent of this development.

## References

- [1] [https://pir.sa.gov.au/biosecurity/aquatics/biofouling\\_and\\_ballast\\_water](https://pir.sa.gov.au/biosecurity/aquatics/biofouling_and_ballast_water)
- [2] <https://authentickangarooisland.com.au/our-kangaroo-island/who-we-are/>
- [3] <https://www.inaturalist.org/projects/introduced-marine-species-of-kangaroo-island-s-north-coast>
- [4] <https://www.inaturalist.org/observations/10124434>
- [5] <https://www.inaturalist.org/taxa/51001-Thecacera-pennigera>
- [6] <https://www.inaturalist.org/projects/introduced-marine-species-in-port-adelaide-west-lakes>
- [7] [https://pir.sa.gov.au/\\_data/assets/pdf\\_file/0018/232137/Final\\_monitoring\\_report\\_for\\_the\\_2010-2011\\_marine\\_pest\\_survey\\_of\\_the\\_Port\\_of\\_Adelaide,\\_South\\_Australia\\_-\\_FINAL\\_20\\_09\\_2011.pdf](https://pir.sa.gov.au/_data/assets/pdf_file/0018/232137/Final_monitoring_report_for_the_2010-2011_marine_pest_survey_of_the_Port_of_Adelaide,_South_Australia_-_FINAL_20_09_2011.pdf)
- [8] <https://www.inaturalist.org/observations/22489801>
- [9] <http://mlssa.org.au/wp-content/uploads/2015/01/PIRSA-Introduced-marine-pests-of-concern-2007.pdf>
- [10] [https://pir.sa.gov.au/\\_data/assets/pdf\\_file/0003/232068/No\\_468\\_Introduced\\_marine\\_species\\_in\\_South\\_Australia\\_a\\_review\\_of\\_records\\_and\\_distribution\\_mapping.pdf](https://pir.sa.gov.au/_data/assets/pdf_file/0003/232068/No_468_Introduced_marine_species_in_South_Australia_a_review_of_records_and_distribution_mapping.pdf)
- [11] <https://www.environment.gov.au/system/files/resources/02d33408-ad61-4d11-b5a4-6bf1aa333776/files/priority2.pdf>
- [12] <https://news.panasonic.com/global/stories/2014/25827.html>

**From:** [nick](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** FW: Smith Bay - Deep Water Port Facility - EIS submission  
**Date:** Tuesday, 28 May 2019 5:14:41 PM  
**Attachments:** [image001.png](#)

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**From:** nick [mailto:[nicmaca@bigpond.com](mailto:nicmaca@bigpond.com)]  
**Sent:** Tuesday, 28 May 2019 4:54 PM  
**To:** 'majordevadmin@sa.gov.au'  
**Subject:** Smith Bay - Deep Water Port Facility - EIS submission

**Minister for Planning**

C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport and Infrastructure.

Dear Robert,

I am writing this submission in response to the Environmental Impact Statement (EIS) to put forward my **very strong objection** to the proposed Deep water port Facility at Smith Bay on Kangaroo Island.

The reasons to reject this proposal are many and varied. To make a decision on this proposal, it is vital that you have an understanding of the unique environment that is Kangaroo Island. Kangaroo Island is a pristine rural island that is absolutely reliant on its Biosecurity to thrive and survive. Both Agriculture and Tourism, the two major industries, are dependent on this continuing Biosecurity. The proposed Deep water port facility puts both these industries at risk and thus puts at risk the whole community and the long term future of Kangaroo island.

The EIS mainly addresses the area around Smith Bay and the potential impacts to the environment & local Abalone farm. This is not adequate in terms of assessing the proposal, as the entire marine environment around the island as well as the rural land and agriculture businesses on the island could be catastrophically effected by shipping activities or a Biosecurity breach.

It cannot be argued by any person or any report that there is even one Deep Water Port Facility, anywhere in the world, that has not caused damage to the marine environment. Most Deep Water Ports are built in large cities around the world and unfortunately we just accept that these environments will be damaged and polluted! The Deep Water Port Facility we are assessing here, has been proposed in one of the most pristine and environmentally significant areas, not only in Australia, but the world.

KIPT nor any of their reports or statements have demonstrated how they are going to guarantee, let alone avoid, the impacts of a Multi-use Port and International Shipping (especially in a pristine environment) from:

- Contamination from ballast water
- Contamination from antifouling paints, especially TBT
- Disposal of marine debris from ships

- Containment of marine littering from ships
- Oil spills from routine shipping activities
- Containment of hazardous material spills
- Noise emissions within the marine environment
- Air pollution and emissions from shipping activities

KIPT must demonstrate how they intend to stop International Shipping activities destroying **our** marine environment by spreading the following:

- Northern Pacific Seastar (*Asterias amurensis*)
- Asian green mussels (*Perna viridis*)
- Chinese mitten crab (*Eriocheir sinensis*)
- Japanese seaweed (*Undaria pinnatifida*)
- New Zealand Screwshell (*Moaricolpus roseus*)
- Caulerpa cylindracea marine alga
- Caulerpa taxifolia marine alga
- European fan worm (*Sabella spallanzanii*)

KIPT must demonstrate how they intend to stop International Shipping activities (especially logging ships) destroying the Pure Ligurian Bee population and Apiculture industry by spreading the following:

- Varroa mites (*Varroa destructor*)
- Tracheal mites (*Acarapis woodi*)
- Tropilaelaps mites (*Tropilaelaps clareae*)
- American foulbrood (*Paenibacillus larvae*)
- European foulbrood (*Melissococcus plutonius*)
- Asian honey bee (*Apis cerana java* genotype)
- Braula fly (*Braula coeca*)
- European wasp (*Vespula germanica*)

KIPT must demonstrate detailed plans on how it will protect our agriculture industries with the introduction of International Shipping and its associated importation of goods, from pests and disease including:

- Colorado potato beetle
- Serpentine leaf miner
- Vegetable leaf miner
- Black bean aphid
- Pale potato cyst nematode
- Root knot nematode
- Karnal bunt
- Hessian fly
- Khapra beetle

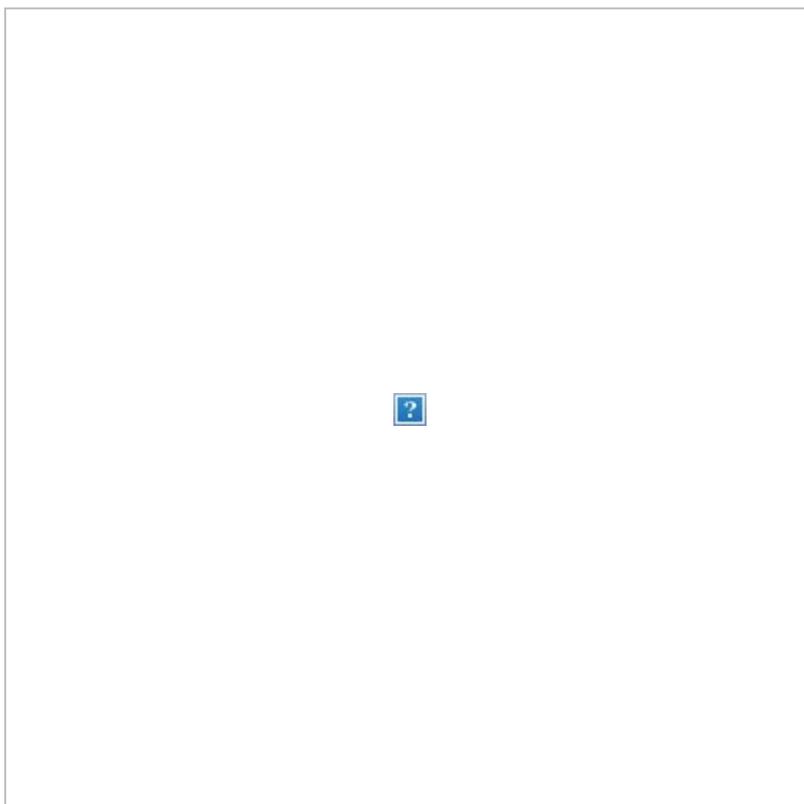
Kangaroo Island survives perfectly on a balance of Agriculture and Tourism. The Islands isolation is the main reason why our Agriculture industries remains relatively disease and pest free. The pristine marine environment and isolated beaches are the main reason why people visit from around Australia and the World. We do not need a Multi-use, Deep Water Port Facility and its associated international shipping. KIPT and its supporters need to stop telling the residents of Kangaroo Island that we need this Port for economic gain!

If any Deep Water Port was allowed on Kangaroo Island, the environmental damage could destroy the Agriculture and or the marine environment, which in-turn would result in catastrophic losses in Tourism or farming economics. If either of these industries were affected, the social impacts to the communities and loss of local businesses around the island would be devastating.

I am not opposed to KIPT removing the timber from the island and recovering their investments, but there are alternatives to getting the timber off the Island, and probably at much lesser costs than building a Deep Water Port Facility. These alternatives need to be explored by the Department of Planning and KIPT.

Kangaroo Island and its world recognised pristine environment is not only critically important to the residents of the Island, but also the South Australian Government in terms of Tourism. If you destroy the environment, Kangaroo Island will become just like any other polluted, unappealing destination around the world! If the tourists stop coming to Kangaroo Island and South Australia, so does the money!

Please, stop making the same mistakes that businesses and governments continue to make all over the world, and especially in this country. Short term financial gains to a small minority over the long term future of communities and the environment. This Deep Water Port Facility is not suitable, not sustainable, not worth the environmental damage and not the way of the future.



Regards,  
Nick

Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport and Infrastructure  
GPO Box 1815  
Adelaide  
SA 5000

26 May 2019

Dear Mr Kleeman,

Re: Application for a Deep Water Port Facility , Smith Bay, Kangaroo Island by Kangaroo Island Plantation Timber 2019

I would like to take this opportunity to give my support to the above application made by K.I.P.T. I have visited the site to clarify my thoughts on supporting this. It is difficult not to get carried away when any subject concerning changes to the existing infrastructure is up for debate. I will endeavour to keep to the key points of my support. I have listed them as I have considered the questions I gave myself. They are not necessarily in order of importance.

1. Why do I think that Smith Bay is the best location?
  - a. The bay is naturally sheltered on the north side of the island and is a good depth already.
  - b. The bay is unsuitable for bathers due to the beach having large boulders and a marina.
  - c. The road vehicles to be used, will be served well by the existing roads, as long as regular maintenance of the holes is carried out.
  - d. The proposed site is already used as an industrial area. The site was originally used by a former land-based abalone farm.
  - e. The main customer of K.I.P.T. will be using cargo ships such as the Handymax (a small cargo size) and the Panamax (a medium cargo size) in their transport operations. The cruise ships which visit the island are sometimes larger than these vessels.
  - f. The location is served well for employees to reach the site for work.
  
2. Why do I think this change to our infrastructure is investing in the island?
  - a. K.I.P.T. have taken responsibility to build this facility at their own cost. That shows me that a huge commitment has been made by them to the island. It will take almost a year to build, which will start the process of increased employment on the facility.
  - b. To adhere to the S.A. Government requirements, the wharf shall be a green light for other cargo users. The time being given to loading K.I.P.T. cargos is only up to 75 days a year, leaves a considerable time available

to cruise ships and other businesses, such as farming or fish, etc. to use the facilities. It would be a multi-user port.

- c. K.I.P.T. have already been employing local people in their business and the approval of the port will open up many more employment windows directly and indirectly. Their involvement with the island is transparent and fair. They are committed to providing a long-standing and happy work environment. They are not planning for just the present but for the future of their business which is in turn planning for the future of the people of the island wanting work. The community of Kangaroo Island would be benefiting from their business in so many ways.
  - d. The Economic Impact Assessment completed by K.I.P.T. is possibly the most extensive ever produced for the island, if not the state of South Australia. I commend them for the work they have put in to this, knowing how much opposition they could face with their plans. The plan shows the extent of thought given to protecting the bay as far as anyone possibly can.
3. How I see an approved application effecting employment on Kangaroo Island?
- a. On the agricultural side of the employment, the island currently consists of farmers, olive growers, vineyards, fishermen, aquaculture, market gardening, etc. These mainly operate as families, with transient works coming in to the island at peak production times.
  - b. Other employment choices for employment currently include the following: K.I.Council, Sealink, S.A. Water, S.A. Power Network, Natural Resources K.I., K.I Medical and Community Services, Primary Industries & Regions S.A., Fisheries & Aquaculture Department, Department of Education. These are either permanent or contracted workers, both local and brought in for the requirements of the job. Freight carriers, catering and hospitality, practices for well-being and hairdressing, retail and service stations. These are usually casual positions which can prove unreliable sources of regular hours of employment, depending on demand of their services.
  - c. The self-employed workers, earth works, builders, plumbers, electricians, computer services, painters, gardeners, caretakers, cleaners, car hire, water carriers, livestock feed providers, mechanics for vehicles and tyres, and small manufacturers. There are the owners of the privately owned holiday accommodation and their support teams. All of these people again rely on the island to provide work for them and their work force. It too can have challenges.
  - c. K.I.P.T. are able to give additional employment with ongoing training opportunities in forestry management positions, giving more diversity to the employment market.

I am not a long term islander yet, but from the time I have lived here, I have seen so many big ideas come to the table and not get any further than paper. We all love living on this island but at the moment, everything seems to be focusing on saving everything for the future tourists and not for the residents and their families. We need to save the island from becoming stagnant and dying from its' own vanities. Not far from now, our younger generations will be stating or asking:

"Thanks for nothing."

"Why did you stop this?"

"Why didn't you support this?"

"So what was your plan for the future?"

"So what did you plan for us?"

"Are you going to stop me trying to do something different?"

"Do I have to leave the island like everyone else to get a job?"

"I am not an artist or a photographer so what else is there for me?"

"There is nothing here for me because I don't farm and I don't want to do hospitality."

As islanders and government representatives, we must be able to out our hands on our hearts and say we tried our best to look after them too.

I whole heartedly recommend the approval to the application made by K.I.P.T. The opportunity of improvement of employment and residents is too good to lose yet again. To refuse the application would be holding the island to ransom and the island will pay the price. It would be a National shameful act. There is not a reason strong enough to turn down this application.

I look forward to hearing that this has been granted.

Kind regards

Jane Gaze

**From:** [Freya Higgins-Desbiolles](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Comment on Smith Bay development on KI  
**Date:** Saturday, 25 May 2019 6:58:38 PM

---

Dear Sir or Madam

I am writing to communicate my concerns about a proposed development at Smith Bay on Kangaroo Island. I have learned this area could be negatively impacted by the proposed terminal/wharf development in terms of dredging and the coastal environment. As a tourism academic, I caution decision makers to consider a more appropriate site. This area is important to marine mammals and therefore marine tourism. I am also a property owner on KI and am concerned for its sustainable future.

The construction and operation of the wharf will have direct and indirect impacts on the coast and marine environment in a very unique and valuable location. In particular, the proposal will have impacts on the water flows, tidal movements, turbidity, seabed, sedimentary profiles and overall ecology of the Bay. I also understand successful aquaculture businesses may be negatively impacted. Tourism, good food and wine and protected environment are the assets for KI tourism.

Please be cautious in this case.

Yours sincerely

Dr Freya Higgins-Desbiolles



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**Hon Stephan Knoll**  
**Minister for Planning**  
**Department of Planning, Transport and Infrastructure**  
**Level 5, 50 Flinders Street GPO Box 1815**  
**Adelaide SA 5001**

26 May 2019

Dear Minister

### **Concerns about the proposed development of a deep-sea port at Smith Bay**

I am writing to express my concerns about the proposed development of a deep-sea port at Smith Bay, Kangaroo Island.

Kangaroo Island is the 'jewel in the crown' of South Australia. It has a strong reputation for a pristine environment, abundant wildlife, the production of good food and wine, and it receives over 200,000 visitors a year. Visitors and residents alike appreciate its undeveloped and wild, rugged nature with sweeping coastal vistas, the lack of sound and light pollution, and a welcoming community.

Unfortunately the proposed development poses a significant threat to these values and to the island's visitor appeal. While I appreciate that a resolution is needed about what to do with the many hectares of plantation trees that are ready for harvesting, I am not convinced that that the proposed development is in fact the best way forward.

#### *No public consideration of alternatives*

Firstly, there has been no appreciable conversation about viable alternative uses for the trees, including local processing and value add. Secondly, there has been no public deliberation about alternative sites for a port, should sending them off-island as logs or as chips indeed make the most sense from an ecological, social and economic perspective. Unless these factors are considered, the community cannot be assured that the best possible decision has been made.

#### *Roads*

Kangaroo Island's roads were not built to carry the type and level of traffic that is proposed in the EIS. Many of the roads are already in poor condition and the Kangaroo Island Council does

not have the means to effectively maintain them currently, never mind under the scenario contemplated in the EIS. Would ratepayer's have to foot the additional bill? The type and level of traffic contemplated is incompatible with tourism and rural agricultural road users.

My husband and I own a property on North Coast Road (Lot 22) and we have been forced to put on hold our plans to build a house and ecotourism facility on the property due to our proximity to the proposed port and main transport route. Transport and potentially processing noise would invade our peace. Travelling on the roads would be dangerous, especially if transport vehicles are travelling at or above the speed limit. Road condition is likely to be poor to impassable for smaller vehicles. Tourists would not want to stay in this location.

### *Pollution*

Kangaroo Island is known for being a peaceful environment, characterized by a lack of sound and light pollution. There is a proposal under development to declare the island a dark-skies reserve, which will further enhance its tourism appeal. The noise that will be generated 24/7 along the transport routes and at the chipping facility will fundamentally undermine this appeal.

If lighting at the port facility was not appropriately located and designed, it too would have a significant negative effect on the Island's character, the potential for achieving dark-skies reserve status, and on fauna and flora. The noise that would be generated as a result of port construction, drilling and dredging would also have a significant impact on marine life in the bay.

Furthermore, significant levels of dust would be generated on transport routes and by the chipping facility. Other pollutants would be likely to run-off into the coastal environment, impacting biodiversity and potentially the neighbouring abalone industry.

### *Biosecurity*

Shipping poses a significant threat to Smith Bay, both with respect to ballast water that would be discharged in the bay, as well as in respect to any bio-fouling on the vessels and stowaways on-board. Smith Bay is currently marine pest free, a status it would be unable to maintain should the development be approved, also threatening marine life around the rest of the island. The anticipated introduction of pests and disease to Kangaroo Island as a result of the proposed development threatens biodiversity and existing industries, both aquaculture and agriculture.

### *Threatened species*

It is undeniable that the proposed level of heavy traffic would have a significant impact on the island's wildlife, including threatened species such as the Kangaroo Island Echidna and Rosenberg's Goanna. Smith Bay is also visited by southern right whales and is an important area for these threatened marine mammals and their calves. The inevitable noise, dredging and vessel disturbance, potential vessel strike, pollution and chemical leaching that would occur as a result of such a development at Smith Bay are not acceptable and cannot be adequately mitigated through the proposed offsets.

## *Water*

Catchments on the west end of the island are already over-allocated as a result of plantation forestry, already threatening the viability of agricultural enterprises in those catchments and the scope for any further growth in this sector. As the climate warms and dries, declines in run-off are expected to be far greater than rainfall reductions (i.e. it is not a one to one relationship). Given that a second rotation is planned, these impacts on agriculture will be in force for decades to come.

In conclusion, while I appreciate the effort the proponent has made in compiling the EIS, from the information available I remain unconvinced that the likely impacts of the development, should it proceed, can be adequately minimised or mitigated. The development is entirely out of character with the island and further thinking is required to address the challenge of what to do with the trees. Furthermore, the cumulative impacts of all the currently proposed and recently approved developments on the island warrant proper consideration if we wish to maintain any semblance of sustainability and maintain the island's distinctive character.

Kind regards

A handwritten signature in black ink that reads "Phillipa Hadden". The signature is written in a cursive, flowing style.

**From:** [Melanie Townsend](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Friday, 24 May 2019 6:15:11 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To "offset" its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is "the main factor threatening the echidna population".
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed "offset".
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Melanie Townsend

**From:** [Katherine Russell](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Friday, 24 May 2019 6:08:35 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Katherine Russell

**From:** [Anne Barwick](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay AB  
**Date:** Saturday, 25 May 2019 6:24:48 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Anne Barwick

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**From:** [Adrian Bombardieri](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Tuesday, 28 May 2019 11:20:21 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Adrian Bombardieri

**From:** [Amanda Clarke](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay ACla  
**Date:** Tuesday, 28 May 2019 11:23:33 AM

---

Dear Minister,

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Yours faithfully

Amanda Clarke

**From:** [Ashleigh Imms](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay AI  
**Date:** Saturday, 25 May 2019 4:02:06 AM

---

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### **Native Vegetation and Fauna**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Ashleigh Imms

**From:** [Anthony Lunstedt](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay AL  
**Date:** Saturday, 25 May 2019 10:47:15 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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Yours faithfully

Anthony Lustedt

**From:** [Alastair Greer](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay AGr  
**Date:** Tuesday, 28 May 2019 10:56:10 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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Yours faithfully

Alastair Greer

**From:** [Anne-Lise Haugen](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay ALH  
**Date:** Saturday, 25 May 2019 7:54:40 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

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Anne-Lise Haugen

**From:** [Alison Maritz](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay AMaritz  
**Date:** Tuesday, 28 May 2019 12:09:55 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Yours faithfully

Alison Maritz

**From:** [Asha-Mae Chapman](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay AMC  
**Date:** Saturday, 25 May 2019 1:48:47 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Asha-Mae Chapman

**From:** [Amelia McMahon](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay AMcM  
**Date:** Tuesday, 28 May 2019 12:06:47 PM

---

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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

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- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Amelia McMahon

**From:** [Alicia Muhovics](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay AMuhovics  
**Date:** Tuesday, 28 May 2019 12:18:41 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
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### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Alicia Muhovics

**From:** [Ashley Reid](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay AR  
**Date:** Saturday, 25 May 2019 4:34:13 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Ashley Reid

**From:** [Aleesha Stone](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay AStone  
**Date:** Tuesday, 28 May 2019 12:02:53 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Aleesha Stone

**From:** [Allie Walsh](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay AW  
**Date:** Saturday, 25 May 2019 5:20:54 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Allie Walsh

Dear Minister,

**RE: Marine biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Yours faithfully

**RECEIVED**  
31 MAY 2019

*post stamped  
27/5/19 A*

TO:

Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport & Infrastructure  
GPO Box 1815  
ADELAIDE SA 5000

FROM:

*Andy Schofield*  
*Kangaroo Is.*

Dear Minister,

**RE: Pollution & Amenity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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Department of Planning, Transport & Infrastructure  
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ADELAIDE SA 5000

FROM:

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*Kangaroo Is.*

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**RE: Infrastructure concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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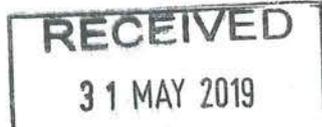
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Minister for Planning

C/- Robert Kleeman

Unit Manager Policy and Strategic Assessment

Department of Planning, Transport & Infrastructure

GPO Box 1815

ADELAIDE SA 5000

FROM:

Andy Schofield

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Dear Minister,

**RE: Biodiversity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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C/- Robert Kleeman

Unit Manager Policy and Strategic Assessment

Department of Planning, Transport & Infrastructure

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ADELAIDE SA 5000

FROM:

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Minister for Planning

C/- Robert Kleeman

Unit Manager Policy and Strategic Assessment

Department of Planning, Transport & Infrastructure

GPO Box 1815

ADELAIDE SA 5000

FROM:

*ANDY SCHOFIELD*



**From:** [Brian Bennier](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay BB  
**Date:** Saturday, 25 May 2019 7:51:05 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Brian Bennier

Brian Bennier

Dear Minister,

**RE: Infrastructure concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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RECEIVED  
31 MAY 2019

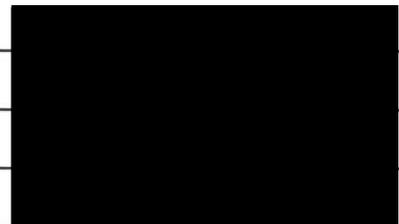
post stamped  
28/5/19 &

TO:

Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport & Infrastructure  
GPO Box 1815  
ADELAIDE SA 5000

FROM:

Judith Gwaldo



Dear Minister,

**RE: Biodiversity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport & Infrastructure  
GPO Box 1815  
ADELAIDE SA 5000

FROM:

Judith Gwaldo



Dear Minister,

**RE: Pollution & Amenity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Yours faithfully



TO:

Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport & Infrastructure  
GPO Box 1815  
ADELAIDE SA 5000

FROM:

Paulita Sivaldo

Dear Minister,

**RE: Marine biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport & Infrastructure  
GPO Box 1815  
ADELAIDE SA 5000

FROM:

Paulita Sivaldo

Dear Minister,

**RE: Transport & Traffic concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Minister for Planning

C/- Robert Kleeman

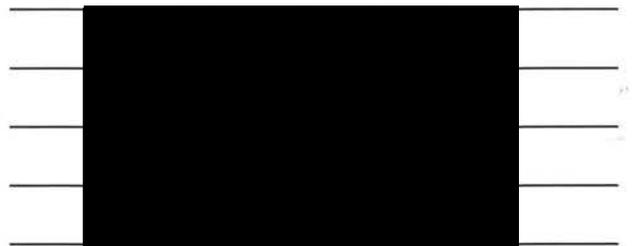
Unit Manager Policy and Strategic Assessment

Department of Planning, Transport & Infrastructure

GPO Box 1815

ADELAIDE SA 5000

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Yours faithfully

*Rebecca Mussared*

**RECEIVED**  
31 MAY 2019

TO:

*post stamped 27/5/19*  
*R*

Minister for Planning

C/- Robert Kleeman

Unit Manager Policy and Strategic Assessment

Department of Planning, Transport & Infrastructure

GPO Box 1815

ADELAIDE SA 5000

FROM:

*Rebecca Mussared*

[Redacted signature area]

Dear Minister,

**RE: Pollution & Amenity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

*Rebecca Mussared*

**RECEIVED**  
31 MAY 2019

TO:

Minister for Planning

C/- Robert Kleeman

Unit Manager Policy and Strategic Assessment

Department of Planning, Transport & Infrastructure

GPO Box 1815

ADELAIDE SA 5000

FROM:

*Rebecca Mussared*

[Redacted signature area]

Dear Minister,

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Yours faithfully

*Rebecca Mussared*

*I am especially concerned about marine biosecurity & the introduction of pests to KI's pest free waters. Mainland & international marinas/ports are heavily infested with pests which could easily*

*any in stop in the middle of the road will stop anywhere*

Dear Minister,

**RE: Transport & Traffic concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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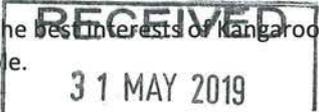
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Yours faithfully

*Rebecca Mussared*

*KI council does not currently have sufficient funding to maintain KI's roads as funding doesn't cover the impacts of the 120,000+ tourists each year.*



TO:

Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport & Infrastructure  
GPO Box 1815  
ADELAIDE SA 5000

FROM:

*Rebecca Mussared*  
[Redacted]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*establish on KI threatening aquaculture*

TO:

Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport & Infrastructure  
GPO Box 1815  
ADELAIDE SA 5000

FROM:

*Rebecca Mussared*  
[Redacted]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*as tourists generally have poor road skills & stop anywhere in the middle of the road will stop anywhere*  
*as tourists generally have poor road skills & stop anywhere in the middle of the road will stop anywhere*  
*the extra burden will not be able to be maintained. It is a disaster waiting to happen*

*fishing & tourism industries*

Dear Minister,

**RE: Biodiversity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully *Rebecca Mussared*

*will result in increased road kill of EPBC Act listed KI echidna & state threatened heath goanna, as well as tiger & pygmy copperhead snakes.*

TO:

Minister for Planning

C/- Robert Kleeman

Unit Manager Policy and Strategic Assessment

Department of Planning, Transport & Infrastructure

GPO Box 1815

ADELAIDE SA 5000

RECEIVED

31 MAY 2019

FROM:

*Rebecca Mussared*



*KI Kangaroos, tamar wallabies,*

**From:** [Brooke Fuss](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay Bfuss  
**Date:** Tuesday, 28 May 2019 11:36:24 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Brooke Fuss

**From:** [Bree Harris](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay BH  
**Date:** Saturday, 25 May 2019 12:04:58 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Bree Harris

**From:** [bianca\\_russo](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay BR  
**Date:** Saturday, 25 May 2019 11:22:41 AM

---

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

bianca russo

**From:** [Claire Brooks](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay CB  
**Date:** Saturday, 25 May 2019 9:58:57 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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Yours faithfully

Claire Brooks

**From:** [Courtney Byrne](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay CBryne  
**Date:** Tuesday, 28 May 2019 11:57:23 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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Courtney Byrne

**From:** [Claire McCaughey](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay CcM  
**Date:** Saturday, 25 May 2019 2:07:32 AM

---

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Yours faithfully

Claire McCaughey

**From:** [Carla Dunne](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay CDunne  
**Date:** Tuesday, 28 May 2019 11:57:10 AM

---

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Yours faithfully

Carla Dunne

**From:** [ChiaoFang Chen](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay CFC  
**Date:** Tuesday, 28 May 2019 12:25:15 PM

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Dear Minister,

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ChiaoFang Chen

**From:** [Colin Gaetjens](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay CG  
**Date:** Saturday, 25 May 2019 10:21:48 AM

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Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully, Colin Gaetjens

Colin Gaetjens

**From:** [Cecilia Gunnarsson](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay CGun  
**Date:** Saturday, 25 May 2019 1:20:36 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
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Yours faithfully

Cecilia Gunnarsson

**From:** [Craig de Vos](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay CGV  
**Date:** Tuesday, 28 May 2019 12:06:54 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Craig de Vos

**From:** [Carrie Loudoun](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay CL  
**Date:** Tuesday, 28 May 2019 12:06:29 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
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### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Carrie Loudoun

**From:** [Carissa Mcphee](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay CM  
**Date:** Friday, 24 May 2019 7:11:45 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

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Yours faithfully

Carissa Mcphee

**From:** [Christopher Moon](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay CMoon  
**Date:** Tuesday, 28 May 2019 11:44:37 AM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Biosecurity**

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Yours faithfully

Christopher Moon

**From:** [Chiara Mulqueen](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay CMU  
**Date:** Saturday, 25 May 2019 8:32:00 AM

---

Dear Minister,

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Chiara Mulqueen

**From:** [charlie.ross](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay CR  
**Date:** Saturday, 25 May 2019 7:31:18 PM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

charlie ross

**From:** [Caitlin Wenke](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay CW  
**Date:** Saturday, 25 May 2019 2:30:32 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Caitlin Wenke

**From:** [David Hall](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay DH  
**Date:** Friday, 24 May 2019 6:56:37 PM

---

Dear Minister,

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

David Hall

**From:** [Debbie Parker](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay DP  
**Date:** Saturday, 25 May 2019 4:41:11 PM

---

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Debbie Parker

**From:** [Dominic Ryan](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay DRyan  
**Date:** Tuesday, 28 May 2019 11:50:57 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Dominic Ryan

**From:** [David Smith](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay DSsm  
**Date:** Saturday, 25 May 2019 5:03:29 PM

---

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Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

David Smith

**From:** [David Thackray](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay DTH  
**Date:** Tuesday, 28 May 2019 10:51:11 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
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- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
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- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

David Thackray

**From:** [Emily Dolman](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay ED  
**Date:** Saturday, 25 May 2019 9:52:00 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Yours faithfully

Emily Dolman

**From:** [Emma Errington](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay EE  
**Date:** Saturday, 25 May 2019 6:22:10 PM

---

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

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Yours faithfully

Emma Errington

**From:** [Eun-jung Kim](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay EJK  
**Date:** Tuesday, 28 May 2019 11:47:53 AM

---

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Eun-jung Kim

**From:** [Eliza Palmer](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay EP  
**Date:** Saturday, 25 May 2019 4:20:58 PM

---

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Eliza Palmer

**From:** [Ella Southall](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay ES  
**Date:** Saturday, 25 May 2019 1:09:39 AM

---

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Yours faithfully

Ella Southall

**From:** [Francine Grech-sacco](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay FGS  
**Date:** Saturday, 25 May 2019 2:12:32 AM

---

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Francine Grech-sacco

**From:** [F.Kent](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay FK  
**Date:** Saturday, 25 May 2019 2:23:04 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

F Kent

**From:** [Fidel Monk](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay FM  
**Date:** Saturday, 25 May 2019 7:52:43 AM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Fidel Monk

**From:** [Glenys Bertram](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay GB  
**Date:** Saturday, 25 May 2019 7:01:32 AM

---

Dear Minister,

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Yours faithfully

Glenys Bertram

**From:** [Georgia Flessas](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay GF  
**Date:** Saturday, 25 May 2019 1:08:29 AM

---

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Yours faithfully

Georgia Flessas

**From:** [Gaye Glade-Wright](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay GGW  
**Date:** Friday, 24 May 2019 10:22:30 PM

---

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Gaye Glade-Wright

**From:** [Grant Kirkland](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay GK  
**Date:** Tuesday, 28 May 2019 10:30:49 AM

---

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Grant Kirkland

**From:** [Grace Nelligan](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay GN  
**Date:** Friday, 24 May 2019 10:43:19 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Grace Nelligan

**From:** [Hart Carol](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay HC  
**Date:** Saturday, 25 May 2019 7:25:19 AM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Hart Carol

**From:** [Hoang Hung Duong](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay HHD  
**Date:** Saturday, 25 May 2019 1:26:20 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Hoang Hung Duong

**From:** [Hannah Kellaway](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay HK  
**Date:** Saturday, 25 May 2019 2:24:17 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

**We live in a beautiful country. Don't change that.**

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
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- bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are presented in a careless manner.
  - Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
  - The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
  - The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
  - Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
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### **Native Vegetation and Fauna**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment

and its people.

Yours faithfully

Hannah Kellaway

**From:** [Harbinda Roberts](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay HR  
**Date:** Tuesday, 28 May 2019 11:57:21 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Harbinda Roberts

**From:** [Isabelle Boyle](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay IB  
**Date:** Saturday, 25 May 2019 9:45:34 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Isabelle Boyle

**From:** [Isabella Davies](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay ID  
**Date:** Saturday, 25 May 2019 8:15:05 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**From:** [Isaac Sauer](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay ISa  
**Date:** Saturday, 25 May 2019 6:18:34 PM

---

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**From:** [Ian Scott](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay ISc  
**Date:** Tuesday, 28 May 2019 10:52:36 AM

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Ian Scott

**From:** [Jenny Boase](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JB  
**Date:** Saturday, 25 May 2019 5:10:46 PM

---

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**From:** [Jack Bennett](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay Jbe  
**Date:** Saturday, 25 May 2019 3:27:09 PM

---

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Jack Bennett

**From:** [James Beckman](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JBeck  
**Date:** Tuesday, 28 May 2019 11:50:19 AM

---

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- The proponent's means to address this assault are inadequate at best and are

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- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

James Beckman

**From:** [John Cameron](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JC  
**Date:** Saturday, 25 May 2019 12:38:22 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

John Cameron

**From:** [Jade Charlesworth](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JCh  
**Date:** Saturday, 25 May 2019 6:20:50 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Jade Charlesworth

**From:** [James Conahan](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JCona  
**Date:** Tuesday, 28 May 2019 11:09:42 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

James Conahan

**From:** [James Cooper](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JCoo  
**Date:** Saturday, 25 May 2019 12:02:13 PM

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Dear Minister,

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

James Cooper

**From:** [Joshua Grant](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JG  
**Date:** Saturday, 25 May 2019 5:21:43 PM

---

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Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Joshua Grant

**From:** [James Jay](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JJ  
**Date:** Tuesday, 28 May 2019 11:21:31 AM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

James Jay

**From:** [Jacinta Read](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JR  
**Date:** Saturday, 25 May 2019 7:31:18 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Jacinta Read

**From:** [Jazzlyn Spiteri](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JS  
**Date:** Saturday, 25 May 2019 7:03:02 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Jazzlyn Spiteri

**From:** [Julie Sanderson](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JSa  
**Date:** Saturday, 25 May 2019 7:26:50 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Julie Sanderson

**From:** [Justice Stalman](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JSt  
**Date:** Saturday, 25 May 2019 4:39:54 PM

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Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

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More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
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- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Justice Stalman

**From:** [Julie Thomas](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JT  
**Date:** Friday, 24 May 2019 10:31:57 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
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### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Julie Thomas

**From:** [Jan Tope](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JTo  
**Date:** Saturday, 25 May 2019 6:44:27 PM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
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### **Native Vegetation and Fauna**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Jan Tope

**From:** [Joel Wallis](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay JW  
**Date:** Saturday, 25 May 2019 4:48:24 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Joel Wallis

**From:** [Kim Adair](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay KAdair  
**Date:** Tuesday, 28 May 2019 12:09:54 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Kim Adair

**From:** [Kate Boyd](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay KB  
**Date:** Saturday, 25 May 2019 6:51:46 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Kate Boyd

**From:** [Keith Cowden-Brown](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay KCB  
**Date:** Friday, 24 May 2019 7:08:54 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Keith Cowden-Brown

**From:** [Kim Harrison](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay KH  
**Date:** Saturday, 25 May 2019 8:28:00 AM

---

Dear Minister,

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Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Kim Harrison

**From:** [karl owen](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay KO  
**Date:** Tuesday, 28 May 2019 10:34:28 AM

---

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- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
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- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

karl owen

**From:** [Kay Sneath](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay KS  
**Date:** Saturday, 25 May 2019 4:29:18 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

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- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Kay Sneath

**From:** [Liz Ahern](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay LA  
**Date:** Saturday, 25 May 2019 9:32:49 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Liz Ahern

**From:** [Linda Briere](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay LB  
**Date:** Saturday, 25 May 2019 12:47:37 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Linda Briere

Dear Minister,

**RE: Transport & Traffic concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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Following that, I strongly believe this development should not proceed at Smith Bay based on the information provided on the reverse side of this card.

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Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

TO:

Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport & Infrastructure  
GPO Box 1815  
ADELAIDE SA 5000

FROM:

*post stamped 28/5/19*  
Andrew Martin

[Redacted signature area]

Dear Minister,

**RE: Pollution & Amenity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport & Infrastructure  
GPO Box 1815  
ADELAIDE SA 5000

FROM:

Andrew Martin

[Redacted signature area]

Dear Minister,

**RE: Infrastructure concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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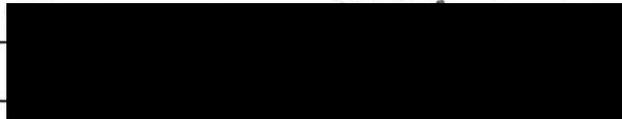
Yours faithfully

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Minister for Planning  
C/- Robert Kleeman  
Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport & Infrastructure  
GPO Box 1815  
ADELAIDE SA 5000

FROM:

*Andrew Martin*



Dear Minister,

**RE: Marine biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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Unit Manager Policy and Strategic Assessment  
Department of Planning, Transport & Infrastructure  
GPO Box 1815  
ADELAIDE SA 5000

FROM:

*Andrew Martin*



Dear Minister,

**RE: Biodiversity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Following that, I strongly believe this development should not proceed at Smith Bay based on the information provided on the reverse side of this card.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

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Department of Planning, Transport & Infrastructure

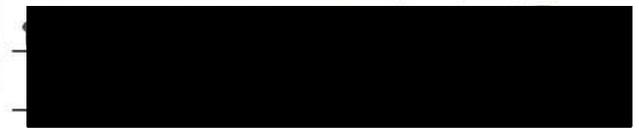
GPO Box 1815

ADELAIDE SA 5000

**what will our  
WORLD LOOK  
LIKE IN 30 Years Time?**

FROM:

**Andrew Martin**



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**From:** [Luke Barrett](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay LBa  
**Date:** Tuesday, 28 May 2019 10:28:31 AM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Luke Barrett

**From:** [Liam Baines](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay LBaines  
**Date:** Tuesday, 28 May 2019 12:09:19 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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presented in a careless manner.

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- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Liam Baines

**From:** [Lynda Clark](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay LC  
**Date:** Friday, 24 May 2019 10:59:04 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Lynda Clark

**From:** [Laura Carr](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay LCarr  
**Date:** Saturday, 25 May 2019 5:35:18 PM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Laura Carr

**From:** [Lorri Garvey](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay LG  
**Date:** Saturday, 25 May 2019 8:44:04 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Lorri Garvey

**From:** [Luke Hentschke](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay LH  
**Date:** Saturday, 25 May 2019 4:43:05 PM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Luke Hentschke

**From:** [Lindi Hall](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay LHa  
**Date:** Tuesday, 28 May 2019 10:35:56 AM

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Dear Minister,

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Yours faithfully

Lindi Hall

**From:** [Loran Morgan](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay LM  
**Date:** Saturday, 25 May 2019 4:38:38 PM

---

Dear Minister,

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- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Loran Morgan

**From:** [Liz Nelson](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay LN  
**Date:** Saturday, 25 May 2019 5:02:51 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Liz Nelson

**From:** [Lucy Osman](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay LO  
**Date:** Saturday, 25 May 2019 9:48:39 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Lucy Osman

**From:** [Leonie Schneider](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay LSc  
**Date:** Tuesday, 28 May 2019 10:24:28 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Leonie Schneider

**From:** [Michael Ahern](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay MA  
**Date:** Saturday, 25 May 2019 9:35:52 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Michael Ahern

**From:** [Mandy Boyle](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay MB  
**Date:** Saturday, 25 May 2019 6:44:13 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Mandy Boyle

**From:** [Marvin Boennen](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay MBo  
**Date:** Tuesday, 28 May 2019 10:26:16 AM

---

Dear Minister,

**RE: Local infrastructure concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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A proposal like this anywhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Kangaroo Island's road network and the community's trust in its local businesses.

**Traffic and Transport**

- Kangaroo Island's road network has limited carrying capacity and has not been developed to support the heavy vehicle traffic proposed by Kangaroo Island Plantation Timbers. It can barely cope with existing vehicles and their frequency.
- The company's EIS in support of its own proposal does not address or outline how it intends to fund the necessary road upgrades to better protect other users, or the maintenance of roads to support its Smith Bay infrastructure.
- It proposes heavy vehicles not used on Kangaroo Island's sub-standard roads, and without making any contribution to road safety or capacity, presents the Island with the certain threat of what has happened with log trucks in Glenelg Shire in Victoria.
- Kangaroo Island Plantation Timbers' land is mainly on the west of the island, more than 100 kilometres from Smith Bay and the sealed KI Ring Route. So why build this Seaport so far from its own plantations?
- Why replicate the horror of the Glenelg Shire, whose bitumen highways have been torn apart by B-doubles carrying logs to a chip mill at Portland? The Green Triangle's roads have been asked to support [535 heavy-vehicle movements a day](#).
- To maintain the current Kangaroo Island road network, an average of at least \$5 million will be required annually for the next decade.

In [response](#) to a Parliamentary question from Mark Parnell MLC, the Minister for Transport, Infrastructure and Local Government, Stephan Knoll, confirmed Kangaroo Island Plantation Timber's "...proposed freight routes would require upgrading to accommodate the freight task..." and that as "...the roads in question are local roads under the care and control of Kangaroo Island Council, there is no intention for the State Government to commit to a contribution towards the upgrade of local roads, should the development be approved..."

- Does this mean if your Government gives this proposal a green light – despite the guaranteed impact seen across the border in Victoria – it also expects a small community of Kangaroo Island ratepayers not just to live with this road trauma nightmare, but also to pay the costs of your decision?
- Degrading the road network so dramatically threatens the tourism industry (already at risk). It also constrains mobility for other industries (particularly primary producers) reliant on roads to trade, damages amenity across the island, and places the lives of every road user at greater risk.

### **Community**

- In its spruiking for a seaport at Smith Bay, Kangaroo Island Plantation Timbers has been fluid with the truth, not least in how it stacks up the apparent benefits for Kangaroo Island.
- The EIS suggests this proposal will create approximately 230 FTE jobs on the Island.
- That is, indeed, a bold claim, Minister. Especially since there is no picture of the long-term viability of these jobs, who will fill them, what skills will be required, how many will fly in/fly out, and how many will be imported. This will put under even greater pressure an already challenging housing, energy and public infrastructure supply.
- By comparison, two other much larger woodchipping facilities at the Port of Portland in Victoria and at Bunbury Fibre Exports in Bunbury, Western Australia employ less than 70 and 16 full time employees respectively.
- The entire workforce of OneFortyOne Plantations totals 64 FTE managing 80,000 hectares of Green Triangle plantations. Kangaroo Island Plantation Timbers manages 14,000 hectares. The company's claim of 230 FTE is, in the true sense of the word, incredible.

Thank you for taking the time to consider my objection to this proposal.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Marvin Boennen

**From:** [Mitchell Clarke](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay MCI  
**Date:** Tuesday, 28 May 2019 10:33:18 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Mitchell Clarke

**From:** [Madeleine Errington](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay ME  
**Date:** Saturday, 25 May 2019 3:18:35 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Madeleine Errington

**From:** [Mitchell Ellul](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay MEI  
**Date:** Tuesday, 28 May 2019 11:20:28 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Mitchell Ellul

**From:** [maechel O'Neil](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay MON  
**Date:** Saturday, 25 May 2019 10:00:09 AM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

maechel O'Neil

**From:** [Mikhaila West](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay MW  
**Date:** Saturday, 25 May 2019 9:47:03 AM

---

Dear Minister,

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Mikhaila West

**From:** [Nicholas Bryce](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay NB  
**Date:** Friday, 24 May 2019 8:37:23 PM

---

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- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Nicholas Bryce

**From:** [Nicholas Crosskill](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay NCr  
**Date:** Tuesday, 28 May 2019 11:27:36 AM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
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- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
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  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Nicholas Crosskill

**From:** [Nissa Horat](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay NH  
**Date:** Saturday, 25 May 2019 1:15:59 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

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More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Nissa Horat

**From:** [Nicole Jamieson](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay NJ  
**Date:** Tuesday, 28 May 2019 11:13:12 AM

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Dear Minister,

**RE: Local infrastructure concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this anywhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Kangaroo Island's road network and the community's trust in its local businesses.

**Traffic and Transport**

- Kangaroo Island's road network has limited carrying capacity and has not been developed to support the heavy vehicle traffic proposed by Kangaroo Island Plantation Timbers. It can barely cope with existing vehicles and their frequency.
- The company's EIS in support of its own proposal does not address or outline how it intends to fund the necessary road upgrades to better protect other users, or the maintenance of roads to support its Smith Bay infrastructure.
- It proposes heavy vehicles not used on Kangaroo Island's sub-standard roads, and without making any contribution to road safety or capacity, presents the Island with the certain threat of what has happened with log trucks in Glenelg Shire in Victoria.
- Kangaroo Island Plantation Timbers' land is mainly on the west of the island, more than 100 kilometres from Smith Bay and the sealed KI Ring Route. So why build this Seaport so far from its own plantations?
- Why replicate the horror of the Glenelg Shire, whose bitumen highways have been torn apart by B-doubles carrying logs to a chip mill at Portland? The Green Triangle's roads have been asked to support [535 heavy-vehicle movements a day](#).
- To maintain the current Kangaroo Island road network, an average of at least \$5 million will be required annually for the next decade.

In [response](#) to a Parliamentary question from Mark Parnell MLC, the Minister for Transport, Infrastructure and Local Government, Stephan Knoll, confirmed Kangaroo Island Plantation Timber's "...proposed freight routes would require upgrading to accommodate the freight task..." and that as "...the roads in question are local roads under the care and control of Kangaroo Island Council, there is no intention for the State Government to commit to a contribution towards the upgrade of local roads, should the development be approved..."

- Does this mean if your Government gives this proposal a green light – despite the guaranteed impact seen across the border in Victoria – it also expects a small community of Kangaroo Island ratepayers not just to live with this road trauma nightmare, but also to pay the costs of your decision?
- Degrading the road network so dramatically threatens the tourism industry (already at risk). It also constrains mobility for other industries (particularly primary producers) reliant on roads to trade, damages amenity across the island, and places the lives of every road user at greater risk.

### **Community**

- In its spruiking for a seaport at Smith Bay, Kangaroo Island Plantation Timbers has been fluid with the truth, not least in how it stacks up the apparent benefits for Kangaroo Island.
- The EIS suggests this proposal will create approximately 230 FTE jobs on the Island.
- That is, indeed, a bold claim, Minister. Especially since there is no picture of the long-term viability of these jobs, who will fill them, what skills will be required, how many will fly in/fly out, and how many will be imported. This will put under even greater pressure an already challenging housing, energy and public infrastructure supply.
- By comparison, two other much larger woodchipping facilities at the Port of Portland in Victoria and at Bunbury Fibre Exports in Bunbury, Western Australia employ less than 70 and 16 full time employees respectively.
- The entire workforce of OneFortyOne Plantations totals 64 FTE managing 80,000 hectares of Green Triangle plantations. Kangaroo Island Plantation Timbers manages 14,000 hectares. The company's claim of 230 FTE is, in the true sense of the word, incredible.

Thank you for taking the time to consider my objection to this proposal.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Nicole Jamieson

**From:** [Nick Navarro](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay NN  
**Date:** Tuesday, 28 May 2019 12:02:10 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
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- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
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## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
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The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Nick Navarro

**From:** [Olivia McDonald](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay OM  
**Date:** Saturday, 25 May 2019 2:02:11 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Olivia McDonald

**From:** [Peter BERNHARDT](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay PB  
**Date:** Friday, 24 May 2019 6:50:24 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
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- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Peter BERNHARDT

**From:** [Pauline Barclay Barclay Pauline Barclay Barclay](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay PBa  
**Date:** Saturday, 25 May 2019 5:20:23 PM

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Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Pauline Barclay

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**From:** [Pamela Dinsmore](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay PD  
**Date:** Saturday, 25 May 2019 6:23:43 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Pamela Dinsmore

**From:** [Peter Jones](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay PJ  
**Date:** Tuesday, 28 May 2019 10:29:19 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Peter Jones

**From:** [Renee Allpress](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay RA  
**Date:** Saturday, 25 May 2019 1:18:10 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Renee Allpress

**From:** [Ryan Hawkins](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay RHawk  
**Date:** Tuesday, 28 May 2019 10:57:28 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Ryan Hawkins

**From:** [Rob Rogers](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay RR  
**Date:** Tuesday, 28 May 2019 11:07:25 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Rob Rogers

**From:** [Robert Sutherland](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay RS  
**Date:** Tuesday, 28 May 2019 12:03:56 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Robert Sutherland

**From:** [Sue Alexander](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay SA  
**Date:** Saturday, 25 May 2019 10:23:54 AM

---

Dear Minister,

**RE: Local infrastructure concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this anywhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Kangaroo Island's road network and the community's trust in its local businesses.

**Traffic and Transport**

- Kangaroo Island's road network has limited carrying capacity and has not been developed to support the heavy vehicle traffic proposed by Kangaroo Island Plantation Timbers. It can barely cope with existing vehicles and their frequency.
- The company's EIS in support of its own proposal does not address or outline how it intends to fund the necessary road upgrades to better protect other users, or the maintenance of roads to support its Smith Bay infrastructure.
- It proposes heavy vehicles not used on Kangaroo Island's sub-standard roads, and without making any contribution to road safety or capacity, presents the Island with the certain threat of what has happened with log trucks in Glenelg Shire in Victoria.
- Kangaroo Island Plantation Timbers' land is mainly on the west of the island, more than 100 kilometres from Smith Bay and the sealed KI Ring Route. So why build this Seaport so far from its own plantations?
- Why replicate the horror of the Glenelg Shire, whose bitumen highways have been torn apart by B-doubles carrying logs to a chip mill at Portland? The Green Triangle's roads have been asked to support [535 heavy-vehicle movements a day](#).
- To maintain the current Kangaroo Island road network, an average of at least \$5 million will be required annually for the next decade.

In [response](#) to a Parliamentary question from Mark Parnell MLC, the Minister for Transport, Infrastructure and Local Government, Stephan Knoll, confirmed Kangaroo Island Plantation Timber's "...proposed freight routes would require upgrading to accommodate the freight task..." and that as "...the roads in question are local roads under the care and control of Kangaroo Island Council, there is no intention for the State Government to commit to a contribution towards the upgrade of local roads, should the development be approved..."

- Does this mean if your Government gives this proposal a green light – despite the guaranteed impact seen across the border in Victoria – it also expects a small community of Kangaroo Island ratepayers not just to live with this road trauma nightmare, but also to pay the costs of your decision?
- Degrading the road network so dramatically threatens the tourism industry (already at risk). It also constrains mobility for other industries (particularly primary producers) reliant on roads to trade, damages amenity across the island, and places the lives of every road user at greater risk.

### **Community**

- In its spruiking for a seaport at Smith Bay, Kangaroo Island Plantation Timbers has been fluid with the truth, not least in how it stacks up the apparent benefits for Kangaroo Island.
- The EIS suggests this proposal will create approximately 230 FTE jobs on the Island.
- That is, indeed, a bold claim, Minister. Especially since there is no picture of the long-term viability of these jobs, who will fill them, what skills will be required, how many will fly in/fly out, and how many will be imported. This will put under even greater pressure an already challenging housing, energy and public infrastructure supply.
- By comparison, two other much larger woodchipping facilities at the Port of Portland in Victoria and at Bunbury Fibre Exports in Bunbury, Western Australia employ less than 70 and 16 full time employees respectively.
- The entire workforce of OneFortyOne Plantations totals 64 FTE managing 80,000 hectares of Green Triangle plantations. Kangaroo Island Plantation Timbers manages 14,000 hectares. The company's claim of 230 FTE is, in the true sense of the word, incredible.

Thank you for taking the time to consider my objection to this proposal.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully, Sue Alexander

Sue Alexander

**From:** [Sammy Sutherland](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay Sammy S  
**Date:** Tuesday, 28 May 2019 12:05:12 PM

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Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

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- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
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- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Sammy Sutherland

**From:** [Sharon Bull](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay SB  
**Date:** Tuesday, 28 May 2019 12:04:19 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Sharon Bull

**From:** [Sue Hutcheson](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay SH  
**Date:** Saturday, 25 May 2019 5:23:56 PM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Sue Hutcheson

**From:** [Steven Hampton](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay SHamp  
**Date:** Tuesday, 28 May 2019 10:30:11 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Dr. Steven Hampton

Steven Hampton

**From:** [Samantha Moon](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay SM  
**Date:** Tuesday, 28 May 2019 11:43:26 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Samantha Moon

**From:** [Stewart McAuley](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay SMC  
**Date:** Tuesday, 28 May 2019 10:30:25 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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Yours faithfully

Stewart McAuley

**From:** [Steven McDonough](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay SMcd  
**Date:** Tuesday, 28 May 2019 11:13:44 AM

---

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**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

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Yours faithfully,

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**From:** [Sue Rawkins](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay SRa  
**Date:** Tuesday, 28 May 2019 11:20:04 AM

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**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

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Yours faithfully

Sue Rawkins

**From:** [Sonya Raymount](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay SRay  
**Date:** Tuesday, 28 May 2019 11:53:29 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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Yours faithfully

Sonya Raymount

**From:** [Samantha Sutherland](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay SS  
**Date:** Tuesday, 28 May 2019 12:01:44 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Samantha Sutherland

**From:** [Susie Sutherland](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay Susie S  
**Date:** Tuesday, 28 May 2019 12:04:39 PM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
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  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
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  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Susie Sutherland

**From:** [Shelly Waites](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay SW  
**Date:** Saturday, 25 May 2019 12:11:41 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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Following that, I strongly believe this development should not proceed at Smith Bay.

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Shelly Waites

**From:** [Sean Wyatt](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay SWy  
**Date:** Saturday, 25 May 2019 2:57:35 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Sean Wyatt

**From:** [Sebastian ZUREK](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay SZ  
**Date:** Friday, 24 May 2019 6:34:43 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Sebastian ZUREK

**From:** [Tylah De Witt](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay TDW  
**Date:** Saturday, 25 May 2019 1:08:49 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

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Yours faithfully

Tylah De Witt

**From:** [Teresa Gaudio](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay TG  
**Date:** Saturday, 25 May 2019 4:28:17 PM

---

Dear Minister,

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- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Teresa Gaudio

**From:** [Tarrelle Roussety](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay TR  
**Date:** Saturday, 25 May 2019 7:39:32 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Tarrelle Roussety

**From:** [Tracey Winning](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay TW  
**Date:** Saturday, 25 May 2019 12:35:03 AM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

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A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Tracey Winning

**From:** [Ursula Brockschmidt](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay UB  
**Date:** Tuesday, 28 May 2019 11:26:38 AM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

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With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
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- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
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- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
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### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
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- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Ursula Brockschmidt

**From:** [Vivienne Florance](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay VF  
**Date:** Saturday, 25 May 2019 1:02:49 AM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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### **Native Vegetation and Fauna**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Vivienne Florance

**From:** [Traci Abraham](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Friday, 24 May 2019 6:16:03 PM

---

Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

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I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Traci Abraham

**From:** [Cheryl Milloss](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith BayCMI  
**Date:** Saturday, 25 May 2019 3:45:56 AM

---

Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

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**Biosecurity**

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- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
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vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

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- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
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- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Cheryl Milloss

**From:** [McColm Cowden](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Stop the seaport at Smith Bay  
**Date:** Friday, 24 May 2019 7:14:03 PM

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Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.
- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or

infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

### Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Thanks,  
McColm

23/5/2019

Dear Minister,

**RE: Concerns with respect to Kangaroo Island Plantation Timbers Seaport proposal on Yumbah Aquaculture**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers (KIPT) proposed Seaport at Smith Bay on Kangaroo Island (KI).

Having been involved in the aquaculture industry for almost 20 years and reviewed the Environmental Impact Statement (EIS) prepared by the proponent I believe the development should not proceed at Smith Bay due to the undue risk it poses to the nearby Yumbah Aquaculture abalone farm.

Whilst I acknowledge the need for the timber to be removed from KI and have no issue with developing a seaport to do so, it is perplexing as to why Smith Bay would be the chosen site. Doing so, will almost certainly have a detrimental impact on the health of the farmed abalone and the economic viability of the business which has been operating at Smith Bay since 1995 and employs 25 full time staff. KIPT already own's a former industrial wharf on KI and more suitable options are available in the region so why risk the commercial viability of an existing business that ultimately depends on the clean, unpolluted water of Smith Bay to prosper.

Regarding the EIS, my major concerns relate to the impact that the proposed activities will have on coastal processes, the abalone farming location and the quality of the incoming water which is pumped from Smith Bay. Specific issues relating to the Smith Bay proposed seaport and the Yumbah Aquaculture abalone farm are described below.

**Inadequate sediment characterisation**

The proposed dredging is anticipated to impact an area of approx. 9ha beginning at the 11.5m contour line with the area dredged to a depth of 13.5m (Appendix H, pg.11). However, reviewing the sediment characterisation data (Appendix F, pg. 8) it appears the sampling regime is inadequate to accurately assess the sediment profile of the area. Not only are most of the sampling sites outside of the dredge area, the sediment cores were not taken to the depth of the proposed dredging. Whilst this may have been due to the presence of rock below the sampling area, which presents a whole new problem which remains un-addressed in the EIS, it is clear, that the sediment profiling does not accurately depict the potential sediments to be dredged. Thus, significant questions arise as to the validity of the modelling and its ability to accurately predict the distribution of sediment, the extent of the sediment plumes, settleability, concentration and ultimately the amount and type of sediment likely to be pumped on to the abalone farm. Consequently, all the modelling can be viewed as inaccurate.

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## Fine sediments and total suspended solids (TSS) on abalone health

The proposed seaport is less than 500m from the Smith Bay, Yumbah Aquaculture site hence the dredging program and associated sedimentation poses a significant risk to the welfare of the farmed stock. It is recognised within the EIS that the capital dredging program has the potential to raise the TSS at the Yumbah Aquaculture seawater intakes (Appendix H, pg. 9) however the impacts of the sedimentation on abalone health are understated by Cheshire (2018). Specific issues related to the EIS and sedimentation on abalone welfare are raised below:

- The modelling as a result of incomplete sediment characterisation cannot accurately predict the extent dredging may impact the amount of sediment which is pumped into the farm;
- Appendix H makes several claims that abalone are well adapted to high sedimentation loads in their natural environment. Whilst this is true, Cheshire (2018) acknowledges that the sediments with which they are exposed to are skewed towards the coarser sediment fractions because in the abalones natural environment, finer materials would be winnowed out of the system (Appendix H, pg. 42). However, very few studies have looked at the impacts of fine sediments on abalone health. That said, it is known that fine particles, particularly clays and silts, can result in a build-up on the organs, disrupting the normal functioning of the gills (Jones et al. 2011). Since dredging would result in the suspension of fine sediments and the exposure of farmed abalone to them, it's likely the gill function of the farmed abalone may be impacted during long term exposure. Further, unlike in their natural environment, abalone are farmed in low flow, high intensity farming systems which would likely exacerbate any negative impacts to gill function and their ability to extract oxygen from the water;
- To address the absence of information on the effects of fine sediments on abalone health, KIPT commissioned Interkek to conduct a series of targeted ecotoxicology studies which were published by Stringer (2018b). The EIS relies extensively on these studies to justify that the ANZECC (2000) trigger value of 10mg/L TSS is overly conservative for abalone and that a trigger value of 25mg/L should be applied. (Appendix H, pg. 69). Reviewing these studies, it is unreasonable to believe that the TSS trigger value should be increased to 25mg/L, since:
  - o The abalone were only exposed to 24hr of suspended solids and observed for 48hrs. This is significantly different to a dredging situation where sediment loads may be elevated for 6 months, which would allow chronic effects to manifest;
  - o Only 4 animals were tested in each of the 4 replicate tanks – 16 animals in total. Such small numbers of animals hardly represent a commercial situation, solid science nor statistical robustness;
  - o The study was only carried out at 18°C, not under warmer water temperatures where additional stresses may present an issue. Specifically, as the water temperature rises, dissolved oxygen decreases thus, with

- increased stress from suspended solids, an impairment in gill function would likely be exacerbated when the temperature is  $>20^{\circ}\text{C}$ ;
- Only gross observations of mortality were conducted. There were no physiological nor histopathological assessments, nor any assessments looking at respiration or feed intake.

Consequently, the research conducted by Stringer (2018b) hardly represents a robust assessment of the chronic impacts of fine sediments on abalone health thus the study should not be relied upon to raise the TSS trigger value to 25mg/L. In fact, I would argue that there is not solid evidence to suggest that a TSS trigger value of 10mg/L of fine sediment sustained over a significant period would have no detrimental impact on farmed abalone.

### Seagrass loss and its interaction with abalone farming

The construction of the causeway and the dredging of the berthing pocket and approaches are estimated to result in the direct loss of about 10ha of mixed habitat including seagrass (Appendix I1, pg. 22). It is also recognised in the EIS that an indirect loss of seagrass habitat will occur during the dredging process and causeway construction as a result of the localised increases in turbidity and sedimentation. Considering it is well established that seagrasses stabilise marine sediments preventing coastal erosion and minimising the resuspension of sediments during storm events, their removal from the region is likely to create turbidity issues that will be exacerbated at the Yumbah Smith Bay farm. Further, it is recognised within nearshore farming operations that seagrass photosynthesis plays an important role in the diurnal fluctuations in dissolved oxygen (DO), increasing during the day and decreasing during the night. Given the increase in DO during the day facilitates abalone food metabolism, higher carrying capacities and improved oxygen availability during summer, any reduction in seagrass is likely to have a negative impact on abalone production. It remains unclear as to what extent the reduction in seagrass habitats both directly and indirectly has been factored in to the hydrodynamic, sediment transport and wave models. This should be further assessed by KIPT.

### Impact of the causeway on coastal processes

It is recognised that the placement of the proposed 250m causeway has the potential to change coastal processes (Appendix H, pg. 63). This presents several issues but specifically, from an abalone production perspective this may result in; an interruption of near shore tidal flows potentially resulting in warmer summer water temperatures, increased conductivity between Yumbah effluent water and incoming water, increased turbidity and the collection of seagrass wrack against the causeway. These issues are explored in more detail below:

- The hydrodynamic modelling predicts that the maximum temperature increase as a result of the causeway will only be  $0.2^{\circ}\text{C}$  (Appendix H, pg. 65). Whilst this value appears small, it should not be understated. Having worked with abalone, once the water temperature rises above  $22^{\circ}\text{C}$ , survival is directly correlated to temperature with small increases having a profound impact on survival. Since the water temperature increases as the water passes through the farm, any increase in conductivity between the effluent water and the incoming water as a result of changes

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in nearshore circulation will further result in an artificial rising of the seawater temperature. Though Cheshire recognises that farming practices will raise the temperature profile of the water by up to 2°C (Appendix H, pg. 15), it remains uncertain whether this factor has been considered in the modelling. Further, Cheshire (2018) only refers to the depth averaged temperature data and does not explore what might be the temperature increase during heat waves and or dodge tides. Since acute temperature spikes induce mortality, modelling the impacts of the causeway during dodge tides and extreme weather events should have been conducted;

- The changes in nearshore circulation and the resulting increase in water temperature and conductivity between effluent and incoming water will also likely increase the bacterial load in the water which is pumped on the farm. Given, abalone are susceptible to vibriosis during summer (Hooper et al, 2014), it can be expected that a reduction in water circulation will exacerbate the issue resulting in higher mortality;
- The accumulation of seagrass wrack against the causeway will also have a negative impact on the water quality used to culture the abalone. The decomposition of the seagrass will deprive the water of oxygen whilst releasing hydrogen sulphide, tannins and nutrients into the water, factors that are known to kill marine organisms and would certainly want to be avoided near a high intensity abalone farm;
- A reduction in nearshore circulation combined with dredge spoils, and the anticipated reduction in seagrass communities would ultimately result in increased TSS during and after storm events;
- An increase in the production of seagrass wrack or the reduction in its nearshore removal will have a direct physical impact on the farm, smothering the intake pipes and causing blockages. Not only will this have a direct impact on the welfare of the abalone it will also increase pumping costs and reduce profitability.

Whilst it is acknowledged in the EIS that the causeway will alter coastal processes and nearshore circulation, the risk this poses to the nearby abalone farm and the quality of the incoming water has been vastly understated. The factors listed above would have a cumulative effect working together to stress the abalone therefore, proceeding with the causeway would likely have negative impact on the abalone farm and its ongoing viability.

### Extraneous light and the impact on abalone

The potential impacts of light generated by night-time operations at the seaport on the abalone farm have been dismissed in the EIS. Abalone by nature are nocturnal feeders and over the course of domestication, producers including Yumbah have realised that due to the photophobic nature of abalone, they are best produced under shade cloth. According to Xialong et al. (2016) the darkened setting allows adult abalone to increase their food intake which facilitates their growth. Likewise, Garcia-Esquivel et al. (2007) found green abalone to grow better in complete darkness, whilst Gorrostieta-Hurtado et al. (2009) found survival and feed intake to be better in pink abalone under a darkened setting. Thus, given the potential

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light pollution from the seaport and the proximity of the abalone farm, its highly likely that the extraneous light will have a negative impact on feeding and thus growth of the abalone farmed at Yumbah Aquaculture at Smith Bay.

Considering the information within the EIS and the potential negative impacts that the proposed seaports will have on the Yumbah Aquaculture, abalone operation at Smith Bay, I urge you as the Minister for Planning, Transport and Infrastructure, to reject this proposal.

Proceeding with this proposal in its current format would be a blow to the South Australian aquaculture industry potentially stifling future investment and growth within the sector. The aquaculture industry needs to be provided with confidence that the government will act in the interest of all stakeholders and only approve well-conceived development proposals that minimise the risk to aquaculture operations, this is not one of them. As such, I trust your Government will act in the best interests of the aquaculture industry, Kangaroo Island and the ongoing stability of regional communities.

Yours faithfully,

Dr. Trent D'Antignana - Director,

Nutrisea Pty Ltd

#### References

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Jones, J., Murphy, J.F., Collins, A.L., Sear, D.A., Naden, P.S., Armitage, P.D. (2012). The impact of fine sediment on macro-invertebrates. *River Research and Applications*, 28.8: 1055-1071.

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27<sup>th</sup> May, 2019

Robert Kleeman  
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**Re: Proposed timber port at Smith Bay, Kangaroo Island**

Dear Mr Kleeman,

Kangaroo Island Free Range Eggs has operated a successful business on Kangaroo Island for the last 24 years. We employ 25 employees & own 2,000 hectares of land in the Haines area running sheep, cattle, 60,000 free range hens & cropping 1,200 hectares.

I was born on KI as a soldier settler's son, the soldier settlers had a lot of issues to work through, as they had to turn dense scrub into pasture paddocks suitable for grazing sheep & cattle using 1950's machinery.

Having run 1.8million sheep on KI in the past, today KI runs a lot less sheep, but run a good few cattle, cropping & a great deal of blue gums, after what seemed a near impossible task for the soldier settlers with huge infrastructure issues, roads, creek crossings, transporting of dozers & ploughs over rough & very wet paddocks & roads. And yes, like today with the Smith Bay port, there would have been the nay sayers & the yay sayers, but it happened. And here we are today enjoying the spoils of our soldier settlers. Magnificent pastures, lamb & wool prices have never been higher, record grain prices and a big demand for wood chips. As we are now enjoying the spoils of our soldier settlers, the same will happen with the blue gums for future generations.

The trees are a huge investment on KI that needs to be capitalised on, yes there will be, like the soldier settlers, some issues to work through as time goes on, but I believe the trees must be harvested & shipped out of Smith Bay.

I've had two meetings with John Sergeant on this issue, the port in Smith Bay, he assured me KIPT have thoroughly investigate all other port options. He said all the other options have been dismissed because of not being suitable.

KIPT suggested there will be work for 170+ employees and the benefits are, more spending in the towns, more footy & netball players for our player hungry leagues, and all the services that come with a larger population will benefit.

I live one bay around from Smiths Bay, lovely Emu Bay and I fully support the proposal of the Smith Bay port.

Yours sincerely

Tom Fryar



To Whom it may concern,

I write in response to the Smith Bay Port proposal.

Overall, I am in support of the proposal, but have some significant concerns that were not sufficiently addressed in the EIS.

I attended the stakeholder reference group and have heard several presentations on the subject. I am in a position to be acutely aware of a range of viewpoints regarding this project – all convincing in their own ways. I also do not stand to benefit personally from either outcome so am presenting my opinion simply as a Kangaroo Island resident.

Key points:

1. The choice of site has been well considered by KIPT, and other suggestions made by the public come with less research and would possibly receive even more opposition. The site does have its drawbacks, but I think these are overwhelmed by the necessity to get timber off the island as soon as possible.
2. The EIS does not reflect the emphasis on environmental “best practice” that was strongly voiced in the stakeholder reference group. It is my belief that KIPT intends to aim very high in their environmental standards; they have demonstrated this to date in a number of ways. However, it is important that controls are put into place so that they are held to this, and that this is made clear to the public.
3. I remain concerned about traffic volume on roads.
4. I also remain concerned about koala control, which is not touched upon at all in the EIS.
5. It is universally agreed on KI that the way the west end is locked up in timber plantations has had a hugely detrimental effect on the social dynamics and prosperity of the island. This is a rare opportunity to see this become a lucrative business which re-enlivens the region with job creation and industry.

## **1. SITE**

KIPT has good reasons for their choice of site. Not all critics have engaged with the reasoning, with a common belief on the island that KIPT “got the site cheap” and are now trying to justify the position with no regard to their neighbour, Yumbah Aquaculture. It is my belief that:

- 1.1. The effects on Yumbah aquaculture can be mitigated.
  - 1.1.1. Yumbah has a facility close to a far busier port at Portland, Vic, which seems to operate in spite of shipping traffic.
  - 1.1.2. I am aware from living on a rural property of the sediment, fertiliser, pesticide and even household rubbish which washes out to sea from creeks that run through farmland. While one of the two creeks beside Yumbah KI flows into a tiny settlement pond before percolating out to sea, surely any farming activity on the neighbouring farms – ploughing, fertilising, spraying – and run-off from the clay-rich, heavily farmed Wisanger Hills during typical heavy rainfall effects the abalone such that it is already a sub-optimal site. The breakwater will in fact redirect outflow from one of these creeks away from the Yumbah uptake pipes.
  - 1.1.3. KIPT claim that they can keep sediment levels well below the amount research says will affect the abalone. Yumbah disagrees with this, and there may be some validity to their claims, as they would have records of correlation between abalone deaths and water conditions in Smith Bay.

- 1.1.4. There has been some concern in the community about KIPT's desire to take control of an easement used by Yumbah which stands between the KIPT site and the shore. I do not have enough information to comment on this but hope that it is addressed to the satisfaction of both Yumbah and KIPT.
  - 1.1.5. In spite of 1.1.3 & 4, I believe KIPT is willing to engage with Yumbah to explore filtration options. KIPT clearly states that "No increase in turbidity (above background levels) at the intake for the abalone farm" is an ideal outcome. Once again, there need to be safeguards in place to ensure that KIPT holds to their promise of environmental best practice as regards respecting the needs of their neighbour.
- 1.2. Other sites proposed include Cape Dutton and Vivonne Bay. While the purpose of this EIS is not to consider other sites, there is some importance in identifying if there is a better site for this port – if it is an ill-considered location, it should not be passed, in the hope that a better site will be identified and developed in time. A port is a huge development and an investment in the Island's future; it needs to be at the best possible site.
    - 1.2.1. A site suggested by council members, just east of Cape Dutton, has a number of advantages; it is in a relatively sheltered bay; it has deep water very close to land and may require less dredging; the existing cliffs are very low, i.e. 2-3m, so breakwater and pontoon development would not be difficult; there is an already cleared site where woodchip could be held; only 2-3 holiday cottages would be impacted, rather than an adjacent aquaculture business; above all, the site is far closer to the plantations.
    - 1.2.2. However, one of KIPT's justifications of the Smith Bay location is in terms of protection from the prevailing westerly currents, and the site just west of Cape Dutton is still exposed to these.
    - 1.2.3. The outrage we'd hear from environmentalists and holiday makers at a port proposal at either Vivonne Bay or Cape Dutton would surely be even louder than it is around the Smith Bay proposal because Cape Dutton is in a Marine Park, and Vivonne Bay is a "holiday mecca" for mainlanders.
    - 1.2.4. I have witnessed sea eagles very close to the proposed alternative site at Cape Dutton, which is prime nesting area, with rugged clifftops and very little development. As this is probably the most fragile species identified in the EIS, this is a significant concern related to this alternate site.
    - 1.2.5. While I would love to see a feasibility study around the Cape Dutton site, it is my belief that while Smith Bay is not optimal, it is still probably the better site.
  - 1.3. Environmental lobbying against the site has been very loud. In response:
    - 1.3.1. Threatened flora and native vegetation – I disagree that this is a concern at this site. I live nearby in the Wisanger Hills and can assert that farmed narrowleaf stands in this area are extremely degraded. Where the understorey has been fully grazed out, *Eucalyptus cneorifolia* forms a monoculture. A balanced forest does not re-establish without full clearance or burning and re-establishment of species such as *Melaleuca*, *Dodoneaea* and *Acacia* concurrently with the *Eucalyptus* canopy. KIPT could plant vegetation beside their access roads which would be more diverse than the current stands of trees. I have no expertise as to whether *Phytophthora* is a significant concern in this context, but struggle to see how a heavily grazed *E. Cneorifolia* monoculture will be impacted.
    - 1.3.2. Regarding marine animals around the port site, am satisfied with the conclusions of the report by David Wiltshire and James Brook included in the EIS, and am relieved by its conclusion that the development poses "no credible threat" to the various marine species in the vicinity. This is in tune with my perception that most of the sea creatures in this area have wide habitats and would already be threatened by shipping in other

parts of their range if shipping were a substantial threat to their wellbeing. I feel this report has been prepared with the utmost of diligence and thoroughness.

1.3.3. Regarding land-based animals, I am again satisfied by the findings in Appendix J of the EIS. Some complex mitigation measures have been suggested and it is important that KIPT is held to these – such as the cessation of construction work during the Sea Eagle breeding season. I note that Sea Eagles, probably the most fragile species observed within the project area, are unlikely to nest here, as they are at other sites suggested by community members. Regarding echidnas, my property is very close to the proposed site, and we have a constant ebb and flow of echidnas. We have some prime habitat on our land (unlike the degraded KIPT site) and would happily accept relocated animals.

1.3.4. Marine Biosecurity is a threat which I do consider to be of concern. “International Standard” as cited in the EIS does not assure islanders of the “international best practice” we would like to see at this site. The introduction of marine pests and exotic species in bilge water or on the boat hulls is a concern I do not consider to have been sufficiently addressed in the EIS. I would like to see continuing stringent regulation in this area. This is probably the greatest threat to Yumbah Aquaculture, though as mentioned earlier it does not seem to be a concern near Portland, a bigger and busier port.

1.3.5. Pollution and amenity: I agree with the EIS’s assertion that Smith Bay is already low in its “amenity score” due to the black shed/tents constructed by Yumbah and general degradation of the area by farming. Again, if KIPT is bound to best practice in terms of dust levels, fuel and chemical storage, water quality, light and noise, I think pollution concerns are minimal.

1.4. At all times when hearing presentations from KIPT I have had a sense that they are willing to engage with stakeholders such as Yumbah Aquaculture and Kangaroo Island Council to hear their concerns and offer ways forward. Both Yumbah and KI Council have valid concerns (water quality, roads) but these concerns are very much on KIPT’s radar, with many avenues to explore around funding and technology to improve outcomes.

## 2. STAKEHOLDER REFERENCE GROUP

The overview of the stakeholder reference group in the EIS does not, in my opinion, clearly reflect the opinions voiced in the session. My understanding was as follows:

- 2.1. The need to turn the forests into a sustainable industry was at the forefront of discussions and agreed by all, as far as I could see.
- 2.2. Smith bay as a site was unpopular but it was made clear that the site was not the topic for discussion. Consensus seemed to be around “better a port at Smith Bay than no port at all.”
- 2.3. Environmentalists loudly voiced their concerns about Smith Bay as a Dolphin and Whale sanctuary but, if I remember rightly, it was admitted that Smith Bay is not the only site where these creatures can stop over – and intermittent shipping will still allow them to do so.
- 2.4. Even the environmentalists seemed to agree that a Smith Bay wharf could be an acceptable option *SHOULD KIPT BE HELD TO INTERNATIONAL BEST PRACTICE.*
  - 2.4.1. Since Kangaroo Island’s branding and identity for tourism and product is built around it being “pristine”, “untouched wilderness” etc., it was suggested that special, more stringent regulation be placed around major shipping from this location than large commercial ports.

- 2.4.2. KIPT representatives present at the meeting seemed more than eager to comply and claimed they were already aiming at higher environmental protection standards than regulatory bodies require.
- 2.4.3. However, this was not reflected clearly in the EIS report on the event, and neither has this tone been fully reflected in marketing materials and newsletters from KIPT. I guess it is hard to define “better than standard practice” and publicity material has attempted to demonstrate, rather than assert, their commitment to the environment by reporting on bird surveys etc.
- 2.4.4. I believe that if KIPT works hard to assert their commitment to ongoing research and implementation of best practice, their ambitions will be more widely accepted by the community.

### **3. TRAFFIC VOLUME ON ROADS**

I agree with the community’s widespread concerns about the route from Western Kangaroo Island to Smith Bay. There is a particularly dangerous stretch on North Coast Road very close to the bay, with winding, hilly roads dropping into a gully to cross Smith Creek while also intersecting Rose Cottage Road. Accidents are guaranteed unless a substantial overhaul of this and other parts of the route is carried out. While I believe KIPT is capable of attaining funding to upgrade and maintain the roads they will be using, I think this will be the most challenging part of the process. However, given the drawbacks of other port sites closer to the forests, I think it is better to address these with serious engineering and funding, than to withdraw support for the port in this location.

### **4. KOALAS**

The EIS does not touch on the issue of the tens of thousands of koalas that have discovered that they can live well on blue gum, and have moved into the forests. This was highlighted late last year during a bushfire, when hundreds of koalas died gruesomely in a very small tract of forest. The pressure that this will put on wildlife rescue groups and on the local Natural Resources team will be phenomenal. Vigorous felling in forest areas could constitute animal cruelty if koalas are caught up in the mayhem.

Again, KIPT will need to fund this problem somehow to enable culling without cruelty or safe relocation to the mainland of as many animals as possible. We have over-abundant species specialists working for Natural Resources on KI, but their resources are stretched thin. Better staffing at Natural Resources would be an indirect way to assist KIPT in providing sustainable jobs growth on Kangaroo Island.

### **5. MOBILISING THE TIMBER INDUSTRY**

Most islanders agree that mobilising the timber industry is very important, but at the same time there is resistance to the port being located at Smith Bay. However, since no alternative proposals are on the table and the drawbacks of other sites are clear, I firmly believe that the best way forward is to approve this port but with stringent conditions placed on KIPT regarding emissions, pollutants, safe driving, road upgrades and animal welfare. KIPT have done extremely well to identify lucrative markets for our trees and are by all accounts well placed to build a sustainable business on KI. I

believe that this is the best option we have for mobilising the timber industry, and thus re-enlivening the island's west end with employment and population growth.

Thank you for considering my response to the EIS.

Yours sincerely,  
Alice Teasdale

**From:** [Peta Cannon](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Thursday, 2 May 2019 12:41:52 PM

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Dear Minister,

**RE: Biosecurity concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to biosecurity hazards the proponent agrees are inevitable as the result of its actions in Smith Bay, and the risks to Kangaroo Island's unique flora and fauna.

**Biosecurity**

- Historically on Kangaroo Island, exotic marine pests have only been found where there is major shipping infrastructure. This includes Kingscote Jetty, Kingscote Wharf, the Bay of Shoals anchorage, Christmas Cove and American River anchorage. These discoveries have been directly linked to vessel traffic from infected mainland ports.
- During a coast and marine survey conducted by Natural Resources Kangaroo Island in 2018, the Biosecurity Advisory Committee found Smith Bay to be exotic marine pest free, which is also testament to the tight biosecurity management regime of the onshore abalone farm that has operated in Smith Bay for more than 20 years.
- The KI Seaport proponent acknowledges it will create a major biosecurity risk and some form of surveillance will be needed. Kangaroo Island Plantation Timbers has committed to help fund such a program assuming, as it does with its entire proposal, that ratepayers and taxpayers will leap to cover the community costs its refuses to meet. While surveillance is necessary it does not remove the threat. Once Smith Bay has been contaminated with exotic marine pests, they are there forever.
- Since 1983, the waters around Adelaide have been contaminated with Asian date or bag mussels. This exotic pest which can be introduced via ship ballast water, on

vessel hulls or in internal seawater systems, grows quickly and smothers seabed life affecting the productivity of commercial fisheries and aquaculture. This is not to mention last year's [outbreak of Pacific Oyster Mortality Syndrome \(POMS\)](#) in the Port River. Smith Bay should not be exposed to these risks, nor should the operation of the successful, sustainable businesses it hosts and supports be threatened in such a way.

- Based on the Australian Government's [interactive map of marine pests in Australia](#), most major shipping ports in Australia have seen the introduction of exotic marine pests.
- It remains a mystery how Smith Bay can be protected from this inevitability by the actions of a proponent with no experience of marine environment management or infrastructure build of any sort, a cavalier attitude to biosecurity, and a belief that the rest of us – not it – will willingly wear the cost of its actions.

## Coast and Marine

- The KI Seaport proposal presents a massive assault on the marine and coastal environment of an isolated and relatively unspoilt part of Kangaroo Island's coastline.
- The Federal Government has already expressed concerns regarding the proposal and has delegated its authority under the Environment Protection and Biodiversity Conservation Act 1999 to the South Australian Government.
- We would expect the South Australian Government and its agencies to fully comply with these requirements, and to act in the interest of science and community expectations.
- In testimony to the Natural Resources Committee in the South Australian House of Assembly on 19 May 2017, Kangaroo Island Plantation Timbers Director Shauna Black described the existing former industrial wharf at Ballast Head, which the company owns as "...almost the opposite of Smith Bay in two crucial areas: it has steep land and shallow sea."
- The full Hansard account of Ms Black's patchy account is [here](#).
- It is ignorant at best for her, a resident of Kangaroo Island and chief spruiker for Kangaroo Island Plantation Timbers' outlandish plans, to claim Smith Bay is deep and Ballast Head is shallow.
- If Ms Black genuinely believes this, she has realistically never been to either site, let alone reviewed the available data.
- The proposal for a claimed deep-water Seaport for super-Panamax ships requires a depth of at least 15 metres to operate. Smith Bay is shallow, only reaching 10 metres depth some 350 metres from the shore.
- The volume of soil blasted and scraped from the seabed by the proponent's dredges is equivalent to filling 40 Olympic-size swimming pools, resulting in:
  - the loss of **at least** 100,000 square metres of seagrass – admitted by the proponent, which claims it can "offset" by simply planting some seagrass in another place (if only it were so simple)
  - sediment uplift into the water column
  - marine life mortality due to choking hazards, suffocation and red tide potential from disruption of toxic organisms in the sediment

The proponent is poorly-qualified to submit this proposal, and I trust it is not too late for that to be considered.

I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

Peta Cannon

**From:** [mandy.can](#)  
**To:** [DPTI:State Commission Assessment Panel](#)  
**Subject:** Concerns about KPT's Seaport development at Smith Bay  
**Date:** Thursday, 2 May 2019 1:34:53 PM

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Dear Minister,

**RE: Matters of National Environment Significance concerns, Kangaroo Island Plantation Timbers Seaport proposal**

I write to lodge a formal objection to Kangaroo Island Plantation Timbers' proposed Seaport at Smith Bay on Kangaroo Island, which the previous State Government deemed worthy of Major Project Status.

After a very long wait, I have now had brief opportunity to review the Environmental Impact Statement (EIS) prepared by the proponent.

Following that, I strongly believe this development should not proceed at Smith Bay.

More specific responses to EIS guidelines appear below, but the unresolved question remains:

- Why was this company privileged with Major Development Status for a deliberately destructive proposal for Smith Bay, when it's abundantly clear there are multiple, more suitable site options available on Kangaroo Island – including a former industrial wharf the company already owns?

A proposal like this elsewhere on Kangaroo Island will deliver the same jobs and economic benefit as those it speculates for Smith Bay but without wholesale destruction of the marine and terrestrial environment, public infrastructure, social amenity and long-term sustainable businesses.

With regard to the EIS, my major concerns relate to the potential destruction of Smith Bay's native flora and fauna protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC).

**Environment Protection and Biodiversity Conservation Act 1999 - Matters of National Environment Significance**

- Smith Bay is fortunate to be regularly visited by southern right whales. Over recent years the shallow bay has emerged as a biologically important area for these [threatened](#) marine mammals and their calves.
- Southern right whales are listed as endangered under the EPBC mainly thanks to the impacts of commercial whaling.
- The whales that call Smith Bay home for large periods of the year are at grave risk from the inevitable debilitating noise, dredging and vessel disturbance, vessel strike, pollution, leachate and consequent toxicity the development of the Seaport will bring to the bay.
- Proposed dredging activities to gouge 100,000 cubic metres from the floor of Smith Bay, ongoing port operations and an inevitable future dredging program. This will have a significant impact on the marine environment by disturbing and smothering benthic biota and habitats, degrading water quality through elevated turbidity, bioavailability of pollutants and reducing dissolved oxygen in the water column.
- The proponent's means to address this assault are inadequate at best and are

presented in a careless manner.

- Smith Bay is host to a number of threatened and endangered species that will be impacted by this proposal, including white bellied sea eagles, southern brown bandicoots and echidnas.
- The construction of the proponent's Seaport and on-land infrastructure will force those that survive the construction phase, away from Smith Bay – to where?
- The operation of the Seaport - including B-double truck movements around the clock - will inevitably contribute to unacceptable mortality rates.
- Although South Australia's koalas are [not listed](#) in the EPBC, the proponent must reveal how it intends to simultaneously manage the local koala population while destroying its habitat.
- On my reading, the proponent's EIS fails to adequately address any of these risks in sufficient detail, or provide credible mitigation.

### **Native Vegetation and Fauna**

- The proponent admits its industrial facility at Smith Bay will result in a significant loss of seagrass in Smith Bay.
- It estimates - and on past record, we are certain underestimates – it will destroy 100,000 square metres (10 hectares!) of seagrass in the bay.
- Noise and light emissions from dredging will disrupt larger sea mammals such as southern right whales and dolphins, while future dredging, plus propeller wash and contamination from commercial shipping vessels, will prohibit regrowth.
- As referenced on page 44 of the proponent's EIS, the company insists its industrial operations will only result in the deaths of between six to 12 of endangered echidnas. Surely, any deliberate mortality of the endangered echidna should be considered unacceptable.
- To “offset” its dead echidnas, Kangaroo Island Plantation Timbers says it will assist with a feral cat eradication program which it claims is “the main factor threatening the echidna population”.
- The Kangaroo Island echidna was recently listed as endangered under the EPBC, and therefore any added mortality risk to this endangered species should not be overlooked – regardless of the claimed “offset”.
- Outside this EIS, in December 2018, AusOcean - a not-for-profit Australian Ocean Lab - conducted the first detailed underwater marine survey of Smith Bay.
- Kangaroo Island Plantation Timbers barely scratches the surface in its own survey to support its proposal, some of which was conducted without appropriate permits and should therefore be invalid in its documentation
- While the proponent not surprisingly found little to wonder at in Smith Bay, AusOcean made startling discoveries that should provide the template for your Government to re-assess the value in these waters.
- AusOcean's revelations included the discovery of an ancient two-metre-tall coral head and more than 10 new species of fish.
- I also draw your attention to the [National Geographic website](#), which identifies what is at stake if this Seaport goes ahead at Smith Bay

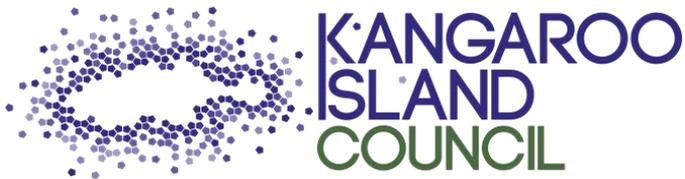
I implore you in your role as Minister for Planning, Transport and Infrastructure, to reject this proposal.

Thank you for taking the time to consider my objection to this proposal.

I trust your Government will act in the best interests of Kangaroo Island, its environment and its people.

Yours faithfully

mandy can



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Ref File No: L2019/

State Commission Assessment Panel  
Attn: Robert Kleeman  
GPO Box 1815  
Adelaide SA 5001

22 May 2019

Dear Mr Kleeman

**RE: Referral Response - KI Plantation Timbers, Major Development Proposal – Timber Port Facility – Allotment Comprising Pieces Q51\* & Q52\* DP92343 Hundred of Menzies and Coastal Waters North Coast Kangaroo Island, Smith Bay**

Thank you for the opportunity to comment on the above development proposal by Kangaroo Island Plantation Timbers (KIPT), for the development of its proposed timber port at Smith Bay on the North Coast of Kangaroo Island.

Council acknowledges that the application is to be assessed by the State Commission Assessment Panel as a Major Development Proposal under Division 2, *Major Development or Projects*, of the Development Act 1993.

Council has reviewed the proposal having had regard to relevant provisions of the Kangaroo Island Development Plan (KIDP) consolidated 17 September 2015, including the zone objectives, desired character and envisaged forms of development for the Coastal Conservation zone.

The proposal, in general, is considered not to accord with the Coastal Conservation zone provisions which are applicable to the vast majority of Kangaroo Island's coastline (without specific policy relating to any existing, commercialised localities). The proposal does demonstrate some merits when assessed against the provisions of the KI Development Plan. However Council holds the view that Smith Bay is not the appropriate location.

Council's assessment in respect of the KIDP has considered the following provisions.

*Bulk Handling and Storage Facilities*

Objective(s): 1

PDC(s): 1, 2, 3 & 4

*Coastal Areas*

Objective(s): 1, 2, 3, 4, 6 & 7

PDC(s): 1, 2, 3, 4, 5, 7, 8, 17, 18, 19, 21, 22, 27, 28 & 29

*Design and Appearance*

Objective(s): 1 & 2

PDC(s): 5, 6, 7, 14, 15, 17 & 18

*Forestry*

Objective(s): 1 & 2

*Hazards*

Objective(s): 2 & 8

PDC(s): 1, 2, 4, 24, 25 & 26

*Industrial Development*

Objective(s): 1, 2, 3, 4 & 6

PDC(s): 2, 3, 4, 5, 6, 7, 8, 9, 10 & 11

*Interface Between Land Uses*

Objective(s): 1, 2 & 3

PDC(s): 1, 2, 4, 8, 11 & 18

*Marinas and Maritime Structures*

Objective(s): 1

PDC(s): 5, 6, 7, 14, 15, 17 & 18

*Natural Resources*

Objective(s): 2, 4, 8, 10, 12 & 13

PDC(s): 1, 3, 7, 12, 28 & 29

*Orderly and Sustainable Development*

Objective(s): 2, 3 & 4

PDC(s): 7

*Siting and Visibility*

Objective(s): 1

PDC(s): 1 & 8

*Transportation and Access*

Objective(s): 1, 2 & 5

PDC(s): 1, 2, 3, 11 & 13

Beyond addressing the planning considerations against the KIDP, the response also expresses the views of the Elected Members of Council in reflecting community sentiment, which Council believes the Commission must consider in assessing this Major Development proposal.

The concept of multi-use port facilities in their own right presents a major concern for Council and the community. It is stated in the EIS that *"The Guidelines will not be amended as the Government position is that any wharf developed on the Island should have capacity to be used by multiple users."* However in Council's view this requirement has resulted in a serious lack of flexibility in design and location options and no other import or export users has been identified as part of the submission.

Guideline 6.3 requires KIPT to *"provide evidence and/or justification (social, economic environmental) as to the potential suitability or unsuitability of each alternative location."* Council is not satisfied that other sites have been adequately considered: not even a preliminary feasibility study is provided for any of them. As a result of these concerns the following resolutions were passed at the 14 May 2019 Council meeting:

- 1. Council advise the Minister the requirement to provide a single multi-user port is not feasible and should be removed from the Guidelines so as to extend the range of site options for the intended timber harvest export port.***
- 2. Council views Yumbah Aquaculture as an industry that fits well with the image of Kangaroo Island, supporting the seafood, primary production and food industry sectors of the island. Council also views opportunities with the KIPT forests as having the potential to provide positive outcomes for the island. Both industries should be able to exist with quiet occupation of each other.***
- 3. Council does not view locating a seaport directly neighbouring the abalone farm at Smith Bay as providing co habitation, without the ongoing dissimilar land uses causing conflict and continued dispute for both industries.***
- 4. Council requests that possible seaport locations west of Stokes Bay Road be more fully assessed.***

Council hold the view that, despite the outcome of the major development assessment, all reasonable precautions should be taken to ensure that industry of significant economic value is protected from adverse impacts. This would not necessarily be restricted to on-shore aquaculture as is the case with Smith Bay and the current assessment, but ensuring a balanced approach where industry should be afforded the greatest opportunity to exist, or co-exist, with surrounding industry and to develop sustainably and economically into the future.

The EIS does not quantify the economic impact if Yumbah closes. Indeed, it does not quantify the likely development/expansion limitations on Yumbah's operations and production if the Smith Bay port goes ahead, and it does not address the stalling effect the potential port has had on expansion of the Yumbah operations. The closure possibility is real and must be included in the assessments. The fact is that the proposed KIPT development is very close to the existing aquaculture business. There is no way that KIPT can guarantee its operations will not affect those of Yumbah.

The EIS (Chapter 27) lists 48 explicit commitments (guarantees) to be delivered by KIPT in association with the Smith Bay Deep Water Port development: 19 of the 48 will be difficult to implement and consistently maintained and so are unlikely to be reliably met on an ongoing basis. It is most unlikely they could or would be enforced. *(see attachment which will be included within the letter once endorsed)*

Although the proposal has clearly proceeded well beyond feasibility study stage and KIPT have freehold tenure of the subject land, Council contemplates that comparable levels of

investigation of the north-west coast of Kangaroo Island would provide an equally if not substantially more compelling case for alternative sites to be considered.

Smith Bay is further away from the product (supply) end than desirable or necessary and will impose a legacy of continual operation of logging trucks in the central island zone that is dangerous, costly and unnecessary. Much shorter distances to port will result in less kilometres travelled by less trucks and therefore a lower risk of serious incidents with road users and wildlife.

The current EIS fails to adequately address how to get the products to Smith Bay and the profound impact that it will have on the social and environmental island fabrics associated with that task. It is imperative that any road transport route for heavy forestry haulage avoids, as far as practicable, the existing tourism routes, and the major domestic traffic routes. If not, serious conflict and potential incidents with tourism traffic will become a substantial and severe risk, one which Council is not prepared to contemplate.

Beyond the physiological and safety issues associated with transport routes, that have not been effectively addressed as part of this EIS, the cost of constructing and maintaining Council road networks to appropriate standards for the proposed semi-trailers, B-double or A-double unit weight and frequency of traffic movement is a deeply serious concern to Council.

Defining heavy transport routes, and funding the construction and maintenance of the transport routes needs to be thoroughly considered by the State in assessing this Major Development proposal. Council cannot fund the necessary upgrades and maintenance nor should a small ratepayer base be required to meet such cost.

In summary, Council is strongly committed to finding effective strategies for the harvest and export of the Island's timber resources. However it does not consider the Smith Bay Wharf proposal feasible, especially in the context of road transport routes.

Council asks that the above matters be given serious consideration during assessment of the proposed development.

Council would appreciate being kept informed on the processing of the application including any variation / amendment that may occur as part of the processing.

Should you wish to further discuss any matters associated with this proposal, please do not hesitate to contact me on 8553 4500.

Yours sincerely



Greg Georgopoulos  
**Acting Chief Executive Officer**

#	Identifier DEIS ref	Proponent Commitment	Qual-ified	Quant-ified	Resili-ence	Servic-ability	Likely Compliance	comment
1	BIOSEC43 15.5.5	Investigation (during detailed design) of potential surface treatments or alternative structures to minimise the impact from exotic species.	X	X	?	?		Needs particulars
2	GSW6 16.5.2	The dredge spoil dewatering system has been designed to discharge water with acceptable sediment levels. No untreated dredge water would be discharged directly into the marine environment or into the adjoining Smith Creek.						State ASA reference
3	GSW8 16.5.1	The site would be designed to contain and manage all stormwater runoff during construction and operation as to eliminate uncontrolled water channeling and concentrated runoff streams - no site stormwater would discharge to surface water bodies untreated.				?		Needs treated water limits
4	GSW9 16.5.1	The internal network of open drains, culvert, pipes and wetland will be designed to ensure sufficient carrying capacity with gradients and appropriate controls to prevent bed erosion and damage.						
5	GSW10 16.5.1	Erosion at the outlet of the wetland system will be managed via a porous rock weir at the wetland outlet to distribute water flow over a wide area.		?				Needs flow velocity targets

6	GSW18 16.5.2	Timber log and wood chip storage yards will be established with bunding and impermeable base, to isolate runoff from the general stormwater system and from groundwater. Stormwater runoff (assumed to be leachate) will drain via a concrete forebay (in the bunded area) to intercept gross sediment and debris and to a retention basin (holding pond) designed to contain flows from storm events. There will be no discharge of leachate to surface water or groundwater.						
7	GSW21 16.5.2	The proposed operational wetland pond, retention basin and swale system will be constructed during the early phase of construction to function as sediment capture basins during the major earthworks and civil works construction phases.		X		?		Sediment capture not quantified
8	AQ5 17.5.4	Layout designed to minimise vehicle movements.		X	?	?		Vehicle movements not quantified

9	CCS8 19.4.4	Designing marine and coastal infrastructure to take into account the predicted worst-case sea level rise and sea temperature rise. This would prevent the flooding of infrastructure and ensure that construction materials were adequate for the predicted sea temperature and acidity changes. Consideration would also be given to the predicted increase in storm intensity and frequency.	?					Consideration' needs to be a design inclusion - severe weather event increase are real.
10	CCS9 19.4.4	Designing the causeway structure for a 1-in-500-year storm event (that is, a 10 per cent encounter probability over the 50-year life of the structure) on the basis that the wave modelling undertaken demonstrates that the additional engineering required to meet this standard is not significantly greater-than for lesser storm event frequencies. Causeway maintenance (for example, replacement of a small percentage of armour rocks) would be required after major storm events.			X	X		Construction must fully resist storm events
11	CCS10 19.4.4	Determining the size of surface water catchments, including sedimentation ponds and drainage/diversion infrastructure, by considering the likely worst-case changes in the magnitude and duration of rainfall events, to prevent below-quality water being discharged to the environment.			n/a	n/a		worst case to be included, Specify acceptable water quality to be met
12	CCS11 19.4.4	Ensuring that construction materials for onshore infrastructure were designed to cope with the expected change in surface temperatures and different wind conditions associated with increased storm intensity and frequency.						

13	CCS13 19.4.4	Designing habitable buildings to promote passive cooling, thereby reducing energy demands and providing respite for the workforce during extreme heat days.							Currently a SA requirement.
14	CCS15 19.4.4	Use of a floating pontoon for the berth face itself, to ensure that the wharf height above water is maintained at a constant level despite predicted changes in sea level.							
15	NVL1 18.3.4	The potential shielding provided by site topography, woodchip and log stockpiles and intervening buildings would be taken into account in locating plant and equipment.			n/a	n/a			
16	NVL3 18.3.4	Noisy plant, site access roads and site compounds would be located as far from occupied premises as practicable.			n/a	n/a			Specify targets and limits
17	NVL4 18.3.4	Equipment that emits noise predominantly in a particular direction was sited such that noise is directed away from occupied premises where feasible.			n/a	?			Specify targets and limits
18	NVL5 18.3.4	Acoustic enclosures would be installed around above ground equipment where noise levels are predicted to exceed the relevant noise level targets at sensitive land uses, where safe and practical.			n/a	?			Specify noise levels to be met

19	AC2 1.5.4	Stormwater diversion channels, compacting proposed storage areas, construction of first-flush ponds and the use of closed conveyors and telescopic shiploaders, would reduce the potential impacts to negligible at the abalone farm's three seawater intake points.			n/a	n/a		Unclear. Are these definite or being considered?
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20	AC9 11.5.8	If considered necessary, an open bypass system could be installed in the near-shore section of the causeway to minimise the interruption to tidal currents. This could comprise either large culverts or a pier, the size of which would be determined by hydrodynamic modelling. Given the small predicted maximum increase in temperature such a measure is not considered essential and it needs to be recognised that the benefit of such a bypass system may be offset by compromising the protective barrier formed by the causeway in relation to effluent from the degraded Smith Creek during rainfall events.						An observation?
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21	AC10 11.5.8	It may be possible to engineer a gated culvert through the causeway that could fulfil a dual function by allowing through-flows during summer (thereby managing the risk of small temperature increases). The gate could then be closed during other months and thereby facilitate the redirection of Smith Creek discharges further offshore during major flow events (particularly during autumn and winter) thus improving nearshore water quality.						An observation?
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22	TT7 21.5.5	Road design considerations (where upgrades are proposed), including adjustment to the vertical and horizontal alignments, low noise pavement surfaces, road gradient modifications, speed limit reduction and traffic management measures, where these do not affect the function and safety of the road.	X	X	?	?		These are possible only
23	MWQ 9.5.2	The fines content of material used in the causeway core construction will be minimised in order to minimise the impact of plume due to causeway construction.		X	?	n/a		Specify targets and limits
24	MWQ6 9.5.2 10.5.1	The length of exposed causeway core before geotextile fabric and armour placement will be minimised in order to minimise the impact of plume due to adverse sea states, and erosion prior to rock armouring, during causeway construction.		X	X	n/a		Specify limits
25	NVL39 18.4.5	Piling should be scheduled outside the months when cetaceans may be present in or near the development area.		X	n/a	n/a		Specify periods
26	BIOSEC2 15.5.3	Earthmoving equipment would be sourced locally wherever possible.	X	X	n/a	n/a		Definition needed
27	BIOSEC32 15.5.4	Equipment used during construction would meet the national standards for biofouling management.			n/a	n/a		

28	BIOSEC41 15.5.4	The pontoon (purchased in Korea as a barge) has been sandblasted and repainted with anti-fouling paint and would be inspected by Australian engineers before arrival at Smith Bay.		X					Standards to be met needed.
29	AQ14 17.5.4	Variable-height woodchip stackers and/or telescopic chutes may be used for shiploading.	X	X	n/a	n/a			"..may be...." ?
30	CCS1 19.4.4	Minimising electricity consumption through the use of energy-efficient infrastructure such as low-friction conveyors, lighting and air-conditioning.	X	X	n/a	n/a			Does this mean Energy Audit? If so, needs specifics
31	CCS2 19.4.4	Investigating the installation of solar photovoltaic panels to supply electricity to site buildings and for site lighting, minimising the potential for downtime associated with power outages under peak load situations.		X					Unclear - is this standby or load trimming?
32	MNES16 14.4.4	The number of vehicles required to transport timber products would be minimised wherever possible by using high productivity vehicles such as B-doubles and A-doubles.							Duplicate - see #36

33	NVL2 18.3.4	Processes and equipment that generate lower noise levels would be selected where feasible.		X	n/a	n/a			Specify standards to be met
34	NVL25 18.4.1	Low-vibration plant alternatives, such as the smallest practicable vibratory compactor, would be used where feasible.			n/a	n/a			

35	NVL34 18.4.5	Low-noise-impact techniques such as suction piling or vibro-piling should be used in preference to impact piling where possible.		X	n/a	n/a		Unclear.
36	TT2 21.5.5	The use of high productivity vehicles, specifically Performance Based Standard (PBS) Level 2A (B-double) and/or PBS Level 2B (short road train or A-double) vehicles.			n/a	n/a		Duplicate - see #32
37	AC2 11.5.4	Stormwater diversion channels, compacting proposed storage areas, construction of first-flush ponds and the use of closed conveyors and telescopic shiploaders, would reduce the potential impacts to negligible at the abalone farm's three seawater intake points.						Duplicate - see #19
38	AC2 11.5.4	Stormwater diversion channels, compacting proposed storage areas, construction of first-flush ponds and the use of closed conveyors and telescopic shiploaders, will reduce the potential impacts to negligible at the abalone farm intake area.						Duplicate - see #19
39	MNES4 14.4.3	Evaluating alternative piling methodologies that have lower noise emissions.						Duplicate - see #35
40	NVL2 18.3.4	Processes and equipment that generate lower noise levels would be selected where feasible.						Duplicate - see #34

41	NVL25 18.4.1	Low-vibration plant alternatives, such as the smallest practicable vibratory compactor, would be used where feasible.						Duplicate - see #34
42	NVL34 18.4.5	Low-noise-impact techniques such as suction piling or vibro-piling should be used in preference to impact piling where possible.						Duplicate - see #35

43	MWQ4 9.5.1	<p>Realtime monitoring and reactive management (detailed in the Dredge Management Plan (DMP)) will provide protection against acute plume impacts at key sensitive receptors including:</p> <ul style="list-style-type: none"> <li>• monitoring water quality at the Yumbah seawater intakes and at an appropriate location between the dredge and the seawater intakes</li> <li>• water quality monitoring sensors that provide ‘real time’ data on water quality via telemetry</li> <li>• assessing monitoring data in ‘real time’ against threshold triggers</li> <li>• providing the monitoring data in ‘real time’ to the dredge operator, KIPT environmental management personnel and EPA</li> <li>• triggering audible stop work alarms on the dredge if thresholds are exceeded</li> <li>• dredge work ceases until turbidity levels return to acceptable levels and have stabilised (these levels to be defined in the DMP).</li> </ul> <p>Due to the relatively close proximity of key receptors and the dredge plume source (i.e. approximately 500 metres), turbidity trigger exceedances would need to be closely monitored and the timescale for management response actions would need to be short (~30 minutes) in order to be of practical benefit in mitigating acute plume impacts.</p>				n/a		
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Offsets						
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44	MNES43 14.5.1	KIPT would commit funds towards the Kangaroo Island Feral Cat Eradication Program, a joint program, led by NRKI and the Kangaroo Island Council, with the aim of eradicating feral cats, as part of KIPT's offset for potential impacts to Kangaroo Island echidna.		X	n/a	n/a		\$ missing
45	TE2 13.5.2	Under the <i>Native Vegetation Act 1991</i> , clearing a small amount of terrestrial native vegetation would require the preparation of an offset strategy developed in consultation with the NVC (see Chapter 26 – Environmental Management Framework). The offset package would likely include an on-ground SEB to protect an area of vegetation and provide fauna habitat.			n/a			Not quantified yet but is a mandatory requirement (resolution presumed)
46	TE14 13.5.3	KIPT proposes to continue providing significant ongoing support to the Glossy Black-Cockatoo Recovery Program on Kangaroo Island to ensure that KIPT's activities on Kangaroo Island result in a net environmental benefit to the glossy black-cockatoo species.		X	n/a	X		\$ and period missing,
47	CCS4 19.4.4	Seeking to use grid electricity wherever possible and increase the use of renewably- generated electricity, to reduce the reliance on diesel-powered on-site generation.		X				Specify % renewable

48	CCS14 19.4.4	Minimising on-site water requirements by investigating alternative sources of industrial water to meet needs such as for dust suppression. This would reduce the risk of supply shortages that may occur as a result of greater evaporation rates and/or higher consumption associated with warmer weather.		X	X	X		Specify requirements and how achievable  Proponent has large holdings of fresh water further west.
49	BIOSEC61 15.7	KIPT would fund the marine pest and eradication surveys of Smith Bay in addition to implementing an operational Marine Pest Management Plan.						
50	NVL3 18.4.1	Purchase the nearest sensitive receptor (R1).			n/a	n/a		
51	SE2 22.6.2	KIPT would assist government with understanding housing needs, where it can, and sees benefit to the company and the community in having a settled resident workforce, living and working permanently on Kangaroo Island.	X	X	n/a	X		Particulars needed
52	SE3 22.6.2	There is also scope to increase the size of Parndana township through residential subdivision. The Kangaroo Island Community Club (based in Parndana) has specific plans to subdivide and release housing allotments created from the scrubland immediately to the west of the township between Smith Street and Rowland Hill Highway. KIPT has committed to provide a seed loan of up to \$100,000 to cover the initial project costs prior to the marketing and sale of housing lots.			n/a	n/a		

53	SE4 22.6.2	There is also potential for residential development on the western end of Kangaroo Island by re-establishing housing vacated during the farm consolidation and switch to forestry that occurred in the 1990s and 2000s. KIPT owns at least 30 potential residential allotments that could be created with a change to planning rules to allow the existing forestry estates to be subdivided. Thirty new homes would accommodate about 70 people. Every property has, at the very least, a house site with a dam, phone connection and electricity, some have habitable dwellings and others have dilapidated structures that could be replaced, or repaired and refurbished.	X	X					Nil commitment
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## Legend

✓ = "appears met": ✗ = "appears not met"

### Definitions used:

**Explicit:** stated clearly and in detail, leaving no room for confusion or doubt.

**Commitment:** The state or quality of dedication to a cause.

**Qualify:** Characterise, call, or name; define.

**Quantify:** Express or measure the quantity

**Resilience:** The capacity to recover quickly from difficulties.

**Serviceable:** Likely to meet 10 yr continuous service



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# SMITH BAY WHARF DRAFT ENVIRONMENTAL IMPACT STATEMENT RESPONSE

by Yumbah Aquaculture

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## ABBREVIATIONS

ANZECC	(Australian and New Zealand Environment and Conservation Council)
ARMCANZ	Agriculture and Resource Management Council of Australia and New Zealand
AVG	Abalone Viral Ganglioneuritis
BGL	Below Ground Level
BIA	Biologically Important Area
CCA	Copper Chrome Arsenate
CEMP	Construction Environmental Management Plan
COD	Chemical Oxygen Demand
CSD	Cutter Suction Dredge
DAC	Development Assessment Commission
DAWR	Department of Agriculture and Water Resources
DEW	Department for Environment and Water
DMP	Dredge Management Plan
DO	Dissolved Oxygen
DPTI	Department of Planning, Transport and Infrastructure
EEZ	Exclusive Economic Zone
EIS	Environmental Impact Statement
EMP	Environment Management Plan
EPA	Environmental Protection Authority
EPBC	Environment Protection and Biodiversity Conservation
FTE	Full Time Equivalent
GRP	Gross Regional Product

## ABBREVIATIONS (continued)

KICRVMP	Kangaroo Island Council Roadside Vegetation Management Plan
KIDP	Kangaroo Island Development Plan
KIFA	Kangaroo Island Futures Authority
KIPT	Kangaroo Island Plantation Timbers
MAZ	Marine Activity Zone
MNES	Matters of National Environmental Significance
NAGD	National Assessment Guideline for Dredging
NOEC	No Observed Effect Concentration
NTU	Nephelometric Turbidity Unit
OEMP	Operational Environmental Management Plan
OHS	Occupational Health and Safety
OIE	World Organisation for Animal Health
PAR	Photosynthetically Active Radiation
PIRSA	Primary Industries and Regions, South Australia
POMS	Pacific Oyster Mortality Syndrome
PSD	Particle Size Distribution
PSP	Paralytic Shellfish Poisoning
TAPM	The Air Pollution Model
TDS	Total Dissolved Solid
TOC	Total Organic Carbon
TSS	Total Suspended Solids
Yumbah KI	Yumbah Kangaroo Island

## DISCLAIMER

This report has been prepared by Yumbah Aquaculture Ltd and may only be used and relied on by the South Australian Department of Planning and Infrastructure for the sole purpose of providing a public comment on the Environmental Impact Statement prepared by Kangaroo Island Plantation Timbers Limited for a "Deep Water Port Facility at Smith Bay, Kangaroo Island".

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## EXECUTIVE SUMMARY

### THE SMITH BAY PROPOSAL

Kangaroo Island Plantation Timbers (KIPT) proposes a deep-water seaport at Smith Bay, in a remote corner of Kangaroo Island (KI), just over the fence from Yumbah Aquaculture's onshore abalone farm.

This is a destructive proposal that fails the pub test, let alone the requisite scientific rigour required of the proponent.

It's a proposal brought by a company that somehow convinced a previous South Australian Government that it should be accorded status as a Major Development.

Having achieved that, the proponent then set about persistent modification and expansion of its proposal that makes a mockery of the Major Development process.

KIPT is a proponent with no track record and no capabilities in building or managing infrastructure, conducting a profitable business, or operating sustainably in a highly sensitive natural environment.

It is an ASX-listed shell, propped up by sequential capital raisings, employing just four staff in 2018, and led by a Managing Director who proudly told eminent finance journalist, Alan Kohler, that "... nothing in life has equipped me to run a forestry company".

KIPT chooses the expense of Supreme Court lawfare against its neighbours Yumbah over matters its draft Environmental Impact Statement (EIS) says don't matter.

It is an entity managed from Sydney that has no social licence on Kangaroo Island, and an overly ambitious vision it expects KI ratepayers or South Australian taxpayers to underwrite.

### A 12.5-KILOGRAM OPINION EDITORIAL

Independent experts of good academic and scientific standing consulted by Yumbah Aquaculture, whose work appears in this document, have assessed the draft EIS.

In polite terms, they have many questions to ask KIPT and the South Australian Government, questions that aren't answered in the draft EIS, or have been raised in their thorough review.

In less polite terms, the expert consensus is that KIPT's draft EIS is a 12.5-kilogram opinion editorial looking for a publisher.

It should be marked "fail" – but not sent back for a repeat.

Having failed to mount a case for Smith Bay, KIPT must be directed elsewhere – as Kangaroo Island Council has voted - to one of the many possible alternative Island sites its draft EIS dismisses out of hand.

## THE CASE FOR A FREIGHT PORT

There is no argument that improved freight options for Kangaroo Island are desirable.

Yumbah Aquaculture is an exporter and, with many other local KI businesses, sees benefit in improved infrastructure.

There is no argument that KI should be rid of the plantations. These failed Managed Investment Schemes left KI burdened with a low-value, low-yield monocultural land use that destroys community.

KIPT is a price-taker, with a small volume of cheap, no-value-add, base global commodity woodchips, and no consideration of alternative use or higher-value end use.

This proposal is bad economics.

## TAKE THE TREES, BUT DON'T DESTROY AQUACULTURE

To take the trees off KI is a good thing.

To commit KI to a future of more plantations, more harvest rotations, fewer jobs in seasonal contract labour, low skills and reduced employment diversity is not what the Island needs.

Why would KIPT choose to deliberately drop a major port project on top of Yumbah Aquaculture, a world-class business that employs more than 25 highly skilled KI locals – and could employ many more?

A business that has grown sustainably for more than 24 years at Smith Bay? A business whose major growth and diversification plans have been shelved because of the risk KIPT's Smith Bay proposal presents?

**This proposal is unprecedented: massive infrastructure cannot co-exist with an aquaculture business less than 400m away.**

## AGAIN, WHY SMITH BAY?

Why the dogmatic pursuit of Smith Bay when a dozen or more alternative sites are closer to its plantations and KIPT already owns another former export wharf site?

This Smith Bay jetty-to-wharf-cum-seaport cannot be safely or cost-effectively serviced by a sub-standard road network.

KIPT plans A-double road trains 24 hours a day, seven days a week to and from its plantations to Smith Bay, but has no plan for who pays for the roads.

KIPT acknowledges its project will bring more road risk, more vehicle accidents and more dead wildlife.

It offers a biosecurity nightmare for a shallow, clean water bay that is currently pest-free, promising to introduce exotic marine pests and diseases, cause deafness in whales, dredge up to 200 000 cubic metres of seafloor to make a shallow bay "deep".

It's a proposal that touts economic benefit to the island but fails to account for the economic hit when a business like Yumbah KI is forced to relocate to another State where aquaculture is respected and supported.

In simple terms, supported by a suite of scientific responses, on the evidence of this draft EIS this proposal cannot proceed at Smith Bay.

## RESPONSE TO DRAFT EIS

In our response we present evidence to challenge KIPT claims against all 19 Guidelines, from our perspective as successful abalone farmers and aquaculture specialists, as well as on behalf of those who live and work on Kangaroo Island.

The most disturbing statement in the entire draft EIS is the cavalier expectation that a seaport can be built immediately adjacent, 400m from an on-shore aquaculture enterprise with no negative impact.

KIPT also purports its seaport will have no "significant" impact on Matters of National Environmental Significance.

Our response – and others submitting their informed and expert opinions – calls out a draft EIS that relies on flawed data and assumptions without the support of evidence-based science.

The real evidence demonstrates construction and operation of the proposed seaport will have a direct and immediate negative impact on Yumbah KI's aquaculture activities located just metres away.

Particularly galling for Yumbah and its independent experts is KIPT's reliance on inaccurate, inexpert characterisation of abalone behaviour and husbandry that is misguided, flawed and incapable of supporting the proponent's claims.

## UNAVOIDABLE RISKS AHEAD

The draft EIS offers silence, dismissal and ignorance on the risks and hazards of a seaport at Smith Bay.

The risk of introducing marine pests and diseases to Smith Bay could be reduced to what the draft EIS argues is an "acceptable" level by adopting "the most rigorous biosecurity standards prescribed by Biosecurity SA".

What is an acceptable level of marine pests being introduced to Smith Bay?

For so many of its risk mitigation processes, KIPT simply asks to be "trusted" to do the right thing. This from a company that cannot manage a simple dredging test, let alone a major infrastructure project and attendant risks.

KIPT undertook unlicensed test drilling in Smith Bay, setting a precedent; the destruction of seagrass is yet another flag on inability or lack of appetite to build or operate complex infrastructure in a sensitive environment.

This "garbage in-garbage out" issue is obvious across the draft EIS, but most apparent in the sample dredging that went so wrong but was still relied upon as credible information upon which to model scenarios.

KIPT's unlicensed dredging farce was followed by a combination of attempts to drill into a rock-hard seabed with survey coordinates that changed as the proposal grew, and finished with the use of scuba divers using pipes and mallets.

And from this garbage input, modellers were expected to offer substantive findings. Instead, garbage out.

Chemical and fuel spills are inevitable at a seaport; timber fumigation is required at

ports handling logs; chemical leaching from timber used in construction or stored at the port is real.

The draft EIS suggests mitigation of some of these risks – and others - but acknowledges it can do nothing to eliminate them.

#### OTHER USERS: AN UNKNOWN UNKNOWN

The draft EIS forecasts timber will account for just 20 per cent of the seaport's capacity.

For KIPT shareholders to earn a commercial return, KIPT must identify and cater for alternative uses.

Again, the draft EIS is silent. It fails to reveal, identify or consider risks and hazards of other uses for what it presents as a multi-use facility.

The proposed seaport will affect air quality.

Woodchipping and stockpiled timber will distribute airborne dust and particulate matter across Yumbah's abalone farm, presenting substantial risks for the farm.

But the draft EIS data are unreliable and patchy, raising doubt about the validity of the air quality assessment.

It proposes its own "control measures" but gives no indication as to who will monitor these control measures and oversee compliance and enforcement; where the immense quantities of water required for air quality mitigation will come from; who will pay for the water; and how associated impacts of this water use will be managed.

#### THERE IS NO SHINING LIGHT

The draft EIS is particularly misleading on Smith Bay lighting.

KIPT claims the major source of artificial lighting at Smith Bay is Yumbah which is continuously lit at night. This "major source" consists of two single outdoor security lights. They are currently the *only* light source at Smith Bay.

These are minimal and shielded from the abalone for one simple reason - abalone feed predominantly at night, and onshore production mimics natural cycles by ensuring darkness at feeding times.

Anybody who has seen a working port at night will tell you it is brightly lit for operational and safety purposes. Will Smith Bay be the first 24-hour seaport to operate in the dark?

Escalated noise levels during construction and operations, on land and in water, will negatively affect amenity, native species – and the wellbeing of highly sensitive abalone.

#### A CAUSEWAY OF SPOIL

The seaport proposal includes a rock-armoured solid causeway extending 250 metres offshore, 25 per cent longer than the proposal originally submitted to the Development Assessment Commission.

The causeway will be built from dredge spoil. Or not. KIPT's inadequate, outdated dredging tests leave another unknown: just what materials are in Smith Bay to actually dredge? And with what impact on the marine environment, and Yumbah's water quality?

The causeway is an impermeable barrier that will block and modify oceanic

currents, reducing tidal flow by 30-40 per cent and increasing water temperature not more than 300 metres from Yumbah's intake pipes.

While the draft EIS says causeway gates or culverts will help alleviate issues for Yumbah, KIPT also argues such mitigation is "unnecessary".

#### AN ECONOMIC FALLACY

KIPT and the draft EIS make great claims of economic benefit from this proposal.

No genuine cross-economy impact study is provided, job claims are fanciful for a facility operating at 20 per cent capacity, and no consideration has been given to non-port infrastructure costs, particularly roads.

There's no accounting for tourism loss, road trauma cost, opportunity already lost through Yumbah's shelving of investment plans – and perpetual loss from a shutdown of Yumbah.

"Monitoring" is proposed as the one-size-fits-all solution for everything from road safety and pest invasion to heritage management and air quality.

*Monitoring* is not a proxy for *managing*.

And notably, there is no exit strategy, no discussion of who will foot the clean-up

bill when it all goes horribly wrong. This is of particular concern given the proponent's stated aim of selling the seaport to best serve its shareholders. Who will be responsible then?

#### CONCLUSION: THERE ARE BETTER PLACES

The Smith Bay EIS planning guidelines are well posed, with 19 clearly defined areas of concern.

A collective and individual review of the draft EIS says "fail".

This proposal cannot stand on the sparse merits of a very poor draft EIS.

To date, we have 187 unanswered questions.

They appear in this document.

They should be of concern to those who decide if Smith Bay is to be squandered, if Yumbah and the promise of aquaculture are to be driven off the Island and out of South Australia, and if KIPT is cleared to establish a precedent that subordinates sustainable aquaculture and community benefit for needless environmental destruction.

If a seaport is to be built on Kangaroo Island, it must and can be built at a more suitable location.

## INTRODUCTION

### YUMBAH'S SOUTH AUSTRALIAN STORY

Yumbah Aquaculture brings together respect for Indigenous Australians with the unique qualities of the Southern Ocean. With permission from the traditional custodians of the Yaygirr language we call ourselves Yumbah, meaning 'larger shellfish'.

The Southern Ocean brings nutrient-rich currents from deep Antarctic canyons to the shores of southern Australia, in a phenomenon known as the Bonney Upwelling. Yumbah Aquaculture's farms in South Australia, Victoria and Tasmania are placed to take advantage of these waters.

Yumbah has its most substantial infrastructure investments in South Australia, where a vertically-integrated model provides reliability with opportunity to scale and diversify. In 2017 these investments were rewarded with the company winning the National Agribusiness Exporter of the Year award.

### YUMBAH KANGAROO ISLAND

We came to KI in 1995, and in 24 years of continuous operation have expanded to employ 25 FTE, with an onsite state-of-the-art processing facility, and a license to breed 30 marine species at Smith Bay.

It was our intention to continue to grow our business and community benefit at a stretch of clean, unpolluted water at Smith Bay, producing world-class Yumbah Greenlip abalone for export and domestic markets.

### YUMBAH PORT LINCOLN

Our Port Lincoln farm employs 35 FTE, and has an oyster hatchery pioneering the rebuild of the State's oyster industry following a 2016 outbreak of Pacific Oyster Mortality Syndrome (POMS), which decimated natural populations.

### YUMBAH AQUAFEED

Consistent with our philosophy of sustainable and respectful production, Yumbah Aquaculture makes its own predominantly soy flour-based feed at its production facility in Lonsdale with a staff of five FTE.

### YUMBAH PROCESSING

Yumbah's Wingfield processing is the key to preserving the natural qualities of Yumbah Aquaculture's farmed abalone. With a staff of 12 FTE, Yumbah Aquaculture uses natural brine or nitrogen freezing on-farm and ships to Wingfield where grading and packaging is centrally managed and Yumbah's value-added product lines are developed and produced.

## SUMMARY

The South Australian Government must decide.

Is it ongoing, year-round world class aquaculture, economic diversification, and sustainable growth in skills and jobs for KI and South Australia?

Or is it a limited-purpose industrial wharf that will forever scar Smith Bay - and be used just 20 per cent of the time.

Plans for ongoing expansion at Yumbah KI, particularly a massive investment in increased production, have been shelved pending the decision of the South Australian Government over this detrimental use for Smith Bay.

Our other South Australian investments – and the jobs and skills that come with them – are likewise at risk if we are forced to close Yumbah KI and relocate to another State more welcoming of

aquaculture and cognisant of the benefits we bring to regional economies.

Yumbah KI and the proposed KI Seaport cannot co-exist in the proximity proposed by Kangaroo Island Plantation Timbers.

Its "seaport" is just 400m from Yumbah's intake pipes. This is a proposal unlike any other. A port is incompatible stacked next door to an aquaculture venture.

There are many alternative sites on KI for a port to remove the timber, but these have not been seriously contemplated. They should be.

This wharf will damage our KI business from the day the dredge starts turning.

And that explains why Yumbah presents this detailed rebuttal to the draft Environmental Impact Statement for a Smith Bay wharf presented by the proponent.

## GUIDELINE 1:

### EPBC ACT - MATTERS OF NATIONAL ENVIRONMENT SIGNIFICANCE (MNES)

#### DESCRIPTION:

The Commonwealth Minister for the Environment and Energy has determined (EPBC no.2016/7814) that the proposed action is likely to, or may have, a significant impact on the following controlling provisions (matters of national environmental significance (MNES)):

- Listed threatened species and communities (sections 18 & 18A) including but not limited to:
  - the endangered and migratory southern right whale (*Eubalaena australis*)
  - the endangered Kangaroo Island Echidna (*Tachyglossus aculeatus multiaculeatus*)
  - the vulnerable Hooded Plover (eastern) (*Thinornis rubricollis rubricollis*)
  - the Southern Brown Bandicoot (eastern) (*Isodon obesulus obesulus*)
- Listed migratory species (sections 20 & 20A) including but not limited to:
  - the endangered and migratory southern right whale (*Eubalaena australia*)
  - a number of species of pipefish will be lost with the removal of 10ha of seagrass (*Syngnathid spp.*)

- Commonwealth marine areas (sections 23 & 24A) – while it is understood the action is proposed to be taken outside a Commonwealth marine area, the assessment documentation must consider if there is a real chance or possibility that the action will impact a Commonwealth marine area, for example, because the action will have a substantial adverse effect on a population of a marine species such as a cetacean including its life cycle (e.g. breeding, feeding, migration behaviours, life expectancy) and spatial distribution.

#### RESPONSE SUMMARY

- What Yumbah said in 2016 holds true
  - KIPT fails the EPBC requirement on rigour
  - Evidence is ignored and falsities offered
- Precedent on Smith Bay has wide ramifications
  - Not just Smith Bay; sustainable aquaculture industry threatened by KIPT

- MNES not genuinely considered
- Dismissive response for an EPBC controlled action
- False records on whales and other species
- Facile recommendations for mitigation of damage

#### EPBC STATEMENT HOLDS TRUE

On 24 November 2016, Yumbah submitted a formal response to the Department of Environment and Energy following submission of KIPT's Smith Bay referral under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*.

At this time Yumbah expressed concerns about the practices employed by KIPT, and affirmed that the company:

*"... demonstrably failed to consult, does not negotiate with concerned or even curious Kangaroo Island stakeholders, dismisses the likely impacts of its proposal on the natural fabric of Kangaroo Island, and cannot argue the relative merits of Smith Bay over other wharf sites on the Island."*

This Yumbah statement of nearly three years ago comprehensively describes the cultural mindset of this company. It doesn't augur well for Smith Bay let alone Kangaroo Island, particularly when this draft EIS is addressing only part of the moving and expanding feast that is KIPT's Smith Bay plan.

Following referral under the EPBC Act, the Department deemed the proposal to build and operate a deep-water port wharf facility a 'controlled action', likely to have a 'significant impact' on many matters of national environment significance.

The executive summary accompanying the draft EIS submitted by KIPT is 78 pages in length. Only two pages, less than 3 percent of a document titled 'Environmental Impact Statement' deals with matters of national environmental significance. Those two scant pages summarise the impacts as negligible and agree to an offset to compensate for the 'worst-case' outcome of killing of the 'relatively common'<sup>1</sup> Kangaroo Island Echidna. This derisory and pitifully inadequate response is insulting to the gravity and seriousness of the requirement to respond to a ruling of a controlled action under the EPBC Act.

Yumbah has mounted a consistent case that this proposal presents a threat to Smith Bay, to Yumbah's operations at Smith Bay, and to the wider interests of Kangaroo Island.

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<sup>1</sup> KIPT EIS Executive Summary, P44, 45

## PRECEDENT THREATENS SPECIES, SUSTAINABLE AQUACULTURE

Further, and with reference to the EPBC Act, any willingness to allow KIPT to proceed with this action creates a precedent that will set back the cause of sustainable aquaculture around Australia.

Smith Bay's significance as a Coastal Conservation Zone, with species of State and Commonwealth significance is neither respected nor sufficiently recognised by KIPT.

Its draft EIS fails to appropriately value the ecology of the area and seeks to diminish the environmental values so widely recognised by others – and still being revealed by the actions of citizen scientists such as AusOcean.<sup>2</sup>

This proposal is incompatible with the natural landscape.

## KIPT TOLL ON EPBC-LISTED SPECIES

The draft EIS records 46 EPBC-listed migratory species within 10 kilometres of Smith Bay, including:

- Eight threatened (endangered or vulnerable) marine species, which comprise mainly whales and turtles
- 32 nationally listed marine species, which include three seal species, three turtles and 26 syngnathid species (seahorses and pipefish)
- 12 species of whales or dolphins
- 12 migratory marine species.

Nationally threatened species include:

- southern right whale (*Eubalaena australis*)
- Humpback whale (*Megaptera novaeangliae*)
- Blue whale (*Balaenoptera musculus*)
- Australian sea-lion (*Neophoca cinerea*)
- Great white shark (*Carcharodon carcharias*)
- Loggerhead turtle (*Caretta caretta*)
- Leatherback turtle (*Dermochelys coriacea*); and
- Green turtle (*Chelonia mydas*)

In addition to nationally listed species, state-listed marine species potentially occurring in the area include:

- Pygmy right whale (*Caperea marginate*)
- Pygmy sperm whale (*Kogia breviceps*)
- Dusky dolphin (*Lagenorhynchus obscurus*); and
- Strap-toothed whale (*Mesoplodon layardii*)

Each of these is listed as rare.

The EPBC referral and draft EIS considers only five marine mammals, one shark and 15 species of pipefish are likely to occur, or may possibly occur at times, in Smith Bay.

<sup>2</sup> [https://www.ausocean.org/s/doc/2019\\_AusOcean\\_Smith\\_Bay\\_Marine\\_Ecology\\_Report.pdf](https://www.ausocean.org/s/doc/2019_AusOcean_Smith_Bay_Marine_Ecology_Report.pdf)

The EPBC referral and draft EIS concentrates its attention on the following four species:

- Southern right whale
- Kangaroo Island echidna
- Hooded plover (eastern)
- Southern brown bandicoot (eastern)

Additional EPBC listed species that are endemic to the region and have the potential to inhabit or forage the site include:

- bird species that fly over the site and along the coastline, including white bellied sea-eagles that nest within 3.5km of the site, sooty oystercatchers, ruddy turnstones, Australian fairy tern, Pacific gull and the endangered Glossy Back Cockatoo that inhabit two areas near the site

- The Australian Sea-Lion, subject to “unknown impact” from the proposal
- 20 Syngnathid species recorded in the area
- A single patch of the Kangaroo Island Narrow-leaved Mallee (*Eucalyptus cneorifolia*) Woodland Ecological Community on the adjacent southern property fence line that has potential to meet the size category for a threatened community.

The image below is of a white bellied sea-eagle flying past KIPT’s wave monitoring buoy at the proposed site for its Smith Bay seaport.



Figure 1 - A white bellied sea-eagle flying past a KIPT buoy at Smith Bay

## JUST ONE DAY IN THE FIELD

Despite the ecological riches stepped out above, and its responsibility to satisfy the needs of the EPBC referral, to fill out the pages in its draft EIS, KIPT completed just one terrestrial ecological survey over one day in 2016.

Its conclusion from this walk-past is an unequivocal confirmation (for the purpose of EPBC approval and EIS approval) that based on one single field survey for one day no individuals protected under Federal and State legislation are present on its site.

How can a proponent be granted Commonwealth and State approval for a major project requesting permission to destroy their preferred site and potentially affect matters of national environmental significance into perpetuity based on a single survey conducted for one day?

## THEY'LL JUST GO SOMEWHERE ELSE

Table 5-4 of the draft EIS (Section 5) notes:

*"Three of the species identified in the referral notice under the EPBC Act are also protected under the National Parks and Wildlife Act. They are the southern right whale, hooded plover (eastern) and southern brown bandicoot (eastern)."*

KIPT's repeated defence is that affected species "...are likely to temporarily move..."; or "...being highly mobile, would relocate to alternative habitat that is abundant throughout the region".

## CHOOSE WHICH SPECIES TO RECOGNISE

The draft EIS recognises that the Kangaroo Island echidna is restricted to Kangaroo Island and its population is declining due to predation by cats, pigs and road mortality. Echidna scratchings were observed in 2016.

A community of southern brown bandicoots are known to reside at the rock reserve on the western side of KIPT's site.

The potential impacts of construction and operations on MNES are ignored by KIPT's draft EIS.

To reference Table 5-4 again:

*"A recovery plan exists for the southern right whale. KIPT would manage the construction and operation of the KI Seaport so as to minimise the risk of any consequential harm to southern right whales."*

This statement appears to exclude and disregard other species this seaport will likely impact.

KIPT is brazen in assuming a seaport in Smith Bay will have negligible impact on MNES. Locating a seaport of the size and scale proposed in Smith Bay, within a widely recognised area renowned for sheltering populations of southern right whales fails on science - and fails on responsibility.

## SOUTHERN RIGHT WHALE

The Main report (page 223) recognises:

*"Of particular conservation interest in the region are the southern right whales that migrate along the north coast of Kangaroo Island every winter."*

Risks to the south-east Australian subpopulation of southern right whales include acute industrial noise, infrastructure/coastal development (wharf construction, dredging and pile driving), vessel collisions and shipping noise. KPT largely ignores the impact of coastal development on cetaceans and has not adequately addressed the risk of injury or death of whales by vessel strikes because of the seaport traffic.

The *Draft National Strategy for Mitigating Vessel Strike of Marine Mega-fauna* states:

*"The risk of vessel collision is a known threat for Australia's marine mega-fauna", including whales, dolphins and porpoises. Records show southern right whales are frequently struck by vessels in Australian waters, with 12 per cent of strikes from 1997 to 2015 affecting southern right whales.*

KPT's assertion that incidents of vessels "occasionally" striking whales are "extremely rare and would not be capable of affecting the population of southern right whales" is at odds with the Commonwealth which states:

*"In the case of a species that is recovering, such as the east and west coast populations of humpback whales the loss of one individual would be unlikely to impact on either population. However, in*

*the case of south-eastern Australian population of the southern right whale which is showing little evidence of recovery, the loss of a female individual would be considered significant."*<sup>3</sup>

A ferry travelling between mainland South Australia and Kangaroo Island struck and killed an adult southern right whale in 2001, so the population has already been impacted by vessel strikes.

Data analysis for the period 2006 – 2018 confirms sightings of 69 large whales in Smith Bay: 57 southern right whales, nine humpback whales and three unconfirmed species. Of the southern right whales, 12 females and 17 calves/juveniles were confirmed, while the gender of 28 were unconfirmed (Tony Bartram, pers. Comm). Data regarding the dolphin populations also shows high levels of transience/migration through Smith Bay.

There is no question that Smith Bay is displaying the attributes of a Biologically Important Area (BIA) for southern right whales. BIAs are not defined under the EPBC Act, but they are areas that are particularly important for the conservation of protected species and where aggregations of individuals display biologically-important behaviour such as calving, foraging, resting or migration.<sup>4</sup>

<sup>3</sup> Department of the Environment and Energy 2016, *Draft National Strategy for Mitigating Vessel Strike of Marine Mega-fauna*, p. 17 <http://www.environment.gov.au/system/files/consultations/bd6174ee-1a4e-4b6d-b786-2d0675b3dbec/files/draft-national-vessel-strike-strategy.pdf>

<sup>4</sup> <https://www.environment.gov.au/system/files/resources/4b8c7f35-e132-401c-85be-6a34c61471dc/files/e-australis-2011-2021.docx>

## DRAFT EIS IS WRONG

The draft EIS Main report (page 247) is definitive:

*"There is no evidence that Smith Bay is an important site for southern right whales. Although Smith Bay lies within an area described as the 'current core coastal range' for these animals (DSEWPac 2012), it is not near a known aggregation area and is at the edge of a 'historic high use' area. Records of southern right whale sightings around Kangaroo Island provide evidence that they visit Smith Bay only infrequently.*

This is simply not true.

The draft EIS claims only ever one registered sighting of the southern right whale in Smith Bay.

KIPT must surely have known that their claim of one registered sighting was false from personal experience. In 2017 the vessel commissioned to perform investigative "drilling" of Smith Bay scared a mother and calf from the bay.

The truth as revealed by registered whale sightings in Smith Bay since 2006 include 57 confirmed southern right whales, nine humpback whales and three unconfirmed species (Tony Bartram, pers. comm. 22 May 2019).

Further, whales are regularly observed in Smith Bay at the front of Yumbah KI.

This is consistent with whale sightings in locations across the Southern Ocean where abalone farms are located, including Port Fairy and Narrawong (Victoria), Port Lincoln and Kangaroo Island (South Australia) and Bicheno (Tasmania).

Whales matter, and their increasing presence is affirmation that something is right with the world.



Figure 2 – A southern right whale mother and calf are scared away from Smith Bay during KIPT's investigative drilling

## THE WHALES OF SMITH BAY

Yumbah KI's General Manager, David Connell, provides a personal communication about his observation of whales in Smith Bay, titled *A memory never to be forgotten.*

*"Between 1999 and 2019 I have had the privilege of watching the southern right whales frolic, nurse and give birth in Smith Bay. As time has passed the visiting frequency and numbers has been on the increase.*

*"My initial encounter was a solitary mother sheltering in the bay with her calf and over the years the numbers grew as I became accustomed to when to expect them and where to keep a look out.*

*"At first it was birthing mothers and then the addition of mothers with juveniles.*

*"In 2018 a group of three played in the waters for several days as if it was their preferred place to be.*

*"Birthing mothers arrive and pace the bay just as any expecting mother paces her surroundings.*

*"Although I haven't witnessed a birth, you can always tell it's happened as by morning she will be very close to shore, so shallow her belly must be resting on the sea floor. It doesn't take long before you spot a little head close by her side.*

*"Left alone without interruption, a mother will remain in the bay until their juvenile is strong enough to take on the open water. This time frame is usually around the 10-day mark, but it has taken as long as 14 days for one young one, that I did think wasn't going to make it.*

*"Total time spent for a mother has been as long as four weeks from arrival until departure.*

*"I have noticed that once the juvenile begins to play openly, showing the strength to frolic around its mother and capable of making small lunges out of the water, it's only a day or so and they will be gone.*

*"The most impressionable experience I have had was in the Spring of 2011 where a mother just following birth, lay so close to shore you could feel her breath passing through the rocks.*

*"On a dead calm evening, just sitting on the ironstone shoreline while her breath vibrated through my body, is a memory never to be forgotten.*

*"Smith Bay has an ironstone reef that runs parallel to its shores. I believe the mothers feel this is great protection for their young. The bay has minimal sand so even in onshore wind days water clarity is very good.*

*"It's common to see the dolphins and whales interacting. It's obvious they have respect for each other and do regularly co-exist.*

*"I have at times had multiple mothers in the bay at the same time, all with young.*

*"Interestingly they will be close from evening to morning but generally will spend the day alone with their young. Quite the sight to see three mothers all with their heads within 10 metres of each other, as if they are up for a chat and three young, dashing around them like kids in the playground.*

*"To date Smith Bay is a place of refuge for these whales and many other species.*

*"Let's hope we can keep it this way."*

## KIPT DRAFT EIS FAILS EPBC TEST

Yumbah submits that KIPT fails to accurately represent the extant ecological values at its preferred seaport site.

The lack of consideration of the site and scant information in the draft EIS suggest to Yumbah that this proponent has no regard for Smith Bay as a Coastal Conservation Zone, and lacks concern for the ecological values across the development footprint that warrant protection.

## GUIDELINE 2:

### COAST AND MARINE

#### DESCRIPTION:

As the proposed development is within, and directly adjacent to, the Coastal Conservation Zone of Smith Bay, there will be direct impacts to this sensitive environment. The environment and its ecological values of the area must be further understood to accurately identify the impacts from the construction and operation of the development, and to determine appropriate measures to manage, offset or mitigate these impacts. Although the area is not within a Marine Park (State), the construction and operation of the proposal, including the passageway of ships to and from the port and wharf may still have impacts on the neighbouring Marine Parks (i.e. Encounter and Southern Spencer Gulf Marine).

#### SUMMARY RESPONSE

Construction of this proposed seaport will dramatically modify the coastal habitat of Smith Bay. Impacts include alteration to sediment transport processes, both through hydrographical modifications caused by dredging and through reflection of waves from the seaport structures.

The draft EIS however attempts to persuade the reader through the conclusions of consultants reports that the seaport can be constructed with no negative impact on the immediately adjacent abalone farm. It further argues that no “significant” impact will occur to matters of national environmental significance.

This response will demonstrate that flawed data and assumptions in the draft EIS have resulted in a “garbage in – garbage out” conclusion paraded as evidence-based science.

The real evidence will support common sense and demonstrate that the construction and operation of the proposed seaport involving dredging of potentially 200,000 m<sup>3</sup> of environmentally valuable seabed will have a direct negative impact on Yumbah KI’s aquaculture activities located but metres away.

Furthermore, the reliance of the draft EIS on an inaccurate and inexperienced characterisation of abalone behaviour and husbandry and the likely impact of the Seaport on the Yumbah KI farm is shown to be misguided, flawed and incapable of supporting its invalid claims.

Yumbah has therefore engaged marine specialists, scientists and industry experts to review the draft EIS and inform this section of our submission. GHD Pty Ltd (GHD) reviewed the predicted water quality impacts outlined in the draft EIS, with a primary focus on Appendix F (Marine Water Quality) of the draft EIS, which is presented in four sections:

- Assessment of Marine Sediments
- Hydrodynamic Modelling
- Marine Water Quality Baseline and Impact Assessment
- External Hydrodynamic Modelling Peer Review

A review of Appendix G (Coastal Processes) and Appendix T (Risk Assessment) has also been completed. The findings are titled KIPT Smith Bay Wharf Draft EIS Review of Predicted Water Quality Impacts (Romero, 2019) presented in Appendix 1 of this submission.

Professor Paul McShane undertook a thorough technical review of Appendix H. Professor McShane is highly regarded and internationally recognised for his expertise on fisheries biology and the early life history of abalone. His review is presented in Appendix 2, titled Smith Bay Wharf Response to Draft Environmental Impact Statement Kangaroo Island Plantation Timbers (McShane, 2019).

Issues identified from the draft EIS as having a significant impact on the coastal and marine environments of Smith Bay include:

- *Inadequate sediment characterisation*

In summary KIPT have failed to determine exactly the composition of the seabed that they plan to excavate. Because of this every conclusion that the draft EIS makes relating to dredging is suspect and invalid.

Sampling results are presented where the majority of samples are outside of the dredge area and therefore cannot be claimed to be representative.

Sediment sampling depths are not adequate as they do not extend to the depth of dredging. This is contrary to the National Assessment Guidelines for Dredging (NAGD) (2009) which require that the full depth be characterised.

Locals know that the seabed is hard and composed of what is referred to as "ironstone". The unsurprising failure to drill into this hard floor is

described in the proponents reports as "core refusal" which indicates unconsolidated material, possibly rock that may need to be ground to achieve the desired approach and berth depth.

The claim of equivalence of core samples made with a drilling rig and those obtained by a solitary Scuba diver with a hammer and tube are farcical. This is further borne out by their own evidence that the seabed is not homogenous – for example total organic carbon (TOC) was reported at significantly higher concentrations in the one deeper sample.

Yumbah does not have issue with the methodology of the modelling performed rather we question each and every piece of input to the models. Widely attributed to an IBM programmer, George Fuechsel, "Garbage in – Garbage out" is an apt metaphor for what happens when flawed data is fed into a system producing, unsurprisingly, nonsense output or garbage.

Even the data revealed by the incomplete sampling is flawed. The discovery of the hard substrate of Smith Bay as evidenced by core refusal suggests that Cutter Suction Dredge (CSD) grinding may have to be used to excavate the seabed. The fine material (Class 3) produced by the grinding is not even contemplated or modelled by the proponent. Its volume is unknown and particle size distribution (PSD) is unknown. Likewise, the propensity of this class 3 material to remain suspended in the water column for a longer duration than the settling velocities measured for the shallower, unconsolidated sediment has been completely ignored

by the proponent. Furthermore, the sand component of sediment estimated cannot be validated as sediment in the deeper profile has not been assessed; in essence, less than 30 per cent of the sediment has been profiled.

Therefore, the model does not consider the full extent of impact, distribution of sediment, plumes, settle ability, concentration, reduction in photosynthetically active radiation (PAR) or intake at pipes. In the light of this the Dredging program and proposed mitigation must be completely reassessed as what is proposed in the draft EIS is completely flawed.

In summary, due to the significant flaws and lack of adequate characterisation of sediment, Yumbah has no confidence in the outcomes of the models and the suggested impacts associated with dredging.

- *Reduced circulation as a consequence of the causeway*

A 250m solid impermeable causeway is proposed to be constructed, extending perpendicular to the coast. As a consequence, oceanic currents have been estimated to reduce by at least 30%, changing the hydrodynamic conditions of Smith Bay forever.

- *Drift algae, wrack accumulation*

Increased mortality, reduced PAR from sediment plume and increased turbidity will further compromise survival of seagrass and macroalgae. This has not been modelled nor simulated however the destruction of 10ha of seagrass and the impact of

the loss of habitat is covered elsewhere in this report. Smothered intake pipes, increased pumping costs, increased detritus and lower oxygen concentration are among the impacts.

- *Noise and vibration*

Noise and vibration during construction and operation will impact marine mammals, potentially causing temporary or permanent hearing loss. Amenity of Smith Bay will be forever changed with the 24hr continuous operation of an active seaport in an otherwise uninterrupted Coastal Conservation Zone.

- *Mobilisation of fine sediments*

The construction of a 250m causeway in this location, a capital dredging program of an unconfirmed volume of spoil, tailwater discharges from dewatering of sediments on land, maintenance dredging and shipping operations will create turbid plumes that will extend for kilometres.

- *Ecotoxicology*

One assay performed on abalone for 24 hours is in no way an ecotoxicology assessment to invent guideline trigger values for total suspended solids well in excess of well-established and recognised national water quality guidelines.

- *Algal blooms*

Changes to the light environment, reduced circulation of nearshore waters and elevated water temperatures increase the risk of harmful algal blooms at Smith Bay with potential catastrophic impacts on Yumbah's farmed abalone.

- *Light-spill onto the abalone farm*

The seaport will create continuous night light, emanating from the proposed infrastructure in the hard-standing area and along the wharf/causeway as well as from transport vehicles. Light adversely affects feeding and growth of abalone.

- *Changes in coastal processes*

Primarily associated with the construction of the causeway, changes would affect nearshore circulation with potential to:

- Increase the temperature of Yumbah’s intake water due to reduced mixing in the vicinity of the causeway with potential lethal impact on farmed abalone; and
- Changed sedimentation and resuspension processes due to changes in benthic shear stress in the vicinity of the causeway and in the dredged areas

- *General impact to marine ecology*

The Smith Bay environment is renowned for its extensive seagrass meadows and species listed under the Commonwealth EPBC Act.

## INADEQUATE ASSESSMENT OF MARINE SEDIMENTS

The impact of suspended sediment from dredging has potential catastrophic implications for Yumbah KI. The assessment of sediments proposed for dredging is of critical importance. Sampling and analysis of dredge spoil provides an understanding of the environmental acceptability of dredged material, management alternatives and means to minimise and manage potential impacts. The draft EIS provides detail of the results of the sediment sampling for the purpose of characterising the geotechnical properties for potential reuse and also understanding the physicochemical parameters of the material that will be disturbed for the purpose of understanding potential environmental impacts and fate of sediment.

## SAMPLING AND ANALYSIS

The sediment sampling is flawed and, as a consequence, the results and outputs of the various models completed to inform the draft EIS cannot be relied upon.

Appendix 1 confirms the sampling and analysis of the seabed is deficient and does not provide an adequate description of the sediments to allow an assessment of the potential impacts of its disturbance (Romero, 2019).

The sampling location presented in the draft EIS appears to have been completed across a grid that is located both within and external to the proposed dredge area. It is presumed the sampling, conducted over two distinct events in 2017 and 2018 using different methods (drilling and SCUBA) was largely based on a previous dredge footprint.

Analysis of sediment has been conducted on 17 samples, 11 of which are actually located with the dredge pocket. Thus 35% of all information presented in the EIS is derived from samples outside the dredge area. No reason has been given for the logic in sampling outside the dredge area – in fact there can be no valid reason. The inclusion of this data by KIPT casts doubt on their ability to mitigate other risks through management intervention.

Samples have been collected generally from a maximum depth of 80 cm below the surface with one sample extracted from 1.4 metres below the seabed. As the proposed dredge depth is a maximum three metres, sediment sampling and ultimate characterisation of the physicochemical properties including Particle Size Distribution (PSD) is fundamentally flawed.

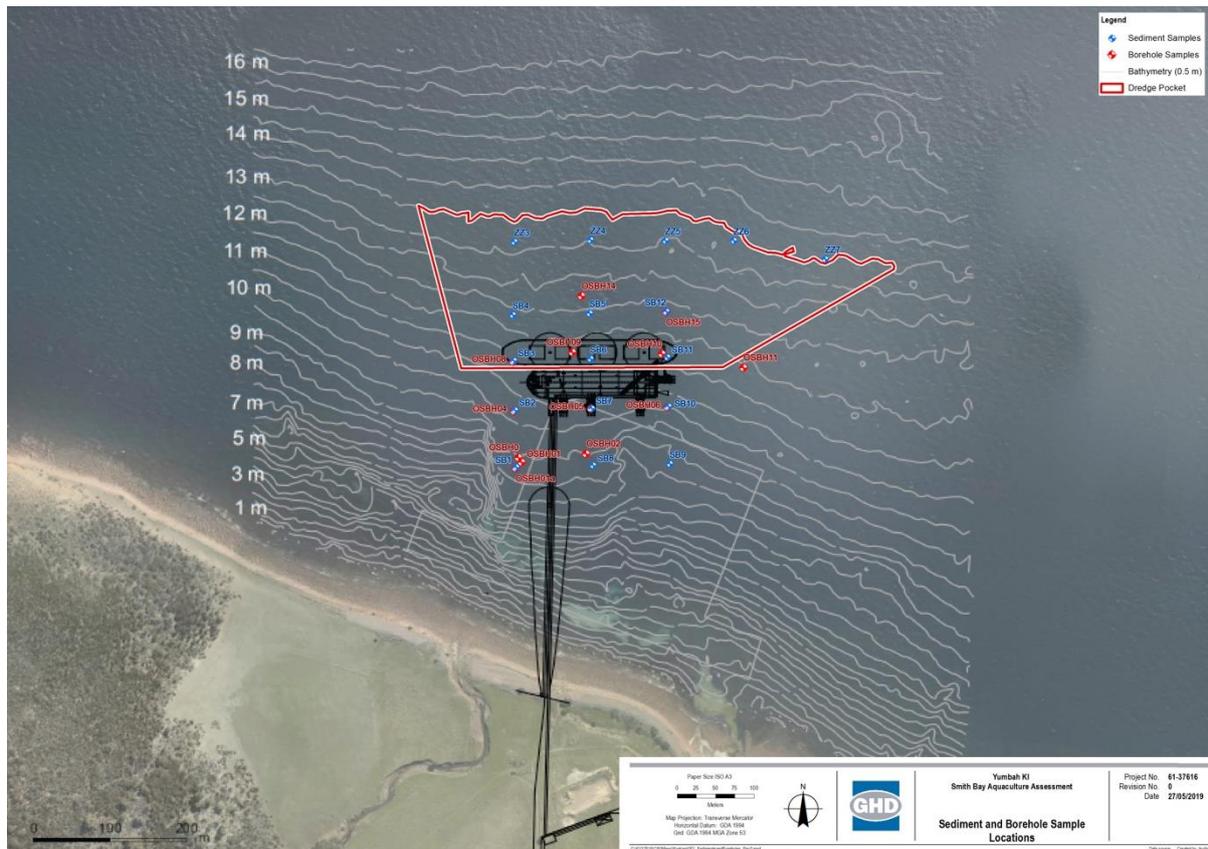


Figure 3 – Locations of sediment samples

Assumptions about the behaviour and ultimate fate of dredged sediment in the water column cannot be drawn from an incomplete sampling program. The *NAGD (2009)* is the primary framework and default guidance to ensure the impacts of dredged material loading and disposal are adequately assessed and that impacts are managed responsibly and effectively<sup>5</sup>.

The *NAGD (2009)* requires that the full depth of dredging is to be characterised in order to inform the dredge methodology and predict the potential environmental impact.

<sup>5</sup> <http://www.environment.gov.au/marine/publications/national-assessment-guidelines-dredging-2009>

## POOR SEDIMENT CHARACTERISATION

Target core/sediment acquisition depths are inadequate to describe the sediment quality and PSD of the proposed material to be dredged. The sediment has been poorly characterised, particularly the hard substrate (consolidated) beneath the well-characterised veneer of unconsolidated-weakly shallower consolidated sediments. Due to the poor characterisation of sediment to be dredged, the worst case for PSD and settling velocity cannot be relied on. Estimates should be further explored with additional sediment sampling and modelling.

While the proposed maximum dredge depth is about three metres, sediment was only sampled in depths ranging from 25cm to 80cm, with only one sample extracted from 140cm. Analysis of this deeper core presents a much smaller PSD for the deeper sample subset. Information is lacking on the depth intervals analysed in this core. This deeper sample is outside the dredge footprint and hence cannot be relied on to characterise particle size in the deeper sections of the dredge footprint.

Appendix 1 provides further context for the significant gaps in the sediment sampling and analysis plan and interpretation based on shallow characterisation of the dredge material. Core penetration depths ranged from:

- ~60cm at sites ZZ3-ZZ8 (presumably via diver during second survey)
- 8 of 12 sites during the first survey were  $\leq 25$ cm
- 3 of 12 sites during the first survey were 50-80cm
- 1 of 12 sites (site SB7) during the first survey had a penetration depth  $>1$  m (140 cm)

The first survey with core acquisition (via 10 tonnes of drilling hydraulic pressure) yielded low penetrations prior to core refusal consistently below one metre for all samples except for site SB7.2, the one location where sediment was extracted at 140cm.

The interpretation of the geotechnical / borehole data in Section 5.2 cannot be confirmed for  $>1-3$  metres of marine sediments because the core refusal depths were at one metre (except for SB7.2 outside of the dredge pocket) during the drilling rig sediment sampling survey.

This indicates the presence of a very hard substrate (possibly consolidated material) underlying a veneer of unconsolidated sediments that may require Cutter Suction Dredge (CSD) grinding, and subsequently a third class (Class 3) of dredge material. The CSD has the potential to generate very fine particles from the dredge-header grinding the hard substrate into material and small particle diameters not commonly distributed in the marine environment.

This material will ultimately have the propensity to remain suspended in the water column for a longer duration and distance than the settling velocities measured for the shallower, unconsolidated sediment.

The draft EIS Appendix F reports that sediment in Smith Bay consisted mainly of sand and gravel with between 10 and 25 per cent of fine particulates (clay and silt), apart from the deeper sediment at Site SB7 (SB7.2), with SB7.2 having the finest particles. The evaluation of sediment as 75 per cent coarse sands is incorrect. This conclusion cannot be validated as sediment in the deeper profile has not been assessed; in essence, less than 30 per cent of the sediment has been profiled.

To further raise doubt in the results in Appendix F, total organic carbon (TOC) was reported at significantly higher concentrations in the one deeper sample of SB7.2.

Two dredge material sediment classes were configured as dredging simulation inputs.

Class 1, comprising 75 per cent of the total simulation dredge volume, was representative PSD of all sediment samples reported in Sub-Appendix F1 except for sample SB7.2.

Class 2, comprising the other 25 per cent of the total simulation dredge volume, was based on one deep sample of SB7.2 (maximum 1.4 metres).

Uncertainties highlighted in Romero's review with regard to the sediment sampling core depths and extrapolation to the dredge depth (core refusal generally <60cm) and the inclusion of sediment characteristics outside the dredge area, the assigned volumes of 75 per cent for Class 1 (primarily sand) and 25 per cent Class 2 (greater proportion of clay and silt) cannot be relied upon.

A worst-case Class 3 of dredge material for a reasonable worst-case estimate is valid given the information available and potential interactions between the CSD and the harder (consolidated) sediments of the deeper strata of the dredge area. This demands additional modelling for a worst-case dredge material characterisation that includes worst-case estimates from dredging of the third class and worst-case dredge volume allocations to the three classes.

The issues in interpretation of the sediment sampling and analysis are significant.

On the basis of the core refusal depth, the evidence alludes to a relatively thin veneer of marine sediments (primarily sand) with perhaps some scattered relatively deeper pockets of finer material (e.g. site SB7.2), and underlying sediments comprised of a harder substrate (consolidated material).

If so, then this would support a third class (Class 3) of dredge material. As a consequence of sampling not conducted for the full dredge depth, there is also considerable uncertainty regarding the Particle Size Distribution (PSD) and settling velocities of the material generated by the CSD. The PSD of the sediments released into the marine waters will potentially pose a much greater impact/risk in terms of a worst-case scenario than the duration and amount of dredging.

A potential CSD grinding of consolidated sediments (Class 3) scenario may lead to greater dredging related turbidity than predicted in the draft EIS and will potentially have greater impacts on primary producer benthic habitat (e.g. light reduction to proximal seagrass) and Yumbah KI's inlet water.

Further, removal of Class 3 sediment will result in dredging far exceeding the estimated worst case of 75 days.

## SETTLABILITY CONCERNS

An understanding of the settleability of the dredge material is of paramount importance to understand the fate of disturbed sediment.

The characterisation of sediment in the draft EIS is further discounted as the settleability reported in the draft EIS is on the basis of four shallow sediment samples with penetration depths of 20-25cm (SB3 and SB11) via the drill rig, to ~60cm (ZZ4 and ZZ9) via SCUBA.

The settleability of the sediment cannot be confirmed based on limited shallow samples collected from both within and outside of the dredge footprint.

Settleability needs to consider the deeper unconsolidated and consolidated (noting that small particle sizes are likely to be generated during CSD grinding) sediment horizons. The draft EIS cannot rely on settleability based on a small subset of samples that comprise only 25 per cent of the proposed maximum dredge depth.

Due to the significant flaws and lack of adequate characterisation of sediment, Yumbah has no confidence in the outcomes of the models and the suggested impacts associated with dredging.

## IMPACTS OF THE CAUSEWAY

An important feature of the seaport is the construction of a 250m solid causeway extending perpendicular to the coastline. The causeway is the most concerning physical feature of the seaport for Yumbah.

The causeway will significantly reduce ocean currents by up to an estimated 40 per cent, which in turn will result in elevated water temperatures, reduced mixing and supply of fresh water, accumulation of seagrass wrack and overall compromise the oceanic conditions abalone are so reliant on.

Oceanic currents are vital to abalone farming. Circulation and mixing of marine waters guarantee the high-quality seawater that sustains the abalone. Reduced seawater quality will significantly impact Yumbah's ability to continue its business.

## MISCONSTRUED BENEFITS OF CAUSEWAY

Smith Creek is a freshwater catchment west of Yumbah KI that has been influenced by historic land clearance and agricultural activities. The draft EIS makes multiple unsubstantiated references to the causeway providing a benefit to Yumbah KI as a consequence of physically blocking Smith Creek's flows and isolating potential flows from the farms intake pipes. In reality the causeway presents one of the greatest risks to Yumbah KI's operations.

Its presence will alter coastal processes and longshore currents with currents estimated to reduce by up to 40 per cent, creating a permanent barrier to currents and thereby reducing mixing in the receiving environment and subsequent elevation of temperatures and reduced water quality.

It must be explicitly stated that Yumbah KI has been successfully operating at this site since 1995 with negligible impact from Smith Creek aside from a limited number of storm events in 2016. Romero (2019) outlines the conclusions of the review on the suggested benefits of the causeway, confirming that the catchment model used in the draft EIS to predict the impacts of flood plumes from Smith Creek into the proximal marine waters - with an emphasis on the effect to Yumbah KI seawater intakes - is flawed.

The suggested benefit to Yumbah KI's inlet turbidity reduction from such very infrequent 1:10 AEP Smith Creek storm events does not justify the causeway's construction.

According to Romero (2019), the objective of the draft EIS catchment modelling is seemingly to demonstrate the reduction in Smith Creek flood-derived suspended sediments into Yumbah KI's intakes from the proposed causeway. The simulated large discharge and sediment loads are

not verifiable. The modelling of smaller storm events is required to demonstrate the frequency, magnitude and duration of any suggested benefit.

## VAGARIES IN MARINE WATER QUALITY BASELINE AND IMPACT ASSESSMENT

The draft EIS sub-appendix F3 discusses baseline marine water quality and impacts from the seaport.

Issues with this report include:

- Ecological impact thresholds are predicted for a number of water quality parameters. Romero (2019) states the use of 10× (Zone of High Impact) and 5× (Zone of Low to Moderate Impact) standard deviations above the 50<sup>th</sup> and 80<sup>th</sup> percentile means to define ecological impact thresholds from turbidity are unjustified. Romero deems there to be no ecological basis for these criteria. The suggested thresholds do not address seasonality in biotic receptors. It has been demonstrated that ambient turbidity is highly correlated to wave climate in Smith Bay (Figure 2-10 in Sub-Appendix F2). The approach to define the impact thresholds does not seem to account for this sensitive period (mid-spring to mid-autumn), which from a benthic primary producer perspective is the worst-case timing to carry out the dredge program.
- The placement of a solid causeway to the east has the potential to alter the typical flushing patterns with a potential to increase the recirculation of the facility's outlet waters to the inlets. The potential for changes to the very nearshore flushing of Yumbah KI's outlet waters due to the presence

of the proposed causeway and any impacts/risks in terms of recirculation of the outlet waters into the Yumbah KI facility's intakes has not been addressed.

- A number of figures present the modelled impacts and impact zones but are missing the seaport footprint and dredge area. This creates confusion interpreting the many figures and claims in the draft EIS.

#### IMPACT TO COASTAL PROCESSES

The modelling completed by BMT and presented in the draft EIS Appendix G indicates construction and operation of the seaport will alter the coastal processes in Smith Bay.

Appendix G states:

*The current circulation impacts show a slight reduction in current speeds flowing through Smith Bay nearshore waters as a result of the proposed development.*

This alteration is unacceptable to Yumbah and has the potential to deliver catastrophic impacts to its operations. Changes to coastal processes are likely to reduce circulation in the nearshore environment and compromise the health of the water which Yumbah KI is completely reliant upon. As highlighted previously, there is a lack of information in the draft EIS regarding impacts of nearshore flushing and potential for recirculation of Yumbah's outlet waters through the intake.

This is a significant gap in the draft EIS. The statement 'Coastal circulation impacts are not expected to result in reduced flushing of Smith Bay waters' in Appendix G is not – and must be - demonstrated.

Similarly, the draft EIS Appendix G reports:

*Generally, impacts on coastal circulation are highly localised and in the immediate vicinity of the Project infrastructure where some local realignment and modification of current speeds will occur.*

It fails to mention that Yumbah KI is in the immediate vicinity of the "Project infrastructure" and will be significantly impacted by the realignment and modification of current speeds.

## ACCUMULATION OF SEAWEED (WRACK)

The draft EIS reports that accumulation drift seagrass and macroalgae (wrack) will occur as a consequence of the construction of the causeway. This accumulation is unacceptable for the impact it will have on Yumbah KI's seawater intakes.

Accumulation of drift seagrass and other macroalgae will clog intake pipes and degrade water quality.

The extent of degradation and potential impacts on Yumbah KI and Smith Bay more broadly are lacking in the EIS, and Romero (2019) has highlighted the need for additional information, including:

- A description of the seagrass wrack dynamics of Smith Bay
- Predictions of the effect of the proposed development on the seagrass wrack dynamics of Smith Bay
- Impacts of the predicted changes of seagrass wrack dynamics on the source waters to Yumbah KI's abalone farm

## Amendments to the risk assessment

- Though risk reference Item 8 in Table 4-1 of EIS Appendix G identifies the hazard, modification to seagrass wrack accumulation, the basis for a consequence of "minor" and likelihood of "possible" is not supported
- Further, mitigation measures only change the residual likelihood and not the residual consequence (note this comment also applies to reference Item 6 in Table 4-1, and it is uncertain why changes in residual likelihoods to references 2 and 3 are included with no [nil] mitigation measures noted)
- The inherent and residual risk for seagrass wrack accumulation is not supported

The risk of wrack accumulation on the quality of the source waters to Yumbah KI's abalone farm is lacking and must be addressed, particularly given the close proximity of the proposed development to the inlet pipes.



Figure 4 - Seagrass Rack accumulated at nearby Emu Bay

### INACCURACIES WITH CURRENT FIELD IMPACTS

Yumbah KI deployed a tilt meter in the nearshore waters of its Smith Bay farm in order to characterise the current regime just offshore from its western seawater intakes in about eight metres of water over the six months from 24 August 2018 to 25 February 2019.

Measured current speeds are presented in Figure 1 of Romero (2019). Current speeds typically ranged between 2cm/s and 15 cm/s during neap tides and 2cm/s to 20cm/s during spring tides. Current directions at the site periodically alternate between the dominant directions of easterly during flood tides and westerly during ebb tides. The minimum current speed of ~2cm/s is sufficient to transport a turbid plume from the proposed port to the western intake of Yumbah KI’s facility, a distance of about just 300 metres.

Current speed in shallow waters in front of the abalone farm range across the 10<sup>th</sup> to 90<sup>th</sup> percentile of 4cm/s to 13cm/s measured over the six-month period.

Current field impacts are addressed in section 4.3 the draft of EIS sub appendix F2 to assess predicted changes in the proximal location to Yumbah KI inlets and outlets. The close-up figures of the differences in current velocities in the region of the aquaculture facility are not adequate. Finer current velocity intervals of 1-2cm/s rather than 10cm/s intervals (bottom panels of Appendix G Figures 6-8 and 6-9) are more representative and so should be applied.

The below diagram shows the probability distribution of the inshore currents over the six-month deployment. The 10<sup>th</sup>, 20<sup>th</sup>, 50<sup>th</sup>, 80<sup>th</sup> and 90<sup>th</sup> current speed percentiles are approximately 4, 6, 8, 12 and 13cm/s.

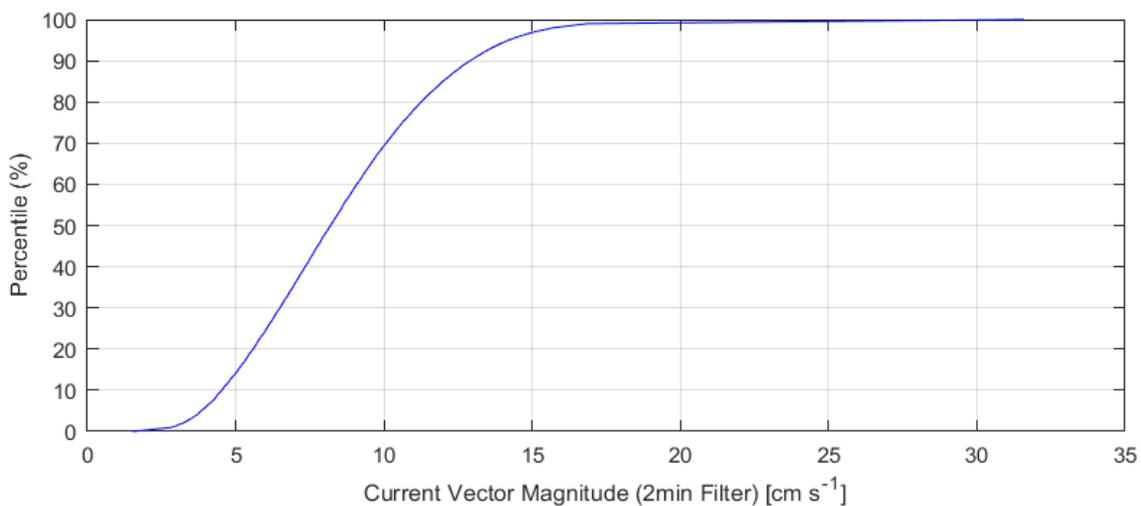


Figure 5 – Probability distribution of current vector magnitudes

Modelling and impact assessment results and interpretations should be reassessed using these more representative measured range of current speeds.

## FURTHER DRAFT EIS SHORTCOMINGS

Beyond the many concerns outlined above regarding water quality, Yumbah further concerns about conclusions drawn from the assessment that formed the draft EIS Appendix L *Geology, Soils and Water*.

These include the following unacceptable risks that, if realised, will significantly impact Yumbah KI:

- The sediment load in the dewatering discharge from the dredge slurry potentially could be high if not managed effectively
- Stormwater runoff could cause surface and beach wall erosion and could transport sediment to surface water if not appropriately managed
- Site activities during operations could result in the release and accumulation of chemicals which could result in site contamination (soil and groundwater) and the contamination of stormwater runoff if not appropriately managed
- Leachate from the woodchip stockpile and log storage could harm surface water via direct runoff or through stormwater transport, and groundwater via infiltration through a permeable base

KIPT's reputation and performance to date with respect to its intentions at Smith Bay and across Kangaroo Island are questionable.

While this draft EIS presents a case for permitting construction in an earlier iteration of its seaport proposal, its terms of reference do not in any way seek protections for the natural environment, during operation of its seaport.

## CONCLUSION OF WATER QUALITY

The details in the draft EIS on water quality, coastal processes and suspended solids is fundamentally flawed and the information it contains cannot be relied upon.

The draft EIS Main Report indicates the assessment of the impact of dredging on water quality relies heavily on dredge plume modelling results that consist of time series results and percentile contour plots of turbidity. These plots indicate the areas where turbidity was elevated at some point during the dredge campaign, rather than being snapshots of the dredge plume at any particular time.

The total suspended solids (TSS) impact assessment is questionable as there is considerable uncertainty in the PSD of the dredge material, and the need for deeper sediment understanding, particularly to confirm the presence of a Class 3 sediment of consolidated material.

The use of incorrect current field data further discounts any of the conclusions outlined in the draft EIS on water quality impacts and effects on Yumbah KI.

The behaviour of sediment dredged and potential zones of impact modelled are incorrect as the data generated to support the assumptions is wrong, and the actual impacts from both construction and operation of the seaport to Yumbah KI remain unknown.

## FUNDAMENTAL FLAWS IN ABALONE ASSESSMENT

Appendix H declares the importance of good water quality to the success and viability of Yumbah KI with the statement: *“In summary, the importance of good water quality to the health of the abalone aquaculture sector cannot be understated”.*

This technical report is apparently relied upon as the scientific backbone of the draft EIS, but actually works only to attempt to negate the significance of adverse impacts the seaport will create for Yumbah KI.

The EIS guidelines (DAC 2017) requested the following information be reported in the draft EIS, but this is absent. The draft EIS cannot be considered a compliant document without required information that includes:

- Impacts that dredging may have on sediment loads and the neighbouring commercial land-based aquaculture operation. Detail measures for managing these impacts, including management of dredge spoil
- Description of the contaminants and toxicants that may accumulate on the property and the risks during stormwater events (where not managed) to the adjacent aquatic environments and commercial industries (e.g. fisheries and aquaculture) that rely on those environments.

## MISGUIDED AND INCORRECT ASSUMPTIONS ABOUT YUMBAH KI

Statements regarding abalone husbandry in Appendix H of the draft EIS reflect a lack of expertise in the field. This concern is supported by Appendix 3 – a review of Appendix H by the peak body representing the abalone farm industry in Australia (AAGA submission, 2019).

Incorrect, inaccurate or false inclusions in Appendix H that relate to abalone aquaculture include:

- Feed moisture content is incorrect
- Abalone growth increases with temperature
- Abalone broodstock are not isolated
- Oxygen is not an issue that even requires monitoring for health
- Hatchery timeframes and mortality rates are incorrect; note, Yumbah produce what is needed for the coming season, not excess
- Estimates that Yumbah’s two South Australian abalone farms produce 337 tonnes of abalone fall well short of the actual 402 tonne production
- Nursery timeframes and filtration rates are wrong
- The hatchery operates by water flowthrough not recirculation, and water is filtered to 1µm
- Nursery water is filtered to 50µm to allow natural diatoms to pass
- Stocking levels for production are wrong
- Reported growth rates are wrong, and much slower than actual
- Mortality statements are incorrect

- Meat yields are incorrect; they are historically about 40 per cent
- Grade size yields are incorrect

## THE REAL STORY ABOUT SUSPENDED SOLIDS

The draft EIS Main report alleges extensive cropping and grazing industries

*"... are likely to have had adverse effects on marine water quality along the north coast of Kangaroo Island through erosion processes within cleared catchments and along degraded creeks during rain events, resulting in the transport of silt into the marine environment via creeks, thereby increasing the turbidity of coastal waters.*

This statement by the proponent is both misleading and incorrect.

Baseline water quality of Smith Bay measured for the purpose of the draft EIS (presented in Appendix F) indicates the opposite is true.

Water quality in Smith Bay is indeed very healthy and lacks impact from anthropogenic influences, which explains why Smith Bay is an appropriate environment for long-term and continuing aquaculture at Yumbah KI – but not with a destructive seaport on its boundary.

The draft EIS Appendix F (Section 2.9) reports that background concentrations of TSS and turbidity are exceedingly low, with turbidity in Smith Bay mostly below 1 NTU for the 12-month monitoring period. There were frequent elevated turbidity periods coincident with weather patterns, but turbidity did not exceed 10 NTU at any time during 12 months of *in situ* monitoring.

Compared with the ANZECC/ARMCANZ (2000) guideline value for turbidity, the median turbidity from the monitoring buoy data for the full year, along with the

summer and spring months were below the ANZECC/ARMCANZ (2000) guideline value (0.5 NTU). During autumn and winter, median turbidity (0.7 NTU) slightly exceeded the guideline value. In contrast, the near-bed median turbidity measured during the summer months exceeded the ANZECC/ARMCANZ (2000) guideline value at both the 5m depth contour (1.7 NTU) and 10 m depth contour (1 NTU).

Most TSS values measured during grab samples between September 2017 and February 2018 (Table 2-7) are below the guideline value of 10 mg/L, with over 50% of values being <1 mg/L. The exception was the water sample collected on 22/2/18, which had a TSS value of 41 mg/L. However, this sample was collected at the shoreline following a period of strong northerly winds which resulted in visibly turbid conditions in Smith Bay.

As stated in the draft EIS, ultimately the turbidity plumes from construction and operation must be considered within the context of natural variability in turbidity in Smith Bay. TSS in Smith Bay is significantly low and generally does not exceed 10 mg/L.

It is not possible that the draft EIS purports the acceptability that acute TSS levels exceeding 10 mg/L above ambient will be restricted to within a few hundred metres of the dredging footprint for the expected case. TSS levels exceeding 10 mg/L above ambient have been predicted to extend up to two kilometres east of the dredging footprint under worst-case conditions.

Yumbah KI is less than 400 metres from the dredging activity area and will be directly impacted by elevated TSS.

This has been reported in the draft EIS as acceptable for the proponent, but it is far from the case.

Appendix H refers to:

*Sainsbury (1982) investigated the effects of sediments on an un-fished (wild) population of Haliotis iris in Peraki Bay (New Zealand), in terms of population size and structure, growth, recruitment, mortality and reproduction. He concluded that a "major cause [of mortality]" was burial due to the movement of large volumes of benthic sediments that resulted in changes in sediment depths by up to 1 m.*

This substantively supports Yumbah's claims that sediment which enters the tank, falls out and accumulates, will eventually smother and kill the abalone. If TSS was at 10mg/l for 24 hours, each tank has the potential to accumulate about 2.6kg of sediment.

The draft EIS Main Report also concludes that TSS levels are predicted to increase at the Yumbah seawater intakes by approximately 4mg/L for the expected case, and up to 7mg/L under worst-case conditions.

A concerning factor with this conclusion is the PSD and the concentration of fine sediment likely to be dispersed during dredging is unknown, given sediment sampling and analysis has not been conducted to the complete dredge depth of three metres. Any resulting plume modelling is unreliable.

The draft EIS also reports suspended sediment particles sizes in water samples ranged from 0.2µm up to 3,000µm, with most particle sizes around 100-200µm. There was a higher proportion of inorganic sediment particles (53-65 per cent) compared to organic sediment particles (34-46 per cent) analysed in samples.

Dredging will result in disturbance of a higher concentration of fine sediment, and potentially Class 3 sediment. The usual coarse sediment in Smith Bay of around 100-200µm reported in the draft EIS Appendix F will be exacerbated with fine silt during dredging, potentially remaining in suspension for a significantly longer period than the worst case of 75 days dredging if Class 3 sediment requires dredging.

## INTOLERANCE TO FINE SEDIMENT

The concern with TSS and potential for fines to be disturbed is of greatest significance when highlighting what is incorrect in Appendix H. The author of Appendix H presents false and misleading information relating to abalone's tolerances to TSS.

Construction of the causeway and the dredging of the berthing basin will collectively entail more than six months of exposure to fine sediment loads in Smith Bay. Fine sediment emanating from dredge spoil and construction debris will enter Yumbah's seawater intakes. This presents an unacceptable risk and will significantly compromise the continuing viability of abalone farming at Yumbah KI.

Thus, the risks of the seaport on abalone should be further evaluated in terms of concentration (likely fine sediment loads) and exposure to the hazard (duration). This has not been applied to inform the draft EIS. Modelling and suggested zones of impact are inaccurate and based on incorrect PSD data.

Examining the potential implications of disturbing Class 3 is the only way to correctly anticipate the potential extent of sediment plumes in dredging Smith Bay.

The following statement in the EIS does not constitute mitigation and management of dredge impacts:

*It is considered that it would be possible to mitigate unacceptable effects on water quality at Yumbah's seawater intakes during capital dredging through the adoption of appropriate management measures with the implementation of the dredging management and monitoring plan, which is a normal industry practice adopted during dredging activities. The risk of exceeding TSS thresholds at the Yumbah intakes would be managed (and reduced) by installing alarms and live*

*monitoring of water quality at a point between the dredging footprint and the intakes. Dredging would cease if the alarms were triggered.*

And this statement from the draft EIS is incorrect:

*It is highly improbable that the dredging program would have adverse effects on water quality that would affect the aquaculture production of abalone.*

The draft EIS recognises impact is likely. It states:

*There are no clear environmental windows that offer the opportunity to significantly reduce impacts associated with dredging. Although dredging during winter rather than summer would avoid sensitive periods for the reproduction of seagrasses and invertebrates, it would not benefit macroalgae, which reproduces in winter, and southern right whales, which may visit the area during winter. Consequently, there are no persuasive ecological arguments for dredging during a particular season.*

Not surprisingly, there are relatively few studies which explore impacts of fine sediments on abalone as these are rarely, if ever, encountered in the natural habitat of abalone and have not, until now, been considered as an imminent risk to abalone.

This is also acknowledged in the draft EIS (Appendix H, page 33):

*The paucity of papers detailing negative effects of suspended sediments on sub-adult through to adult animals is likely because such impacts rarely occur in the natural environment.*

There is confusion and direct separation between content in Appendix H and other technical reports presented in the draft EIS.

While Appendix H states that:

*... turbidity levels in Smith Bay routinely reach 5–6 NTU, which would likely correspond to suspended sediment loads in the range 10–20mg/L depending on when and where the measurements are made.*

This is in direct opposition to Appendix F which reports a linear correlation of 0.92mg/L of TSS per 1 NTU of turbidity. The Water Quality baseline reports background TSS as generally <5mg/L, with >50 per cent of grab sample measurements <1mg/L in Smith Bay.

The comparison with a background range of 10-20mg/L in Appendix H is incorrect.

The following claim in Appendix H is both far-fetched and incorrect:

*Assuming the implementation of an appropriate dredge management program, there is no potential for smothering of abalone within the abalone farm due to the proposed dredging.*

This submission already notes the draft EIS modelling of sediment transport is incorrect due to a lack of actual PSD data for the full dredge depth.

Further claims from Appendix H:

*.....the BMT (2018a) study has synthesised data from COOE (2017) which provides a detailed analysis of sediment types and particularly the particle size distribution of sediments as a basis for determining the likely transport pathways and volumes for different types of sediments (Class 1 and Class 2 sediments as defined in BMT 2018a). This work has indicated that dredging operation is likely to encounter sediments comprising a*

*mixture of 75% Silty-Sand and 25% Sandy-Silt.*

Only 25% is forecast to be sandy-silt. As highlighted earlier, it would be a stretch to state that 30% of total dredge volume has been accurately characterised for PSD.

As already noted in this submission, the modelling is flawed and cannot be relied on to adequately predict sediment fate and behaviour.

Appendix H recognises that while summer mortality is not fully understood there are likely to be many other factors that contribute to mortality, including temperature spikes, reductions in the oxygen holding capacity of water, and increased disease susceptibility.

Appendix H lacks consideration of cumulative impacts to reduced water quality, and subsequent impacts to abalone particularly during the summer months when dredging is proposed. Changes to water quality during summer, particularly temperature elevations and degraded water quality, will be exacerbated by dredging in summer, with elevated TSS further stressing abalone. The potential risks to Yumbah KI during the summer months when dredging is proposed could be extreme - and even catastrophic - for abalone.

Yumbah Kangaroo Island Pty Ltd have recently acquired another licence (Active as of 1-Jul-2018) which is immediately adjacent to the KI Seaport land holding on Kangaroo Island. This licence is not currently producing any product. Yumbah's intention with this licence was to expand production of abalone and investigate aquaculture of the other permitted species, but this has been placed on hold as a consequence of this destructive seaport and the legal litigation ensuing between KIPT and Yumbah.

The author of Appendix H purports that abalone are well adapted to high suspended sediment loads, and are more resilient than other aquaculture species that have been investigated. A further claim is that abalone are routinely subjected to high levels of suspended sediments in their natural habitat when material is entrained into the water column of high energy subtidal coastal environments.

This is misleading.

In their natural habitat, abalone are exposed to coarse sand, particularly in highly active coastal zones. The behaviour and impact of larger suspended matter to abalone is unrepresentative of fine sediments, characteristic of dredge spoil. Abalone can tolerate coarser sediment but are demonstrably not well adapted to fine sediments (silt and clay particles).

The information presented in Appendix H blatantly misconceives that data from Yumbah Narrawong (88 data sampling events since 2001) *provide additional evidence that elevated levels of suspended sediments during storm events are not likely to be the cause of elevated mortalities, at least at the levels experienced at Yumbah's Narrawong (Victoria) farm which would otherwise experience much more frequent and presumably more debilitating mortality events.*

Surface water in Smith Bay has been reported in the draft EIS to range from 30µm to 300micron (with some larger particles around 1,000-3,000 micron), with a median sediment particle size (D50) of 89 microns (Appendix F3 p27).

The reported ambient grain size in Smith Bay is generally equivalent to sediment at Yumbah's existing and future abalone farms in Portland Bay. Fifty per cent of

sediment entering Yumbah Narrawong is 100 to 200 microns in size.

A review of TSS measured since 2001 in Yumbah Narrawong's intake waters irrevocably confirms that TSS concentrations are <10mg/L 91 percent of the time. Ninety four percent of water coming into Yumbah Narrawong contains no more 15mg/L of suspended solid.

Interpretation of Yumbah Narrawong's data collected concludes that 5 per cent of the time, TSS results could be anywhere between 15 and 30mg/L, that's 1.4 days a month.

This elevation is experienced with inclement weather patterns that are particularly common along the exposed and rugged coastline where Yumbah's Narrawong farm is located.

The one measurement of 37mg/L was measured when wind gusts were exceedingly strong reaching 81km on the day of sampling.

This is hardly a scenario that can be used in the attempt to convince readers that abalone can tolerate high concentrations of fine dredge spoil as the inexperienced author of Appendix H attempts to purport. Dredging will create a highly turbid plume of fine sediment that will stretch for hundreds of metres, if not kilometres for more than seventy-five consecutive days.

Inclement coastal weather result in coarse sand entering grow out tanks through inlet water, and sand build up in the farming system is obvious. These events are given high priority in any abalone farm and intensified cleaning and husbandry is required to ensure tanks are adequately void of sediment in a timely manner. This increases labour costs and consumption of resources such as water and electricity.

The generalisations and ambiguous references in Appendix H to sediment in abalone habitat are flawed and do not

reflect the reality that abalone are invariably exposed to coarser grain sizes which behave distinctly differently to the fine sediment that will be created during a dredge plume.

To challenge the statement:

*It is evident from the very nature of their environment that abalone must be adapted to suspended sediments simply because they rely upon drift algae, suspended in the water column, as their principal source of food*

This statement is incorrect and misleading.

Fine clays can be 1000 times smaller than drift weed.

Abalone can tolerate coarse suspended sediment in moderation, but health is compromised when exposed to fine silt.

As highlighted in McShane (2019), a number of studies are referenced in Appendix F that purport to show a relatively benign effect of suspended solids on abalone. Most studies cited expose abalone to high total suspended solid concentrations, but few studies examine the specific impact of fine sediments.

Studies cited that examine fine sediments (e.g. Chung et al. 1993<sup>6</sup>) clearly demonstrate that silt and clay can have a significant and negative impact on abalone survival, with mortality increasing with exposure time and concentration. Many experimental studies of sediment impacts examine concentration (of sediment) alone and duration of exposure is not considered.

The impact of extended exposure to concentrations of fine sediment likely to

be disturbed during dredging is predicted to result in additional mortality as physiological impacts become exacerbated in abalone.

This detail on the relationship of exposure time and duration is a significant gap in the draft EIS and demands further investigation.

The author of Appendix H says temperature-dependent mortality reported by Chung *et al.* (1993), 5 to 7.5 per cent over four days to sediment is *low*. In the context of an abalone farming operation, mortalities of this rate would not be viable.

It must be noted that mortality was observed by Chung *et al.* (1993) following three days exposure. Trending data would indicate that continued exposure would result in exacerbating physiological impacts to abalone that would result in exponential abalone mortalities as the duration of exposure continued.

McShane (2019) refers to the Tissot (1992) study quoted extensively in Appendix H, presenting some adaptive strategies of various abalone species to tolerate high water movement – that is, to mitigate shear stress in adhering to reef surfaces.

This is not evidence of tolerance to high suspended sediment loads as claimed in Appendix H. Rather, such adaptations relate to withstanding the shear stress created by wave-induced turbulence in typical coastal subtidal habitat.

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<sup>6</sup> Chung, E-Y., Shin, Y-K; and Lee, J-H. (1993) Effects of Silt and Clay on Respiration and Mortality of the Abalone, *Nordotis discus*. Korean Journal of Malacology. 9(2): 23-29

## SEDIMENT IMPACTS TO ABALONE

In the review of the draft EIS, McShane (2019) explores the impacts of sediment to abalone. The review confirms exposure to fine sediment can have an adverse impact on abalone anatomy and physiology in a number of ways. Abalone are primitive gastropods having a weak capacity to actively extract oxygen from the water column and ventilate their gills and, instead, rely on passive water movement in their natural habitat to drive water into the brachial chambers and to the mantle cavity (Ragg and Taylor 2006, Morash and Alter 2016).

Thus, abalone typically inhabit high energy sublittoral environments where water movement generated by waves and tide provide for the necessary gill ventilation.

Associated with the gills of abalone is a hypobranchial gland which functions to produce mucus to keep the gills and the mantle cavity clean (Wanichanon et al. 2004). When foreign particles from turbid water enter the mantle cavity, the mucus cells bind particles that can be expelled through the ciliary action of the epithelial cells. Abalone have limited capacity to clear fine sediment and associated mucus.

The author of Appendix H raises questions about “mass mortality” events at Yumbah KI associated with resuspension of sediments within Smith Bay during storm events. The extent of mortality during the storm events in 2016 did not trigger the notifiable level for compulsory reporting to PIRSA.

McShane (2019) presents results from qualified histopathologists following two distinct storm events which resulted in elevated suspended solids from Smith Creek entering Yumbah KI’s intake water.

In summary, following both storms, abalone appeared moribund two days after the storm and mortality occurred over six weeks following initial impact from storm suspension of fine sediment.

Histopathological analysis by Dr Richmond Loh, an aquatic animal health specialist, concluded:

*Mortalities were worst in 3 to 4-year old group (harvest class), though 1-year olds were also affected. Clinical signs reported in abalone include swollen head, swollen foot, and difficulty holding onto substrate, and death within 2 days of showing clinical signs. Storms and abalone deaths coincided with higher frequency of clogging of their 1µm water filters (in their hatchery).*

Further detail is presented in McShane (2019), yet a conclusion was:

*Upon examination, these affected abalone had inflammation throughout, but more severe in the muscle of the foot and head regions. The inflammation in the head probably reflects increased silt in the environment of these animals, including increased silt in the mouth.*

## ERRORS IN ECOTOXICITY ASSUMPTIONS

The draft EIS claims the ANZECC (2000) TSS trigger value of 10 mg/L for aquaculture is overly conservative for abalone. The author attempts to justify a new guideline value of 25 mg/L: *suspended sediment levels are not expected to exceed values of the defined threshold (25 mg/L) at which no chronic or acute effects are likely* (Appendix H, Page 69).

*National Water Quality Guidelines* (ANZECC/ARMCANZ (2000)) state:

*Guideline trigger values are concentrations that, if exceeded, will indicate a potential environmental problem, and so 'trigger' further investigation. The investigation aims to both assess whether exceedance of a trigger value will result in environmental harm and refine a guideline value, by accounting for environmental factors that can modify the effect of the chemical. Although in some cases this will require more work, it will result in much more realistic goals for management and therefore has the potential to reduce both costs for industry and confrontation.*

The purported ecotoxicology results in the draft EIS are not generated from an ecotoxicology assay.

Results based on acute exposure to fine sediments over twenty-four hours are not representative of toxicity.

Abalone (even juveniles) can tolerate occasional elevated sediment loads. Short-term responses include increased mucous production (with subsequent energy demand). More importantly, exposure will create physiological impacts to feeding and respiration with the consequences of reduced growth rates and increased mortality.

Comments in Appendix H regarding sediment loads in the natural environment of abalone misses the point that it is the fine sediment (particularly clay) that does the damage to abalone. These fine sediments are rarely present in abalone natural habitat, as is stated in Appendix H.

The test conditions applied in the single, short-sighted bioassay are completely irrelevant to the practice of abalone farming. In a farming tank system, sediments concentrate in the shallow raceways and maze tanks and smother the abalone.

A claim in Appendix H that tippers will adequately deal with additional sediment loads from dredging with no adverse effects on farming operations is incorrect. Tippers are not used in a large proportion of grow out tanks at Yumbah KI. The testing environment is further flawed as test abalone were fed natural feed and tests were conducted at the optimal temperature of 18°C which is not representative of the likely water temperatures in Smith Bay during the proposed dredging period of warmer summer months.

Furthermore, McShane (2019) rightfully highlights that abalone cultivated at Yumbah KI have been selectively bred for Yumbah's farming conditions from brood stock that have been genetically selected for optimal farming conditions. Juvenile abalone exposed to sediment in the laboratory test described by Springer (2018b) were sourced from wild populations and their behaviour cannot be directly compared to farmed abalone due to the genetic optimisation of Yumbah's farmed stock.

ANZECC/ARMCANZ (2000) explicitly states that thorough assessments are required that are site specific and that consider all environmental factors. At a minimum, the establishment of adequate, more appropriate bioassays are required to quantify the true impact on abalone of sediment to be dredged. Exposure and duration within any bioassay must reflect the potential dredging activity.

Additional assessment to correctly quantify acute and chronic impacts of dredge sediment will inform the risk assessment relating to potential dredge impacts on abalone (Appendix H, Table H-12, Page 71) to justify any deviation from the ANZECC/ARMCANZ (2000) guideline value for suspended solids concentration.

Consensus among technical specialists engaged by Yumbah to review the draft EIS confirm that the crude conclusion of a water quality guidelines of 25mg/L for suspended sediment in Smith Bay is indeed significantly flawed.

This value has been derived from one bioassay that exposes abalone to a given concentration of 250 mg/L (reported as the NOEC) for one day, which is unrelated to the actual exposure resulting from dredging.

The findings presented in the draft EIS do not constitute an ecotoxicological evaluation of fine sediments on abalone. As the short-term tests revealed no mortalities (after 24 hours exposure and 48 hours recovery) these results do not constitute an ecotoxicological assessment. Acute and chronic impacts were not observed (e.g. feeding rates, respiration). As highlighted previously, results of Chung *et al.* (1993) indicate continued exposure will likely result in exponential mortality.

Given that there is no evidence in the draft EIS regarding acute or chronic effects of fine sediment on abalone, and the absolute necessity for further investigation, there is no justified basis for setting trigger values higher than the ANZECC/ARMCANZ aquaculture guideline of <10m/L.

#### TIMBER TOXINS NOT CONSIDERED

The draft EIS fails to address potential toxicity to the marine environment from timber chemicals. Likely chemicals that may be used or introduced to the Smith Bay seaport from KIPT timber operations include - but are not limited to - herbicides, fumigants and preservatives. The draft EIS appears to indicate that at this point in the regulatory approvals process, timber-associated chemicals are unlikely to be used on site.

An operations base (to be known as the Heartland Hub) is located at the site of the former sawmill (owned by KIPT) on KI's Timber Creek Road and, if required, would be subject to separate planning approvals outside the scope of the EIS.

The existing site consists of timber products treatment works and a number of larger machinery sheds, currently containing disused sawmilling equipment. The timber treatment works may be retained but the sawmilling equipment would be disposed of.

The KIPT Timber Creek Road facility has an EPA SA licence from 2016 to enable use Copper Chrome Arsenate (CCA). The KIPT Main Report and Appendix C do not mention if timber and woodchips will be treated with CCA or other chemical agents at Smith Bay. Its possible timber will be treated at Timber Creek Road and transported to Smith Bay, creating implications for contamination of stormwater in KIPT's land-based storage area.

Further considerations are required in the draft EIS to reflect additional sources of contamination and ecotoxicity impacts to abalone. Leachate entering stormwater and then the marine environment presents a significant risk to Yumbah KI that should be reflected in the draft EIS Risk Assessment.

#### IMPACTS TO DIATOMS

McShane (2019) highlights dredge spoil as a risk to the viability of diatoms in the subtidal environment of Smith Bay by decreasing available light and affecting light quality.

Appendix H of the draft EIS makes unsubstantiated claims in relation to diatoms and dredge effects, including:

- Diatoms are only important in diet of early stages of abalone
- Algae exhibit a high level of plasticity in their adaptation to ambient light environments allowing adjustments to adverse light climate
- Changes in turbidity at shallow depths are small and will not have an adverse effect on diatom production
- Conditions that would promote harmful algal blooms (red tides) are not likely to occur in Smith Bay

The benthic diatoms preferred as food for farmed abalone lack the motility to migrate to surface waters where the full spectrum of photosynthetically active radiation (PAR) is available (Ault 2000).

Attenuation of light through suspension of fine sediments during construction of the proposed seaport and during maintenance dredging activities will have a deleterious effect on those benthic diatoms favoured in the diet of abalone farmed at Yumbah.

Changes to light climate in Smith Bay, coupled with the potential introduction of exotic dinoflagellates via ballast water, increases the risk of harmful algal blooms.

Yumbah KI relies on a mix of natural diatoms and tank algal growth.

Appendix H attempts to negate the importance of diatoms in abalone farming.

This is incorrect.

The risk of harmful algal blooms will be enhanced by reduction of nearshore currents following construction of a 250m solid causeway in Smith Bay. The draft EIS indicates that reduction in current speed at Yumbah's westerly seawater intake will be about 30-40 per cent. This will lead to potential recirculation of Yumbah effluent and an increase in ambient water temperature: conditions favourable for dinoflagellate blooms.

The risk of recirculation and elevated temperature have not been adequately addressed in the draft EIS using coastal data representative of existing and 'changed' conditions at Yumbah KI.

## TEMPERATURE INTOLERANCES

Appendix H further claims:

*The study also concluded that land-based abalone farms in South Australia are particularly vulnerable to climate change impacts that have resulted in increased sea water temperatures. It should be noted that the predicted changes in coastal processes associated with the causeway may result in a very slight increase in water temperature at the Yumbah seawater intakes (maximum effect less than 0.1 °C). Such an increase may provide benefits during winter but may increase the risk of summer mortality events.*

Additional modelling of this expected temperature increase is required to determine the pattern and frequency to understand if there is reduction in mixing in the immediate shallow inshore environment that will result in greater atmospheric influence on diurnal temperature variation of water; that is, the variation between a high temperature and a low temperature that occurs during the same day.

In winter the cold spikes may get colder and in summer the warm spikes might get hotter.

And again from Appendix H:

*Notably, in 2012/2013, the Kangaroo Island farm experienced losses of 50% of all animals in a growth trial under conditions of elevated temperatures (Stone et al. 2014).*

Truth is, this mortality was under controlled conditions solely for the purpose of understanding feed rates during various temperature regimes.

Appendix H reports a maximum temperature increase of 0.1°C when it is stated that a maximum increase could actually be 0.2°C. Further inaccuracies suggest abalone at Yumbah KI are increasingly at risk of elevated temperatures because of climate change impacts. Smith Bay has experienced minimal change in the rate of temperature change over the last 14 years. Similarly, summer dissolved oxygen (DO) do not pose a problem to Yumbah KI as DO is on average higher in summer compared with winter concentrations.

Appendix H:

*... the future viability of the industry is clearly threatened by rises in summer water temperature and ocean acidification (Doubleday et al. 2013) and unless a substantial improvement in temperature tolerance of cultivated abalone can be achieved the viability of the South Australian industry will be at risk over coming years*

The increase in temperature as a consequence of the causeway has been widely reported in the draft EIS. The above statement, though inflated and distorting, confirms KIPT is aware of the potential implications of the seaport affecting Yumbah KI.

Abalone are extremely sensitive to temperature differentials. It is not known if the reported changes in temperature are cumulative, which could have a deleterious impact to farmed abalone. Alterations and increases in temperature due to reduced mixing have not been sufficiently modelled to incorporate the farm's exit water temperature.

## ADDITIONAL ERRORS AND OMISSIONS

- Information in the EIS has been largely based on the original seaport plan. The wharf and its associated footprint have since been extended from the original design and now sits 420m out to sea
- Sediment to be dredged has not been fully characterised by KPT
- *Fuel/oil spills will be minimised through mandated compliance with established storage and handling standards/protocols.<sup>7</sup>*

No clarification of who monitors/enforces/assumes risk. Who sets standards and protocols?

- *The risk of exceeding TSS thresholds at the Yumbah intakes would be managed (and reduced) by installing alarms and live monitoring of water quality at a point between the dredging footprint and the intakes. Dredging would cease if the alarms were triggered.<sup>8</sup>*

The plan is to stop dredging when an alarm rings. Does this assume somehow the abalone will know to stop eating at the same time? There will be unacceptable effects on water quality at Yumbah's seawater intakes. This will happen. The risks may be reduced but not eliminated. Alarms may sound when TSS thresholds are reached, but containing unacceptable dredge plumes will be difficult

- *The hydrodynamic modelling outcomes suggest that the worst case increases in suspended sediments at Yumbah's seawater intakes are unlikely to have any adverse effects on the health of abalone within the farm.<sup>9</sup>*

The drill core sample is not reflective of what 100 000 tonnes (or 200 000 tonnes – to be confirmed to some point in the future) will release and bring up from the seafloor

- *If local areas of hard substrate not indicated in the geophysical or geotechnical assessment was found to be too strong for cutter suction dredging methods, a long-arm excavator mounted on a jack-up barge may be employed.<sup>10</sup>*

Have excavator impacts on sediment plume been modelled?

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<sup>7</sup> EIS Executive Summary p32

<sup>8</sup> EIS Executive Summary p32

<sup>9</sup> EIS Executive Summary p53

<sup>10</sup> EIS Main Report p74

- *The north coast is a relatively moderate to low energy environment as it is largely sheltered from the prevailing south westerly swells in the Southern Ocean (Edyvane 1999). Nevertheless, it does at times receive relatively small westerly swells that refract around the island and decline in size and energy as they travel east. The north coast is also sheltered from waves generated by strong south-westerly winds in winter, and the prevailing south-easterly winds and sea breezes in summer. It is, however, exposed to waves generated by occasional strong northerly winds.<sup>11</sup>*

Statement of sheltered calm location is false. North-west and westerly winds are the strongest winds Kangaroo Island experiences. Westerly swells regularly reach a height of five metres

- *Winter minimum temperatures were around 14 °C.<sup>12</sup>*

Smith Bay water temperature gets colder than 14°C

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<sup>11</sup> EIS Appendix I p3

<sup>12</sup> EIS Appendix G p12

## GUIDELINE 3:

### BIOSECURITY

#### DESCRIPTION:

Kangaroo Island’s remoteness and isolation has created a unique environment, free from many of the pests and diseases found on mainland Australia. The development of a port will inevitably introduce pest and nuisance species (both terrestrial and marine) to Smith Bay which will be a major threat to Yumbah KI and can have devastating impacts on the Island’s environment and agricultural industries. Smith Bay is a Coastal Conservation Zone without threat from exotic pests and diseases and its existing state of health is vital to Yumbah’s livelihood.

#### SUMMARY RESPONSE

Marine pests are coming and KIPT appears to suggest there’s nothing they can do about it. The risk of introducing exotic invasive pest species and diseases to Smith Bay is the single biggest hazard for Yumbah KI, and its livelihood.

KIPT recognises construction and operation of its port is highly likely to introduce marine pests and aquatic diseases to Smith Bay which is, through careful stewardship and relative isolation, currently free of exotic marine pests.

KIPT further indicate the risk of introducing marine pests and diseases to Smith Bay could be reduced to what the draft EIS describes as an “acceptable” level by adopting “the most rigorous

biosecurity standards prescribed by Biosecurity SA”.

Yumbah simply makes the point there is no acceptable level that can be demonstrated as having “no negative impact” on the abalone farm.

- Smith Bay is currently free of exotic marine pests. KIPT admits construction and operational activities, which include dredging and the movement of domestic shipping vessels into Smith Bay, have the potential to introduce marine pests and/or aquatic diseases
- Biosecurity is a major risk with ballast water exchange and ship fouling, introducing exotic species and disease agents to the pristine environment of Smith Bay
- Complying with national ballast water exchange and the legally sanctioned mechanisms does little to mitigate risk to the environment. There is not a seaport in the world that is void of significant issues associated with introduced marine pests. There are whimsical suggestions in the draft EIS about how to “minimise” the spread of exotic marine pests, but no discussion of eliminating the possibility of them arriving at Smith Bay. KIPT admits its activities will introduce problems to Smith Bay

- KIPT consider that the risk of introducing marine pests and/or diseases to Smith Bay could *be reduced to an acceptable level by adopting the most rigorous biosecurity standards prescribed by Biosecurity SA*. Yumbah disagrees and references the report by Industry specialists Professor Chad Hewitt and Professor Marnie Campbell (see below).
- The unanswered questions include:
  - What's an acceptable level of marine pests arriving in Smith Bay?
  - What happens when "the most rigorous standards prescribed by Biosecurity SA" aren't met?
  - Who will implement a marine pest management program? Introduced marine pests are *impossible* to eradicate
  - Which cop on the beat will be resourced and located to oversee this and drive compliance by this company, which has a poor track record of regulatory compliance.

#### WITHOUT BIOSECURITY, AQUACULTURE FAILS

Biosecurity of aquaculture is one of the most significant factors affecting the success of an aquaculture facility.

The biosecurity risks to South Australia posed by animal and plant pests and diseases, food-borne illnesses and misuse of rural chemicals is managed by Primary Industries and Regions SA (PIRSA). PIRSA has developed the *Biosecurity Standards (abalone aquaculture)* which outline biosecurity standards for abalone aquaculture with the objective to minimise the risk of outbreaks and spread of disease.

The Federal Government's Department of Agriculture and Water Resources (DAWR) has published the *National Guidelines - Biosecurity Plan Guidelines for land based abalone farms* (the Guideline). An objective of this is to strengthen existing biosecurity within abalone farms and implement preventative biosecurity measures, rather than reacting to a disease outbreak.

The DAWR Guideline recognises ports as high-risk sites with the potential to compromise biosecurity<sup>3</sup> of aquaculture.

Eliminating biosecurity risks associated with ballast water, biofouling and imported seafood products, maintaining water quality and disease-free status are essential to the success of aquaculture industries, including Yumbah KI.

The proximity of the proposed KIPT seaport at Smith Bay to Yumbah KI constitutes a significant risk to the existing and ongoing operation of the abalone farm. The impending seaport fraught with all its issues hanging in the shadows curtails any possibility of Yumbah's ongoing investment in KI.

#### EXAMPLE CASE

In 2017, Southwood Fibre lodged a development plan to establish a \$42 million export facility for woodchips at Dover, in the Huon Valley of southern Tasmania.

Similar to KIPT seaport, the Dover proposal included an onshore loading facility and amenities, woodchip pile site, access roads and a ship loading conveyor belt to transport the woodchips to waiting bulk carrier ships, which was set to dock between the shore and Tassal's salmon farm lease areas.

The proposal raised a number of concerns from the community, particularly relating to truck movements, safety and local

tourism. The application revealed there would be an expected 13 truck movements per hour both ways between Strathblane and Judbury if the operation ran 10 hours a day, six days a week. There would also be 800 additional truck movements per week delivering wood to Southwood for chipping.

Community opposed the proposed port due to threat to the area's "clean green" tourism credentials, and environmental impacts on native flora and fauna, including protected species, both marine and terrestrial.

The state's biggest salmon producer Tassal opposed the proposed plant due to the close proximity to its fish farms. Tassal expressly opposed the location and close proximity of the woodchip facility as the two operations could "simply not co-exist" as immediate neighbours.

Tassal's concerns were explicitly related to fish health and biosecurity issues. Bio-security risks, including contaminated bilge release and introduction of pests and diseases were regarded as unacceptable.

Tassal refused to accept the impending risk to its aquaculture operations. As a consequence of the impasse between Tassal and Southwood Fibre, the Tasmania government committed to assist Southwood Fibre with finding a new site for the woodchip export facility recognising the proximity of the salmon lease right out the front of the proposed woodchip location.

This case provides a firm example that Yumbah's concerns as an aquaculture facility are not unfounded and biosecurity is a universally recognised risk.

## SEPARATION DISTANCES

Buffer zones or separation distances between sensitive uses are commonly applied across Australia. As an example, the government of Western Australia has adopted a framework for effective management of risks, contemporary biosecurity management practices and practical measures to improve abalone health management based on sound epidemiological principles for disease prevention and control<sup>13</sup>.

The key principles considered in this guideline when assessing applications for abalone aquaculture are a risk based approach and the precautionary principle.

The precautionary principle defined is a legal and policy principle addressing the problem of scientific uncertainty in environmental decision-making. It is of great concern that the draft EIS does not contemplate any possibility of scientific uncertainty clouding its findings and proceeds to recommend an outcome free of precaution.

This WA guideline recognises that spatial separation is of significance in abalone biosecurity management and is an important biosecurity tool. It focuses on proximity to alternative aquaculture farms to productive reefs, and the principles can be applied to other commercial land uses such as ports.

As stated in the WA guideline *The risk of disease agents being transported along various distances can be described as a continuum, in which the number of infectious particles drops steeply with distance from the source, with only a few infectious particles travelling relatively long distances. Although the likelihood of disease spread is reduced almost exponentially with distance from the*

<sup>13</sup> [http://www.fish.wa.gov.au/Documents/occasional\\_publications/fop132.pdf](http://www.fish.wa.gov.au/Documents/occasional_publications/fop132.pdf)

*source, extensive distances are required before the likelihood of infection approaches zero. Other factors that influence the level of risk are the number of infectious particles, host density and the strength and direction of water currents.*

Of importance is the comment “*the likelihood of disease spread is reduced almost exponentially with distance from the source, extensive distances are required before the likelihood of infection approaches zero*”.

The WA guideline then recommends:

*“As a guide to reduce the likelihood of disease spread, the distance between abalone farms, and between abalone farms and productive reef areas, five nautical miles (measured over water) is considered a suitably precautionary distance. However, based on risk assessments, a distance greater than or less than five nautical miles may be required or acceptable, as the case may be.”*

The distance of five nautical miles is arbitrarily picked – put simply further away is better and closer is worse but presumably has been chosen such that at this distance the *“likelihood of infection approaches zero”*. Likewise, at 0km the maths tells us the likelihood of infection approaches 100%.

Yumbah Aquaculture operates a farm in Allestree, Victoria which is known as Yumbah Narrawong. It operates in the Portland Bay and is located five nautical miles from the Port of Portland. A frequent ill-informed argument made to denigrate our biosecurity concerns is that “you operate next to a port in Victoria and don’t have a problem”. Clearly at five nautical miles the principle of separation is respected by the Narrawong farm and clearly violated by the KI Seaport planned just a few hundred metres from Yumbah KI. At this proximity the biosecurity risk becomes a certainty.

The proximity of the KIPT seaport therefore provides an unprecedented extreme risk to an abalone farm that should be afforded a significantly greater separation distance from this incompatible use.

Based on precautional principles a risk based approach should be applied to define an adequate separation distance between the KIPT seaport and Yumbah KI. The location of the seaport does not provide an effective buffer between port operations and the sensitive use of aquaculture and as such, impact to amenity on land adjacent to the proposed port is unacceptable.

Traditionally, Australian state governments have provided an effective buffer between port operations and sensitive uses.

Maintaining appropriate threshold distances and preventing encroachment of sensitive use and development is important to the long-term sustainability of Yumbah.

## AN EXPERT REVIEW

An independent expert assessment of the potential biosecurity risks to Yumbah KI if the KIPT seaport is established directly adjacent the farm in Smith Bay was completed by industry specialists Professor Chad Hewitt and Professor Marnie Campbell, titled *Review of Marine Biosecurity Aspects of Smith Bay Wharf, Draft Environmental Impact Statement* (May 2019) (Hewitt and Campbell, 2019).

This report is presented as Appendix 4 of this document. The report outlines the biosecurity risks to Yumbah and critiques the content of the EIS *Marine Biosecurity* section and *Appendix I*. Many issues and concerns with the content of the EIS were highlighted in Hewitt and Campbell (2019) and are discussed further, below.

Notably, the author/s of the biosecurity report presented by KIPT, primarily Appendix I5 that the draft EIS has heavily relied on, have not been identified. The experience or qualifications to undertake such an important assessment of potential risks to Smith Bay cannot be verified. The assessment of biosecurity risks in the draft EIS is further questionable as disease risks are further discussed in Appendix H by an author that is not an expert in contemporary onshore abalone aquaculture. Further he has previously advised and been involved in high-profile failed offshore abalone investment schemes.

Smith Bay is a pristine environment and is free from invasive marine species and exotic diseases. It needs to be maintained in this state to protect its environmental values that are so heavily relied on by all its users.

Realistically Smith Bay should be awarded the highest level of conservation status on Kangaroo Island due to its relatively untainted environment. In essence, its status as a Coastal Conservation Zone is in place to do just this.

This environment will significantly change if the seaport is established.

The Victorian Government has recognised the need to protect aquaculture zones by restricting non-aquaculture activities within designated reserves.

The same approach should be applied to protect existing aquaculture and encourage such sustainable investment in South Australia.

## REAL RISKS

Biosecurity risks to Yumbah are imminent during the seaport construction and operation. In a previous report, Hewitt and Campbell (2010) highlighted a large majority of recognised global marine invaders are capable of being transported by multiple vectors, with ballast water (of commercial vessels) and biofouling (of commercial and recreational vessels) presenting the greatest contribution. It must be highlighted that the risks of bilge water are not discussed in any detail in the EIS, which was required by DAC.

The biosecurity risks to Smith Bay and Yumbah KI are real. If realised, they will be catastrophic to the Yumbah KI business. The EIS has recognised that risk of introducing invasive pest species and disease-causing agents is highly likely in Smith Bay if the seaport is established. It will be inevitable.

The EIS highlights shipping vectors (ballast water and biofouling) and acknowledges other vectors are relevant during construction but provides no discussion of risks from sediment associated with dredge or hopper barges.

The most recent article published on biosecurity (Choi May 2019)<sup>14</sup> recognises that with the imminent increase of maritime traffic by a staggering 240 to 1,209 percent by 2005, the risk of marine invasions is likely to risk 3 to 20-fold. This risk is of greatest importance to the large, fast-growing economies such as north-east Asia. KIPT is expecting the majority of its seaport traffic from this region.

## Lack of Priority Pest Species

Introduced marine pests are marine plants or animals that are not native to Australia but have been introduced by human activities such as shipping. They have the potential to significantly impact our natural environment and marine industries, particularly impacting the viability of aquaculture<sup>15</sup>.

The EIS notes that *"all exotic species are of concern to the South Australian Government"*.

The EIS does not clearly articulate the extent of potential invasive species that may be introduced by ballast water and biofouling to Smith Bay during both construction and operation of the proposed seaport.

Hewitt and Campbell (2019) confirm the seaport construction creates a high potential for species transfer due to the movement and arrival of slow-moving vessels with long port residence times, including the potential for sediment transport (dredges and barges) which may lead to the transfer of invasive marine species and harmful algal blooms.

Dredges and supporting vessels are explicitly linked to the transfer and spread of non-native marine species, particularly biofouling species such as *Sabella spallanzanii*, and dinoflagellate cysts in retained sediments from the last port of operations.

There is no explicit assessment of species' transfer risk associated with the construction phase, despite this representing a very high potential due to the movement and arrival of slow-moving vessels with long port residence times.

<sup>14</sup> <https://www.hakaimagazine.com/news/as-global-shipping-grows-prepare-for-a-surge-of-invasive-species/>

<sup>15</sup> <http://www.agriculture.gov.au/pests-diseases-weeds/marine-pests>

As the risk is considered high, Yumbah expected to see an identification of source ports for vessel transfer during the construction phase, and explicit statements surrounding species known from those ports/regions that might pose a risk of transfer.

Biosecurity risks during operation are far greater and assessment of biosecurity risks in the EIS is restricted to the operation phase with a primary focus on ballast water and biofouling.

There is no discussion of the risks from bilge water, which was a required inclusion of the EIS.

The draft EIS is further deficient as it has limited description of the methods used to identify risk species other than a reference to the previously developed generic Commonwealth and South Australian pest identification. The assessment of biosecurity risks used to inform the draft EIS is restricted to a standard list of species.

It should be noted that many of the species identified in Table 1 (draft EIS Appendix I5) are not native to, nor currently introduced to, the Northwest Pacific. As the Northwest Pacific is proposed as the main market for the timber exports, it is critical for Smith Bay that species from this geographic region should feature heavily in the biosecurity risk profile.

This may be an accidental oversight or an omission from the EIS, but it cannot be stressed strongly enough: as the main port traffic is proposed to originate from the Northwest Pacific the exclusion of invasive marine species native to the Northwest Pacific is of paramount concern.

Hewitt and Campbell (2019) identify a significant number of invasive marine species native to the Northwest Pacific not

considered further in the EIS. Hewitt et al (2009) identified 324 marine species introduced to the Northwest Pacific bioregion (107 of which are not present in Australia) and 645 native species that have been introduced to other parts of the world (266 of which are not present in Australia).

The 373 species with an invasion history and known to be present in the Northwest Pacific but not present in Australasia represent a significant risk to Smith Bay that have not been considered in the EIS.

Concern is raised by Hewitt and Campbell (2019) that threat of toxic dinoflagellates in the genus *Alexandrium* and the Pacific oyster, *Crassostrea gigas*, establishing in Smith Bay is considered 'unlikely'.

This is in direct contrast to Appendix H *Aquaculture Studies* (pg 67) that states:

*The risk of red-tide species being introduced via ballast water is real. Such species have been transported around the world in ballast water and most introductions have been to Ports and Harbors.*

Both agents represent significant threats to coastal waters and warrant consideration, particularly as Smith Bay will provide ideal conditions for both agents to proliferate. Appendix H (pg 67) further continues to state:

*While dinoflagellates are present in almost every marine system in the world, the presence of red-tide species is normally restricted to areas where dinoflagellate blooms can occur; this particularly includes protected/ sheltered embayments with high levels of nutrient pollution. Such conditions are not present in Smith Bay (BMT 2018b) where water quality is very good due to the normally low levels of nitrogen and phosphorus.*

It has been verified in the EIS that the construction of the causeway will alter circulation patterns, and reduce currents. These are the conditions that require further consideration to assess the likelihood of dinoflagellate bloom formation. Additionally, the introduction of toxic dinoflagellates leading to uptake within the Yumbah facility creates imminent internal biosecurity risks for Yumbah KI that do not currently exist.

Already established pests also lacking consideration in the EIS include toxic, bloom forming microalga, *Gymnodinium catenatum*; European fan worm, *Sabella spallanzanii*; *Codium fragile* ssp *tomentosoides*; the Northern Pacific Seastar, *Asterias amurensis*; and the Japanese kelp, *Undaria pinnatifida*.

#### POOR DISEASE ASSESSMENT

Australia has a relative advantage through its freedom from many aquatic animal diseases that occur in other countries. Maintaining this status is important for the aquaculture industry to ensure growth and profitability is not jeopardised by exotic pathogens or the emergence of endemic pathogens.<sup>16</sup>

The emergence and spread of significant known and unknown aquatic animal diseases has posed, and will continue to pose, an increasing threat to Australia's relatively favourable aquatic animal health status. Inadvertent transfers via biofouling or water-borne mechanisms are recognised as significant risk pathways for the introduction of new diseases.

The abalone and oyster industries are two sectors with first-hand experience of the devastating impacts of infectious animal diseases.

In the last decade Abalone Viral Ganglioneuritis (AVG) and Pacific Oyster Mortality Syndrome (POMS) have caused substantial economic impacts in Australia and now present trade barriers for movement of livestock<sup>17</sup>.

AVG and POMS have been noted as significant diseases in the draft EIS, however no methodology is presented that suggests a rigorous process was employed to determine either the significance or likelihood of these two species being introduced to Smith Bay by KIPT. The imminent risk of paralytic shellfish poisoning (PSP) and its impact on Yumbah KI's operations is also considered a significant threat that demands further and well-informed consideration.

The draft EIS selection of disease-causing agents appears to have ignored the likelihood of introduction from the prospective trading locations in the Northwest Pacific (China, Japan).

Several abalone diseases resulting in abalone mass mortalities and hatchery losses are known to originate from this region. These include a number of *Vibrio*-related outbreaks causing mass abalone mortalities. The extent to which these disease agents pose a risk to Australian native species has not been investigated or discussed in the draft EIS.

*Vibrio* is widely considered a significant and real threat to abalone. Consideration of transfer through ballast water (including retention after ballast water exchange), or via biofouling is lacking in this draft EIS.

<sup>16</sup> [agriculture.gov.au/fisheries/aquaculture/national-aquaculture-strategy](http://agriculture.gov.au/fisheries/aquaculture/national-aquaculture-strategy)

<sup>17</sup> <http://www.frdc.com.au/Archived-Reports/FRDC%20Projects/2016-245-DLD.pdf>

## INADEQUATE MANAGEMENT AND MITIGATION MEASURES

Hewitt and Campbell (2019) reviewed the management and mitigation measures outlined in the draft EIS and these are insufficiently defined to determine the level of biosecurity protection required.

Management and mitigation measures have been provided for two elements:

- Discharges and Ballast Water Management, and
- Biofouling

The draft EIS argues compliance with international and Commonwealth law as mitigation for discharges and ballast water management. As the stakeholder with the most at risk, Yumbah believes this is inadequate. It will result in failure to protect the marine ecology of Smith Bay and Yumbah KI. Additional risks with construction and operation of the seaport - not included in the draft EIS - are to be considered.

Standard ballast water management practices are insufficient for ballast water sediments, and do not provide protection from domestic ballast water.

Similarly, it remains unclear how vessels that do not complete ballast water exchange; undertake ballast water exchange in coastal waters; or do not undertake ballast water exchange due to safety of life at sea considerations, will be treated.

Yumbah would like to know if these vessels will be allowed entry to Smith Bay and therefore be able to release "untreated" water? Will domestic ballast water be allowed to be released in Smith Bay?

Given that domestic voyages are unlikely to have sufficient time, or attain "high seas" for exchange, they are unlikely to meet the "safe" standards.

Yumbah has grave concerns that the "Same area" concept used at Port Adelaide will be pursued at Smith Bay, despite sureties in the draft EIS that this will not be sought.

## CONCLUSION

It is Yumbah's submission that establishing a seaport in Smith Bay will result in significant biosecurity risks to the marine ecology of Smith Bay, and be catastrophic to the ongoing operations and any possible investment at Yumbah KI.

Hewitt and Campbell (2019) conclude:

- methodology for determining marine biosecurity risk activities, vectors and species is unclear and, based on the material presented in the draft EIS, inadequate
- species assessments do not appropriately consider either the domestic or international source locations to determine the species (and disease agents and parasites) likely to be transported into Smith Bay waters
- risk mitigation measures proposed are generic and meet the letter, rather than the intent, of international, Commonwealth and State requirements
- measures for discharges and ballast water management focus explicitly on the operational phase using commercial trading vessels and are insufficiently detailed to address the construction phase, particularly for the

risks associated with slow moving vessels including dredges and barges

- lack of mitigation measures that consider sediment transfer risk either in the dredges and barges, or in the commercial trading vessels, is insufficient to provide harmful algal bloom protections
- Domestic ballast water movement is unlikely to attain distances offshore to meet the definition of “high seas” and therefore will not be able to undertake adequate protections
- Biofouling species hazards associated with both construction and operational phases will continue to pose unmitigated risks. A restriction on in-water or dry dock cleaning at Smith Bay will not prevent mature species from spawning or being dislodged into Smith Bay
- Mature biofouling assemblages are likely to pose the additional risk of transferring disease agents and parasites into Smith Bay waters

The Kangaroo Island Biosecurity Strategy 2017-2027<sup>18</sup> is clear:

*“...the financial impact on primary production and tourism could be significant if particular pests were to establish on Kangaroo Island, with the success of niche agricultural enterprises relying heavily on freedom from pests and disease. Kangaroo Island’s biosecurity system supports the export of higher quality primary products, which may provide a competitive advantage in some markets and allow entry into others.”*

The proximity of this proposed seaport to Yumbah KI provides a significant risk to the biosecurity of the farm and its subsequent accreditation with Abalone Health Accreditation Plan (AHAP). This formally recognised accreditation provides Australian land-based abalone farms with the tools and templates to create fully auditable biosecurity plans.

*“The relationship between the natural environment and aquaculture is critical because aquaculture relies on a clean and healthy environment”.*

It must be reinforced that mitigation of risks does not guarantee removal of the risk.

To protect Yumbah KI’s thriving business and its future growth, and the natural environment of Smith Bay, appropriate controls must be placed on the introduction and movement of aquatic organisms.

Controls help manage risks associated with emergence and invasion of exotic species, and disease incursions. Applying a robust risk-based approach to managing biosecurity for all industries is central to ensuring the biosecurity of Australia’s aquaculture industry.

In Yumbah’s view, the only control to eliminate the introduction and movement of aquatic organisms and ultimate impact on Yumbah KI is not to establish a seaport adjacent to the abalone farm at Smith Bay.

<sup>18</sup> Triggs, AS. 2017. Biosecurity Strategy for Kangaroo Island 2017–2027. Department of Environment, Water and Natural Resources, South Australia

## ERRORS AND OMISSIONS

- *Movement of domestic ships into Smith Bay from Port Adelaide is considered to pose a higher biosecurity risk than international shipping and would be managed accordingly.*<sup>19</sup>

What does 'managed accordingly' mean? How will this be managed?

- *It is considered that the risk of introducing marine pests and/or diseases to Smith Bay could be reduced to an acceptable level by adopting the most rigorous biosecurity standards prescribed by Biosecurity SA.*<sup>20</sup>

Another hypothetical: "...could be reduced." What is an acceptable number of marine pests arriving in Smith Bay? What happens when the most rigorous standards aren't in place?

- *More than 20 introduced marine species have been recorded around Kangaroo Island, but none at Smith Bay.*<sup>21</sup>

It is necessary to list and detail exotic pests - and include paralytic shellfish poisoning.

- *Tugs and/or bow and stern thrusters (if available) would bring the vessel into the wharf where it would be secured prior to ship loading activities.*<sup>22</sup>

These tugs present a sizeable biosecurity threat, especially from Vic AVG.

- *Other than in exceptional circumstances, vessels would discharge foreign-sourced ballast water on the high seas (that is, further than 200 nautical miles from the Australian shoreline) before entering the Australian EEZ, in conformance with the Biosecurity Act 2015.*<sup>23</sup>

To propose such discharge is unacceptable in itself.

- *The pontoon (purchased in Korea as a barge) has been sandblasted and repainted with anti-fouling paint and would be inspected by Australian engineers before arrival at Smith Bay.*<sup>24</sup>

Pontoon is coated with anti-fouling paint. What chemicals are in the paint and what study has been done to prove no harm and that the pontoon will be incapable of becoming a massive host for marine pests.

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<sup>19</sup> EIS Executive Summary p46

<sup>20</sup> EIS Executive Summary p50

<sup>21</sup> EIS Executive Summary p46

<sup>22</sup> EIS Main Report p80

<sup>23</sup> EIS Appendix U p21

<sup>24</sup> EIS Appendix U p19

- *Regarding the proposed KI Seaport and the existing adjacent abalone farm, it would be essential that measures were taken to ensure that no abalone-related diseases were introduced. The two most significant diseases are Abalone Viral Ganglioneuritis and the parasite Perkinsus.<sup>25</sup>*

Nine OIE listed reportable diseases or etiological agents are recognised from Japan or China that cause impacts to one or more of the approved aquaculture genera. These include two

abalone diseases, one oyster disease and six fish diseases.

Eight are not considered in the EIS. Abalone Viral Ganglioneuritis is considered, but only as a domestic threat, not a threat from Japan where the etiological agent has been detected.

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<sup>25</sup> EIS Appendix 14 p7

## GUIDELINE 4:

### ECONOMY

#### DESCRIPTION:

The proposal is likely to generate jobs on Kangaroo Island, directly and indirectly, during both the construction and operational phases of the proposed development. Given the proximity to the nearby existing aquaculture operation, consideration needs to be given to how the proposed development and use of the port and wharf may impact on the operation of this established business, and how any such impacts will be managed. As the facility is proposed to be a multi-user facility, this may have potential positive impacts on other components of the Kangaroo Island economy.

#### RESPONSE SUMMARY

- *Proposal's economic benefit overstated*
- No genuine cross-economy impact study completed
- Jobs claims fanciful for facility operating at 20 per cent capacity
- No consideration of non-port infrastructure costs, particularly roads
- *Claimed economic contribution ignores direct losses*
- Project approval jeopardises Yumbah KI, endangers other small businesses
- Aquaculture investment at threat if KIPT creates planning precedent

- Only KIPT arguing aquaculture and a deep-water port can co-exist next door to each other
- Peak community representative body, KI Council, says no KIPT at Smith Bay
- Proponent encouraged to move proposal further west, closer to its trees
- *Benefits to Kangaroo Island calculated to show.....benefit*
- No assessment of dispersed losses, including social and economic amenity
- No socio-economic analysis of alternative sites, only site visits by Google Earth
- No accounting for tourism loss, road trauma cost
- No consultation with community to realise shared benefit

#### ECONOMIC CLAIMS DON'T STACK UP

The economic projections of Appendix O *Economic Assessment* of the draft EIS can only be accepted on face value. The discounting of KIPT's estimation and calculation of negative effect can be left to others.

Yumbah has engaged expert analysis to assess the economic impact of its current activity at Smith Bay, and the future impact of its own – stalled, on account of KIPT – investment plans.

## JOB CREATION CLAIMS DON'T STACK UP

The draft EIS estimates 45 construction jobs at the seaport, but apparently only 15 at a time. It suggests 160 jobs will be created for KI at the port and in forestry, but 140 of these will be filled by people from the mainland.

KIPT has explained in the past that KI residents don't have the skills it needs and it will instead import these as it needs them as seasonal or project labour.

It's also unclear as to how many jobs are full time, given the draft EIS reports the possibility of as few as 10 or as many as 20 vessels using the port annually.

## JOB LOSSES NOT FACTORED

The draft EIS builds an assumption that KIPT's proposal will somehow benefit Yumbah. The reality is the opposite.

In simple terms, the first sediment plume generated by KIPT's unmanaged dredging program – barely detailed in the draft EIS - that enters Yumbah's intake pipes marks the end of Yumbah KI. With it go more than 25 direct and seven associated FTE jobs, and a local economic contribution of more than \$4 million annually.

Gone also is a long-term growth plan (shelved by the appearance of KIPT's Smith Bay proposal), that would see Yumbah driving an 8.9% increase on all current FTE jobs in the Kangaroo Island local economy. These FTEs are KI resident workers – on the Island, year-round.

## SAY IT AGAIN: THERE ARE OTHER, BETTER SITES

The arguments have been presented elsewhere and by others, including Kangaroo Island Shire Council, for a more sensible relocation of this project to a more appropriate site.

There are many alternative sites, all dismissed summarily by the draft EIS.

To direct KIPT elsewhere on KI will allow the Island to benefit from the substantial growth trajectory of Yumbah and aquaculture generally. At the same time, it will facilitate the removal of plantations that have blighted Kangaroo Island and stalled its economic performance for more than 20 years.

## ALTERNATIVE ASSESSMENT: NET ECONOMIC EFFECT

To contrast the economic claims of the draft EIS, Yumbah engaged Dench McLean Carlson to complete an econometric analysis of Yumbah's current economic contribution to KI, and the greater contribution that would accompany Yumbah's stalled investment program.

This analysis is presented as Appendix 5.

This investment program includes significantly expanded abalone production and a Discovery Centre at Smith Bay. The Discovery Centre concept has been discussed with Ministers of both the current State Government and their predecessors. In simple terms, the Discovery Centre combines an aquaculture education facility, a global research base, and a high-end "cellar door" tourism model showcasing Yumbah product and the best of KI's gourmet food and high-end fibre producers.

It is difficult to estimate the net negative effect on KI's tourism industry of a woodchip mountain dominating the Smith Bay landscape and seascape.

It's equally challenging to determine the cost of industrialising the North Coast marine tourist experience.

Or to assess the impact of perpetual heavy truck traffic on the tourist experience, the cost of roads KIPT assumes ratepayers or taxpayers will bear – or the tragic cost of inevitable road trauma.

What can be said is that the combined effects of KIPT's Smith Bay proposal provide are a negative transformation for KI.

#### YUMBAH'S KI VISION

Dench McLean Carlson's modelling assessed Yumbah's contribution to the Kangaroo Island economy under three scenarios:

- Current operation – Yumbah KI's contribution today
- Stage 1, Licenced state – a plan to expand the current Yumbah KI site to the maximum production permitted by current licences
- Stage 2, Desired state – an expansion to 1000 tonnes production, with accompanying public access, education and tourism infrastructure

Yumbah KI as it is today value adds to the KI economy some \$ 4.11m annually.

Although the farm has grown over its 24 years of operation, simple mathematics shows an historic contribution to KI nearing \$100m.

Add a tourism-education facility, and it adds an additional \$1.15m annually.

Yumbah's planned expansions are on hold because of the threat of KIPT's seaport.

For the past four years, all KI-based investment proposals presented to the Yumbah Board have been dismissed because of the overwhelming risk posed by KIPT.

Because of this threat Yumbah Aquaculture had to look elsewhere for expansion opportunities, and has recently gained planning and EPA approval for a 1000-tonne farm and aligned production infrastructure near Portland in Victoria.

Yumbah Aquaculture actively practises risk mitigation through diversification of its farm assets across geographically distant areas.

Imminent construction of the Nyamat farm creates the need for 1000 tonnes of production elsewhere. This is the base for the stage 2 proposal to find appropriate land on Kangaroo Island to expand production.

The economic value added to the local economy in these scenarios are estimated as:

- **Current** – \$4 .1m annually
- **Stage 1 + tourism** – \$14.85m annually (includes current)
- **Stage 2** – \$35.4m annually (includes current, Stage 1 + tourism)

Any economic benefit projected by the proponent for the seaport in its draft EIS must be discounted by the unmeasured loss of tourist dollars and the projected loss of up to \$ 35.4 million of potential input to the local economy, every year.

## ERRORS AND OMISSIONS

- *An expected annual average contribution to Kangaroo Island's GRP over the first five years of \$41.7 million each year, of which \$34.9 million is direct investment and \$6.8 million is from flow-on effects.<sup>26</sup>*

These dollar figures don't include the negative effect of losing Yumbah, one of KI's largest employers

- *A boost in Kangaroo Island's GRP of around 16%.<sup>27</sup>*

Again, doesn't include losses suffered from Yumbah's demise or lost tourism revenue

- *More than 230 new full-time jobs would be created on the Island; 160 at the port and in forest operations (e.g. harvesting, haulage, forest management etc.) and a further 70 jobs would be created from the flow-on benefits associated with this new activity.<sup>28</sup>*

160 jobs 'at the port and in forest operations' to service 10 ships a year? Most of these jobs are relatively low-paid seasonal timber workers contracted through labour hire

- *There are unlikely to be sufficient skilled workers on Kangaroo Island to fill the new positions. Consequently, at least 60 per cent of the workers (140 FTE jobs) would be recruited from the mainland, increasing the Island's population by an estimated 330.<sup>29</sup>*

140 jobs to go to people not from or on KI. Not exactly a positive employment outcome for KI

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<sup>26</sup> EIS Executive Summary p60

<sup>27</sup> EIS Executive Summary p60

<sup>28</sup> EIS Executive Summary p i

<sup>29</sup> EIS Executive Summary p66

## GUIDELINE 5:

### AIR QUALITY

#### DESCRIPTION:

It is expected that air pollution (in particular dust) will occur during the construction phase as a result of the use of earthmoving equipment and the physical construction of the port infrastructure. Post construction, the movement of vehicles to and from the proposed site, stockpiling and ship loading operations onsite at Smith Bay will generate air pollution (in particular dust). There exists a sensitive receptor (aquaculture/abalone farm) immediately adjacent to the site that is critically sensitive to dust.

#### SUMMARY RESPONSE

The activity of woodchipping and stockpiled timber will distribute airborne dust and particulate matter across Yumbah Aquaculture's KI abalone farm, presenting substantial risks for the farm.

The draft EIS presentation and interpretation of available data is unreliable and patchy. The obvious omission of critical data and interpretation is of concern for Yumbah and raises doubt about the validity of the air quality assessment in the draft EIS.

- The opinion in the draft EIS is quite firm, that air quality will not be affected by the proposal, if the following control measures are in place:
  - unpaved roads watered during construction and operation

- cleared areas watered during construction and land clearing activities
- woodchip ship loading conveyor covered
- vehicle speeds within the site limited to 15kmh

The draft EIS gives no indication as to who will monitor control measures and oversee compliance and enforcement; where the required immense quantities of water required for air quality mitigation will come from; who will pay for the water; and how associated impacts of this water use will be managed

- Abalone are extremely sensitive to environmental conditions and any change to the equilibrium established at Yumbah KI can be catastrophic for its operations and viability
- Dust from trucks, timber and woodchip storage, plus unpaved site pans will be a significant issue for the abalone farm. Dust will settle on the farm's permeable shade cloth roofing changing carefully calibrated light filtration and during rain events will be washed directly into grow out tanks
- There is no discussion in the draft EIS about the particle size of dust or the chemical composition of the dust. Fine airborne dust will compromise health and productivity of abalone

- It is impossible to control meteorological conditions and resulting airborne dust. Cumulative dust gathering on shade cloth is the biggest issue. If concentrations of accumulated dust became high and heavy rains occurred, events such as the mass mortality that occurred during an intense sediment plume from Smith Creek are likely
- The absence from this draft EIS of discussion and accurate consideration of prevailing winds, and the influences of climate and seasons, is stark. The predominant winds are most problematic for Yumbah KI with the seaport, unloading and log and woodchip storage piles are directly upwind of Yumbah's abalone tanks

## AIR QUALITY

Abalone farming is highly biologically sensitive and environmental stabilisation is critical to success.

Air quality results are presented in Appendix M of the draft EIS and interpretation of air quality modelling is in Section 17 of the main report. The impacts of change in air quality on human health, amenity and ecology have reportedly been assessed. The not surprising assumption of the draft EIS is that there will be no likely significant nearby impacts from the construction or operation of this seaport.

Yumbah engaged GHD to review the Air Quality impacts, inclusive of dust, claimed in the draft EIS.

This review is presented as a letter titled *Smith Bay Aquaculture Assessment Review of Air Quality Impacts* (Cook, 2019) in Appendix 6.

The findings indicate concerns with the modelled inputs and outputs:

- Appendix M purely presents the output data from the air quality modelling. The input data used for modelling is a big unknown.
- Assessment against compliance with air quality standards and guidelines with potential effects of dust emissions on neighbours is primarily focused on impacts to human health and amenity, with little relevance to Yumbah KI
- The Air Pollution Model under-predicts wind speed
- Wind erosion emissions are considered overly conservative and do not adequately predict impact
- Emission factors for dust-generating activities and assumptions for both construction and operations are based on conservative assumptions and again do not adequately predict impact
- Modelling assumes unsealed dirt roads will be constantly dampened, which is clearly impossible
- Broad assumptions have been made for the handling of woodchips, which invites errors in the accuracy of any draft EIS claims
- Rigor has been applied to partition the data into size fractions - but these assume soil characteristics and not fibrous/cellulose material relevant for timber products
- Wind erosion from the woodchip stockpile has assumed the same default NPI emission factor as that used for mine-site overburden.

Further, the deposition modelling assumes a particle density that needs to be different from the other sources. This is not discussed and should be re-modelled correctly

- Both assumptions have the potential to cause inaccurate predictions.
- There are differences in measurement method (wind) and exposure (temperature and rain) at the two sites used to model air quality, raising questions about the reliance on meteorological inland data as representative of the coastal location at Smith Bay.

The draft EIS refers to wind-blown dust currently being deposited *onto the shade cloth which covers the existing raceway and nursery tank systems* (Main report page 222). How this information is gained is not known; suffice to say it cannot be substantiated.

The draft EIS also recognises that dust may fall into raceways and mix with seawater to potentially contaminate water with already increased sediment loads.

Due to the paucity of substantive information proffered by KIPT to support its position in this draft EIS, the resulting air quality impact from the seaport to Yumbah KI cannot be substantiated. The data is poor, inconsistent and lacks accurate interpretation.

- There is no reference, discussion or consideration of prevailing winds at Kangaroo Island and Smith Bay.
- There is a discussion that afternoon winds are stronger than morning which might be considered a universal truth

- There is no description of the prevailing winds for direction or speed at all hours and all seasons

The closest analysis in the reporting is the contour plots for annual total dust deposition (figure 17-11d (EIS, p.395). This indicates the greatest proportion of wind going to the north-north-west (NNW) with a “secondary lobe” to the east-south-east (ESE), directly from KIPT’s proposed woodchip piles and log stacks across the abalone farm boundary.

The results of the TAPM modelling are not available to confirm the validity of the data.

Doubt is compounded as it appears the annualised analysis of woodchip dust has been modelled incorrectly as soil.

The lack of discussion and accurate consideration of prevailing winds, and the influences of climate and seasons has not been discussed in the draft EIS. The assumed predominant winds are the most problematic for Yumbah KI as the timber will be located directly upwind of prevailing winds.

#### WOODCHIP OMISSIONS

A range of assumptions around woodchip emission factors (including the – incorrect - particle size distribution being similar to crustal soil and fibrous material), an investigation of particulate matter fallout across port boundaries is considered more accurate than the modelling approach in the draft EIS.

The draft EIS indicate that changes to air quality because of the proposed seaport are likely to be limited to minor increases in ground-level concentrations of dust (modelled as soil, not woodchips) and are confined to within one to two kilometres of the operations.

The nature of impact across one to two kilometres is not “confined”.

The draft EIS does not consider the sensitive receptors across this wide radius of impact.

The bioassays using woodchip dust performed by Stringer (2018c) do not provide any indication of ecotoxicity of woodchip dust and cannot be relied on to indicate acute or chronic impacts of airborne dust on abalone.

Further consideration of biological impacts from dust to farmed abalone is required.

As discussed substantively in Yumbah’s response to Guideline 2 (Coast and Marine) the revised TSS figure of 25mg/L has been invented by the proponent and contrary to the National Water Quality Guidelines (ANZECC/ARMCANZ (2000)).

#### DUST DURING CONSTRUCTION

The risk of airborne dust during construction and operation to air quality on human health and the sensitive biological system of farming abalone cannot be underestimated.

- The proximity of the abalone farm to the primary dust source places it at severe risk
- The risks to the farm will be exacerbated during summer when cumulative environmental impacts from the dredging and increased sediment loads are forecast, and following construction when wrack (seagrass and macroalgae) will accumulate, temperatures will be elevated and water will be poorly circulated
- These combined risks are unacceptable to Yumbah KI

The draft EIS says (Main report page 222) that the increase in airborne dust will be inconsequential in the abalone tanks when compared to the reported tolerance of abalone species (25mg/L).

## THIS IS WRONG, AND MISLEADING.

Dust accumulating on the shade cloth and a worst-case scenario if this dust is then washed into the farm during rain was considered. It was noted longer gaps between rain would create more intense dust deposits.

As evidenced elsewhere in this Yumbah response document, the assumptions about abalone husbandry presented in the draft EIS are generally ill-informed and are not provided from either a position of well-informed knowledge or robust scientific analysis. They are, at best, opinion favourable to the proponent.

The physiology and behaviour of abalone are intimately known to Yumbah. Abalone remain in Yumbah's farming system for three years and the cumulative impact of such dust accumulation to stock could be catastrophic.

As such, the conclusion in the draft EIS (Main Report, p223) that the *small increase* in the rate of dust deposition on the Yumbah facility because of the proposed development would have only a *very marginal effect* on the farm's water quality, and would have no effect on the health of abalone, cannot meet the test required of a valid Environmental Impact Statement.

## ERRORS AND OMISSIONS

- Modelling *assumed* that the following control measures were in place<sup>30</sup>:
  - Unpaved roads were watered during construction and operation
  - Cleared areas were watered during construction/land clearing activities
  - The woodchip ship loading conveyor was covered
  - Vehicle speeds within the site were limited to 15km/h.

There is no place for assumption under the requirements the South Australian Government has placed on the proponent

- The following mitigation methods *may* be implemented.<sup>31</sup>

A draft EIS built on assumptions that strict control measures will be in place with no reference to who will implement them, who will pay for them and who will maintain them.

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<sup>30</sup> EIS Executive Summary p38

<sup>31</sup> EIS Executive Summary p39

## GUIDELINE 6:

### ALTERNATIVE LOCATION:

#### DESCRIPTION:

To enable a thorough assessment, and a comparative basis of the suitability of the location of the proposal, information should be included on alternative locations that have been considered for the development. This information should include investigations that have been undertaken and reasoning behind why the proponent has deemed them less suitable than the proposed location.

#### SUMMARY RESPONSE

KIPT is absolutely dogmatic about its choice of Smith Bay. It discounts at least four other locations that could be used to transport timber from Kangaroo Island by sea. It is only at Smith Bay that KIPT will undertake industrial-level environmental destruction, destroy adjacent businesses and create Island-wide environmental and safety threats. Why Smith Bay? Because KIPT says it is the “most practicable”, cheapest option – which comes at the highest cost for KI and its people.

- KIPT identified 12 sites, and shortlisted four sites with a desktop assessment. None of the 12 sites were physically assessed. Rather, the company used Google to discount every other option, including one existing export wharf site it already owns.

- In its draft EIS for a Smith Bay seaport, KIPT states:

*“The construction and operation of the facility, with appropriate management measures, would have no negative effects on the land-based abalone farm ...”*

- The basis of KIPT’s absolute “no negative impact” claim is fundamentally flawed.
- There are at least three other sites on KI that would allow for the removal of timber from the island, and allow Yumbah to continue operating. These must be more comprehensively addressed.

#### ALTERNATIVE LOCATIONS

The draft EIS states:

*“Initially, 16 different options at 12 potential locations and sites were evaluated to determine their suitability for use as a deep-water export facility. A shortlist of four options was chosen for more detailed evaluation ... in terms of distance to deep water from shore, the topography of the coastal environment, the ability to establish a multi-user, multi-cargo operation (physical), the impact on sensitive receptors (environmental), potential impacts on neighbours (social*

*and community), and the estimated capital and operating costs (economic).<sup>32</sup>*

KIPT says it conducted desktop assessments using Google Earth Pro to arrive at these evaluations. Yumbah has significant concerns that none of the 12 sites was physically assessed with a studious review to verify the desktop findings.

The selection of Smith Bay appears to be based on KIPT's economic factors and financial return, with the social and environmental impacts assessed with minimal weight.

In its draft EIS, KIPT states:

*"Smith Bay was considered to have a number of advantages that make it the best site on Kangaroo Island for a deep-water port. It is the closest practicable sheltered north coast site to the timber resource that is suitable for deep-draft ocean-going vessels to transport timber products directly to Asian markets."<sup>33</sup>*

KIPT means Smith Bay is 'the cheapest' location rather than "the most appropriate".

The draft EIS notes alternative sites were capable of exporting woodchips but not logs. It stated:

*"... the inability to export logs would represent a material loss of value and income for KIPT and leave the independent growers who have 100 per cent pine facing financial hardship."<sup>34</sup>*

KIPT wouldn't want to bestow financial hardship on the good people of KI, yet it doesn't hesitate to dismiss a successful aquaculture business of long-standing corporate, social and sustainable credentials, which has stalled significant growth plans due to KIPT's intent.

KIPT mapped the following locations:

- American River
- Ballast Head (owned by KIPT and established in the past as an export facility)
- Cape Dutton
- De Mole River
- Kangaroo Head
- Kingscote
- Penneshaw
- Point Morrison
- Smith Bay
- Snug Cove
- Vivonne Bay
- Western River Cove

It must be noted that two additional suitable locations were not assessed, Point Marsden and D'estrees Bay.

KIPT's assessment was conducted using Google Earth Pro, no actual site inspection was performed. This has resulted in a failure to properly assess the most appropriate locations at each site (see further detail below about the alternative sites that question the validity and accuracy of KIPT's desktop assessment).

<sup>32</sup> EIS Executive Summary p17

<sup>33</sup> EIS Executive Summary p17

<sup>34</sup> EIS Executive Summary p17

With the application of local knowledge and physical site evaluations, the viability of the alternative sites dramatically changes.

The responses below question KIPT's assumptions, highlight considerations for other sites on Kangaroo Island and illustrate why Smith Bay is not the best location for the seaport.

## ALTERNATIVE LOCATIONS ASSESSMENT

### Ballast Head

Draft EIS Summary:

- Location of an old gypsum export facility.
- Historic clearing (still visible).
- Vegetation abuts the site.
- Cleared (potentially agricultural) land and interconnected pockets of vegetation exists a distance away from the location.
- Private vessels moor within the protected waters south-west of the location (Figure 5, Appendix B).
- Cross-section shows a steep decline from the top of the site, with a max slope of -28% and an elevation loss of 69 m (Figure 3, Appendix B).
- Nearby oyster lease/s can be seen in shallow (3.6 m) waters just south of Ballast Head (Figure 4, Appendix B).
- Significant amount of residential development (American River) exists

to the south-west in the region, (Figure 5, Appendix B).

A more thorough overview of the site would reveal:

- KIPT currently own the Ballast Head site
- Ballast Head is an existing deep-water port, close to shore, which is ideally suited for woodchip export due to the easy access to a ship loading conveyer.
- New Forests, after ranking eight options, selected Ballast Head as its preferred wharf proposal site<sup>35</sup>. Their Forestry Investment trust estate (now owned by KIPT) comprised of 10,700 acres of hardwood and 8,300 acres of softwood<sup>36</sup>. Clearly New Forests had a compelling business case sustaining both log and woodchip export from Ballast Head.
- As the site was used by bulk carriers from the mid 50's until 1986, the site is already contaminated with exotic marine pests, and therefore KIPT's development doesn't pose a significant biosecurity risk.
- This is the most sheltered deep-water location on Kangaroo Island, and has been earmarked as a port on the DPTI development plan for KI since the 1940's.

<sup>35</sup> <https://www.businesskangarooisland.com.au/single-post/2015/11/03/Forestry-Industry-New-Forests>

<sup>36</sup> <https://www.asx.com.au/asxpdf/20161021/pdf/43c5jpszc79w9w.pdf>

- This location also provides KIPT with the option to move the development just 100m to the north, which would allow for a multi-user facility with a significantly reduced coastline gradient.
- Despite KIPT's claims, the nearest private vessel mooring is located 3km away.
- KIPT uses the oyster lease/s just south of this site is an argument against this location, however the oyster leases are located 2km south of Ballast Head.
- The draft EIS also mentions residential development (American River) located south-west from the site. However, this township is 3km from Ballast Head with no direct line of sight.

## Cape Dutton

### Draft EIS Summary:

- The coastline is banded by a strip of vegetation, with agricultural land directly behind it (Figure 1, Appendix C).
- Consists of very steep cliffs, dropping from a height of almost 75 m down to the water's surface in just over 250 m with a maximum slope of -36.3% (Figure 3, Appendix C).
- Marine vegetation and rock exists close to shore, before dropping to a 20m depth (Figure 4, Appendix C).
- On a regional scale, the coastline vegetation is somewhat interconnected with other areas of vegetation but surrounded by agricultural lands (Figure 2, Appendix C).

- A significant decline to the water's surface exists, with a maximum slope of -36.3% and elevation loss of 75 m just over 350m.
- Majority of the coastline in this area is steeply sloping to the ocean floor, as shown in Figure 5 and Figure 6 (Appendix C).
- Depth data shows that the coast is lined with marine vegetation and rocky outcroppings, followed by a drop to a 20m depth.

A more thorough overview of the site would reveal:

- A site inspection of Cape Dutton shows a clear path to the most suitable location, with a land elevation of only 10m from the shore in the valley.
- The location is close to KIPT's plantations and would be ideal for conveyor or jetty construction due to the deep-water close to shore – with no dredging required.
- Cape Dutton offers a very large area for the development and is located adjacent to a DPTI approved and Council operated quarry which would provide cost savings for KIPT's construction.
- There is minimal tourism interaction on the roads around Cape Dutton, with no township in direct line of sight.

## Kingscote

### Draft EIS Summary:

- Significant residential and commercial development and a jetty and associated infrastructure exists (Figure 1, Appendix F)
- Slightly sloping with a total elevation loss of 29 m and a maximum slope of -6.6%, that presents as a consistent decline from about 250 m to the 1.1km point (Figure 3, Appendix F)
- On a regional scale, the location is at the end of a low headland on the southern side of Bay of Shoals, with a large sand bar providing protection from ocean swell and agricultural land extending a distance away from the coast (Figure Z, Appendix F)
- Public foreshore infrastructure such as walking tracks, ocean pool and parkland visible along the coastline.

## Port Morrison

### Draft EIS Summary:

- Cleared agricultural land with two visible residential dwellings (Figure 1, Appendix H) (Appendix B – Desktop visual assessment of locations 8).
- Surrounded by agricultural land, disconnected stand of vegetation (to the south-east) and vegetation can be seen adjacent to the coastline and throughout agricultural areas (Figure 2, Appendix H).
- Cross-sectional data shows a steady decline of 63 m and a maximum slope of -11.5%, from approximately 100 m through to the 1.04 km point, where the water's surface is encountered (Figure 3, Appendix H).

- Coastal imagery confirms the slight decline to the water's edge, with depth data showing a gradual decline in water depth to the 9.9 m mark and sand pockets marked close to the central location marker.

A more thorough overview of the site would reveal:

- This would be the ideal location for land-based infrastructure and a multi-user port. The site offers access to deep-water close to land.
- Port Morrison is located away from existing aquatic industries, and is close to areas already contaminated with exotic marine pests.

## Vivonne Bay

### Draft EIS Summary:

- Highly vegetated coastal area with some residential development and a river entering the bay.
- Agricultural land beyond the vegetated coastline (Figure Z, Appendix K).
- Large naturally vegetated areas to both the east and west of the location.
- Cross-section information shows a total elevation loss of 21 m with a maximum slope of -7.4%, that shows small rises in elevation at three points (Figure 3, Appendix K).
- Depth data shows shallow marine vegetation, followed by almost immediate water depth of 9.5 m (Figure 4, Appendix K).

A more thorough overview of the site would reveal:

- A development at Vivonne Bay could utilise the existing jetty located just south of the assessed area, which was once used to service the defence force in deep-water. The jetty could be extended to its original length out to deep-water which would remove the need for any dredging.
- This location would be the closest to KIPT’s plantations, and the infrastructure could also be utilised by the local fishing fleet.
- Vivonne Bay is the most utilised location on Kangaroo Island for its local fishing industry, and would be ideal for other users including cruise ships – due to its proximity to Kangaroo Island national parks.

KIPT’s draft EIS also conducted assessments of American River, De Mole River, Kangaroo Head and Penneshaw. Yumbah Aquaculture agrees these sites are unsuitable for this development.

In its draft EIS for a Smith Bay seaport, KIPT states:

*"The construction and operation of the facility, with appropriate management measures, would have no negative effects on the land-based abalone farm ..."*

KIPT is less confident with the Ballast Head site option where the EIS states that compensation of the oyster leaseholder located 3km away may be necessary.

It begs the question why KIPT thinks it necessary to compensate oyster lease holders 3km from the seaport when it is happy to place a port within metres of an established land-based abalone farm.

#### ROAD COSTS

KIPT estimates “road upgrade costs” of \$5 million to \$7.5 million for any site (table 3-3 of the Project Alternatives) to be paid for by government. KIPT states it requires a contribution from government of \$22.5 - \$27 million to make the other options “viable” as compared to \$5 million needed for Smith Bay. However, there is no explanation or substance supplied to back up these estimates.

Cape Dutton, for example, has deep water close to shore which would alleviate dredging costs and a DPTI-controlled quarry which could reduce construction costs. This site already manages industrial elements including dust, noise and other intrusions currently not present at Smith Bay. An independent detailed costing should be supplied.

#### OTHER ERRORS AND OMISSIONS

- *The site at Smith Bay is also cleared and degraded, and there are no material conflicts with tourism or marine parks.<sup>37</sup>*

This is categorically untrue, with tourism ventures such as KI Marine Adventures and Molly’s Run clearly conflicted by this proposal.

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<sup>37</sup> EIS Executive Summary p17

## GUIDELINE 7:

### ALTERNATIVE STRUCTURES (IN WATER)

#### DESCRIPTION:

The proposal includes the construction of a solid causeway that will extend approximately 200m into the ocean for the purpose of loading the timber products onto the ships at the attached floating berth. A solid causeway, as proposed, is likely to inhibit the natural water flow within Smith Bay, and potentially lead to pooling of water upstream. The nature and level of impacts of the proposed causeway on the marine environment (including water temperature), and the ecosystems, recreational and commercial operations reliant upon the waters of Smith Bay, have not been detailed. Merits of alternative in-water structures (including a jetty) should be investigated to determine the most appropriate structure for the area and operation.

- Draft EIS does not consider revised proposal and circumstances
- Causeway in new design 50 metres longer than stipulated in DAC Guidelines

#### IMPACTS ON ECOSYSTEMS, RECREATIONAL AND COMMERCIAL OPERATIONS

KIPT's EPBC referral of proposed action, dated July 2016, states:

*The Smith Bay site is within the Coastal Conservation Zone of the KIDP (Kangaroo Island Development Plan), which means that the proposed development is non-complying. Under this plan, non-complying developments are not prohibited per se, but must be considered on their merits.*

#### RESPONSE SUMMARY

- Minimising cost is the primary determinant driving KIPT to choose a solid causeway in Smith Bay
- Proponent summarily eliminates all other options
- Location and seaport fail to consider wider negative social, economic and environmental implications
- Proponent crafts a flawed catchment model to build a misleading case that a cheap solid causeway would be beneficial for Yumbah KI
- Acknowledges environmental impact could be reduced, but refuses to pay to do so



Figure 6 – Early impressionist wharf image showing "descoped" public access

On this alone, the proposal is in direct conflict with the natural attributes of the Coastal Conservation Zone of Smith Bay and is an industrial activity incompatible with existing land uses.

The wharf location is in front of a public road which has traditionally provided access to a rocky beach that the local community frequently accesses. Locals were promised a boat ramp and fishing wharf. These have been "descoped"<sup>38</sup> along with the promise of servicing cruise ships. As such, the infrastructure proposed in the seaport has no net benefit to the community.

The draft EIS talks of a "Marine Exclusion Zone" and diagrams of the seaport published to local media show security fences extending into the water making the traversal of the Smith Bay foreshore along the beach or by sea impossible.

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<sup>38</sup> KIPT Executive Summary p 11

## WRACK ISSUES

The draft EIS reports that accumulated drift seagrass and macroalgae (wrack) will occur as a consequence of the construction of the causeway. This potential accumulation is absolutely unacceptable as it has the potential to significantly impact Yumbah KI's intakes and abalone health.

Accumulation of drift seagrass and other macroalgae will clog intake pipes and degrade water quality. The extent of degradation and potential impacts on Yumbah KI and Smith Bay are lacking in the EIS, and Romero (2019) has highlighted the need for additional information, including:

- A description of the seagrass wrack dynamics of Smith Bay
- Predictions of the effect of the proposed development on the seagrass wrack dynamics of Smith Bay
- Impacts of the predicted changes of seagrass wrack dynamics on the source waters to Yumbah KI's abalone farm

- Amendments to the risk assessment. Though risk reference item 8 in Table 4-1 of EIS Appendix G identifies the hazard, modification to seagrass wrack accumulation, the basis for a consequence of 'minor' and likelihood of 'possible' is not supported. Further, mitigation measures only change the residual likelihood and not the residual consequence (note this comment also applies to reference item 6 in Table 4-1, and it is uncertain why changes in residual likelihoods to references 2 and 3 are included with no [nil] mitigation measures noted). The inherent and residual risk for seagrass wrack accumulation is not supported.

The draft EIS admits issues will be prevalent around the causeway *Drift seagrass and macroalgae (wrack) may sometimes accumulate against the causeway in response to prevailing winds and currents, but is likely to disperse naturally. The situation would be monitored and managed if and when required.* Where will it disperse if a big solid eyesore of a causeway is blocking its natural passage? Will it dissolve or disappear into thin air? What situation will be monitored and how will it be managed? How much wrack needs to accumulate before it becomes a problem for KIPT? Who will be responsible for the continuous cleaning of the beaches?

The photo below depicts the magnitude of wrack accumulation at the Emu Bay boat ramp. This structure is minute and extends a few metres offshore. The solid causeway proposed by KIPT at Smith Bay will extend 250 metres offshore.

The significant risk of wrack accumulation on the quality of the source waters to Yumbah KI's abalone farm is critically lacking and needs to be addressed as a priority, particularly given the close proximity of the proposed solid causeway to the inlet pipes.

Seagrass wrack accumulation has the potential to impact Yumbah KI's intakes.

Coastal structure (e.g. groynes, causeways) often cause the accumulation of seagrass wrack and degradation of seawater quality that did not occur prior to their placement. The proximity of the causeway to the Yumbah KI facility's intakes may cause wrack accumulation and water quality degradation of source water entering the abalone farm.

The report by Romero (2019) (Appendix 1) shows the draft EIS Appendix G is lacking the information to address the potential impacts of seagrass wrack on the abalone farm.



Figure 7 - Seagrass wrack at nearby Emu Bay

## ALTERNATIVE LOCATIONS

Yumbah's response to Guideline 6 notes alternative locations for this infrastructure with a more positive outcome for community and reduced environmental impact.

Kangaroo Island Council, as the representative body of the KI community, agrees.

The alternative locations have a combination of existing and adaptable infrastructure including port facilities, safer road networks, proximity to KIPT's plantations and greater linkages to workforce and community hubs.

By contrast, Smith Bay is remote, requires considerable and unfunded upgrades to roads and transport routes, and is within a Coastal Conservation Zone and Rural Living Zone.

## THE EVER-CHANGING CAUSEWAY

The proposed in-water infrastructure involves construction of a 250m long solid causeway - not 200 metres as in the Guidelines. This increased length has not been accounted for in modelling and dredging tests.

The causeway is extended with a linkspan bridge to a floating pontoon for vessel mooring and timber loading. It is Yumbah's view that this scale and intrusion is clearly at odds with the coastal landscape of Smith Bay.

The causeway will reduce ocean currents by an estimated 30-40 per cent, which, in turn, will elevate water temperatures, reduce mixing of oceanic water, accumulate drift seaweed (wrack) and compromise oceanic conditions.

These are all prerequisite and currently stable conditions for Yumbah KI's ongoing operation.

## FAR FROM BENEFICIAL

In Yumbah's view it is misleading to claim the causeway will somehow benefit Yumbah KI as the draft EIS suggests.

KIPT purports the causeway will aid Yumbah KI by creating an impermeable wall, physically blocking Smith Creek's flows to the west and isolating flows from the farm's intake pipes.

Construction of the causeway is an escalated threat to Yumbah because it is an impermeable wall blocking oceanic currents, reducing mixing in the receiving environment and subsequently elevating water temperatures and reducing water quality.

Yumbah KI has been successfully operating at Smith Bay since 1995 with negligible impact from Smith Creek. One exception is a limited number of storms in 2016.

Romero (2019) (Appendix 1) reviewed the opinions in the draft EIS attempting to justify a solid causeway. It concluded the catchment model used in the draft EIS to predict the impacts of flood plumes from Smith Creek on the marine waters near Yumbah's seawater intakes is flawed.

The suggested benefit to Yumbah KI, notably reducing water turbidity near the inlet pipes created by a very infrequent 1:10 storm<sup>39</sup> at Smith Bay does not justify the causeway's construction.

According to Romero (2019), the catchment modelling is designed to demonstrate how the causeway reduces suspended sediments created by flooding in Smith Creek. The simulated large

discharge and sediment loads are not verifiable.

The modelling of smaller storms is required to demonstrate accurately the frequency, magnitude and duration of any suggested benefit.

The repeated misuse of modelling data in the draft EIS discounts claims across the entire document.

## CHEAPEST ISN'T BEST

The draft EIS presents findings from an evaluation of alternative structures (in-water).

The preference for the solid causeway combined with a suspended deck is described as:

*"... the most cost-effective option for the causeway to approximately eight metre depth, after which a suspended deck in deeper water would be more cost-effective".*

The EIS Main report (page 43) discusses the evaluation of:

*"...twelve possible combinations of approach structure (three alternatives) and berth face (four alternatives), and a wide range of approach lengths, giving rise to considerable variation in the resulting dredge volume. The main considerations in the evaluation were the anticipated environmental impact and the expected construction cost".*

It considers environmental and economic factors as relevant, yet ignores the existence of Yumbah's abalone farm immediately adjacent.

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<sup>39</sup> AEP states a storm that created this issues in 2016 are 1:10 and as such, extremely rare.  
**Smith Bay Wharf Environmental Impact Statement Yumbah Response**

The draft EIS (page 44) states:

*The most favoured structure (a combined approach with a causeway leading to a suspended deck jetty and floating pontoon) would also be the least expensive to construct and would have relatively low environmental impact. A significant and unjustified increase in construction cost would be required to reduce the environmental impact any further.*

It is Yumbah's view that KIPT could reduce the impact on the environment, it just doesn't want to pay the bill.

#### EFFECTS ON OTHER BUSINESSES

Beyond the massive threat to Yumbah's operation, the visual amenity of KIPT's seaport proposal will also have major impacts on the nearby luxury bed and breakfast, Molly's Run located just 750 meters from the proposed seaport.

Molly's Run has operated at Smith Bay for the past seven years, and hosts around 1,000 guests every year. This proposal will have a significant effect on this tourism business, and no amount of buffer vegetation, or blending colours will prevent the major loss of view for tourists who stay at Molly's Run.

#### BETTER THAN A CAUSEWAY

The suggestion of open culverts or bridge sections with the causeway provides little advantage.

The only option to protect coastal currents is an open-piled jetty with the berth pocket extended further offshore.

Reducing the solid nature of the seaport will assist also with reducing the incidence of marine biofouling of invasive marine species and concentration of disease agents such as toxic dinoflagellates within the nearshore environment.

However, the argument of the draft EIS makes inadequate consideration of Yumbah KI's needs, and discounts without due consideration both alternative sites and alternative structures in water.

## GUIDELINE 8:

### COMMUNITY

#### DESCRIPTION:

The proposal is likely to lead to a change in the Kangaroo Island population (short-term and long-term) both during the construction and operational phases of the proposed development. This will lead to a change in demand for various services, infrastructure and accommodation needs on the Island at various times.

#### SUMMARY RESPONSE

- Yumbah has been operating at Smith Bay since 1995
- 100 per cent Australian-owned and operated
- employs more than 100 full-time staff across regional Australia
- annual combined revenue of about \$30 million
- Investment freeze on KI
- Smith Bay is an optimum site for onshore aquaculture
- threat of KIPT “seaport” has stalled investment, with other states set to benefit
- A good corporate citizen
- Yumbah has always employed more than 20 people on KI
- Develops staff skills and expertise
- Supports local professionals and tradespeople
- Advance aquaculture as a positive, sustainable export business for KI and the State
- Contribute to business and community development groups on KI
- Generous with financial and other support to sports and community interests
- KIPT’s proposed seaport
- A mortal threat to Yumbah KI

#### CLOSEST NEIGHBOUR

Yumbah KI’s abalone farm is the closest neighbour to the proposed KIPT seaport. It shares a fence with the site owned by KIPT, and the wharf is proposed at some 300 metres from Yumbah’s seawater intake pipes.

Each of Yumbah’s four farms is tailored for the environment in which it has been established and operates in accordance with respective licences and permits.

Smith Bay was selected for the quality of its water, appropriate tidal flow, the structure of Smith Bay’s sea floor, remoteness, freedom from marine pests and other threats to sensitive receptors like abalone, and a welcoming community.

This environment is threatened and trust has been destroyed by the arrival of KIPT as an aggressive, careless neighbour willing to litigate without pause to negotiate for a "shared" understanding and benefit<sup>40</sup>.

## YUMBAH AQUACULTURE

Yumbah is the only Australian abalone producer to own and control every aspect of its operations, from breeding, on-growing and feed production through to processing/value adding, marketing and sales.

More than 70 per cent of the 700 tonnes of abalone grown annually by Yumbah is exported to Southeast Asia, North America and Europe.

In recognition of Yumbah's commitment to cultivating premium abalone, Yumbah Aquaculture received the 2017 National Agribusiness Award at the Australian Export Awards. The company also won the Governor of Victoria Export Awards (GOVEA) in 2017.

## SUSTAINABILITY

Responsible aquaculture is caring for the environment by reducing harvest pressure on wild fish stocks. As with so many of the ocean's fish species, wild abalone has been exploited to near extinction in many countries across the globe.

Yumbah reduces this pressure by breeding from internal farm broodstock to produce juvenile abalone which are grown to market size using a controlled but natural production system.

Yumbah utilises seawater pumped from the open ocean, which flows over the tanks and delivers oxygen to the abalone before returning to the ocean. Abalone are reliant on fresh, high quality seawater and are sensitive to changes in water quality. Alterations in water quality such as elevation in temperature, increased nutrients, anthropogenic contaminants and suspended fine sediment can have lethal consequence and at sub-lethal levels compromise health and growth.

## YUMBAH KANGAROO ISLAND

Yumbah KI operates under two Crown land licenses issued by the previous South Australian Department for Environment and Water. Yumbah KI owns Allotments 50, 12, 200. It has two current licences for pump and pipeline purposes, Licence # OL022375 (Crown lands 467 and 361) and Licence # OL21749 (Crown lands 471 and 362).

Yumbah holds land based Aquaculture licences not only for a range of Abalone species but also for Bream, Flounder, Kingfish, Lobster, Mullet, Mulloway, Oysters, Scallops, Sea Urchin, Seahorse, Snapper, Brown and Rainbow Trout and Whiting. The draft EIS is silent on the impact of the Seaport on the cultivation of these species.

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<sup>40</sup> Whilst professing a desire to co-exist with its neighbor KIPT have launched action in the Supreme Court of South Australia whose impact, if successful, will strip Yumbah of some of its ability to carry out its fundamental business of abalone aquaculture.

## KIPT IN OPEN 'LAWFARE' AGAINST YUMBAH

KIPT's draft EIS indicates that the Smith Bay site has *"... several recognised easements and its wharf infrastructure has been designed to ensure the rights conferred by these easements are not compromised"* (draft EIS Main report, page 110).

However, the draft EIS omits details of the easement rights detailed on the full Certificates of Title as can be seen in Appendix 7. One easement referred to in the draft EIS is a drainage easement in favour of Yumbah. This gives Yumbah rights to access the easement at any time to:

*"... break the surface of, dig, open up and use" the easement for "the purpose of laying down, fixing, taking up, repairing, re-laying or examining pipes thereon and for the purpose of transferring water to and the storage of water in a dam thereon, affixing thereon and maintaining pumps and electrical switch gear and of using and maintaining those pipe pumps and electrical switch gear for water supply purposes."*

In 9 March 2018 KIPT disclosed to the ASX:<sup>41</sup>

*"... none of the easements affecting the company's land prevents it from proceeding with the development"*

Further, the company declared it:

*"... does not believe any of the matters are material."*

KIPT has spent a year waging expensive legal action in the South Australian Supreme Court in an attempt to strip Yumbah of these easement rights.

The as yet unanswered question is: if these easement rights have no impact on this proposed development, why is the company spending shareholders' funds and diverting senior management resources at this time in its development to pursue unnecessary legal action?

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<sup>41</sup> <https://www.asx.com.au/asxpdf/20180309/pdf/43sb28v6nl7cf0.pdf>

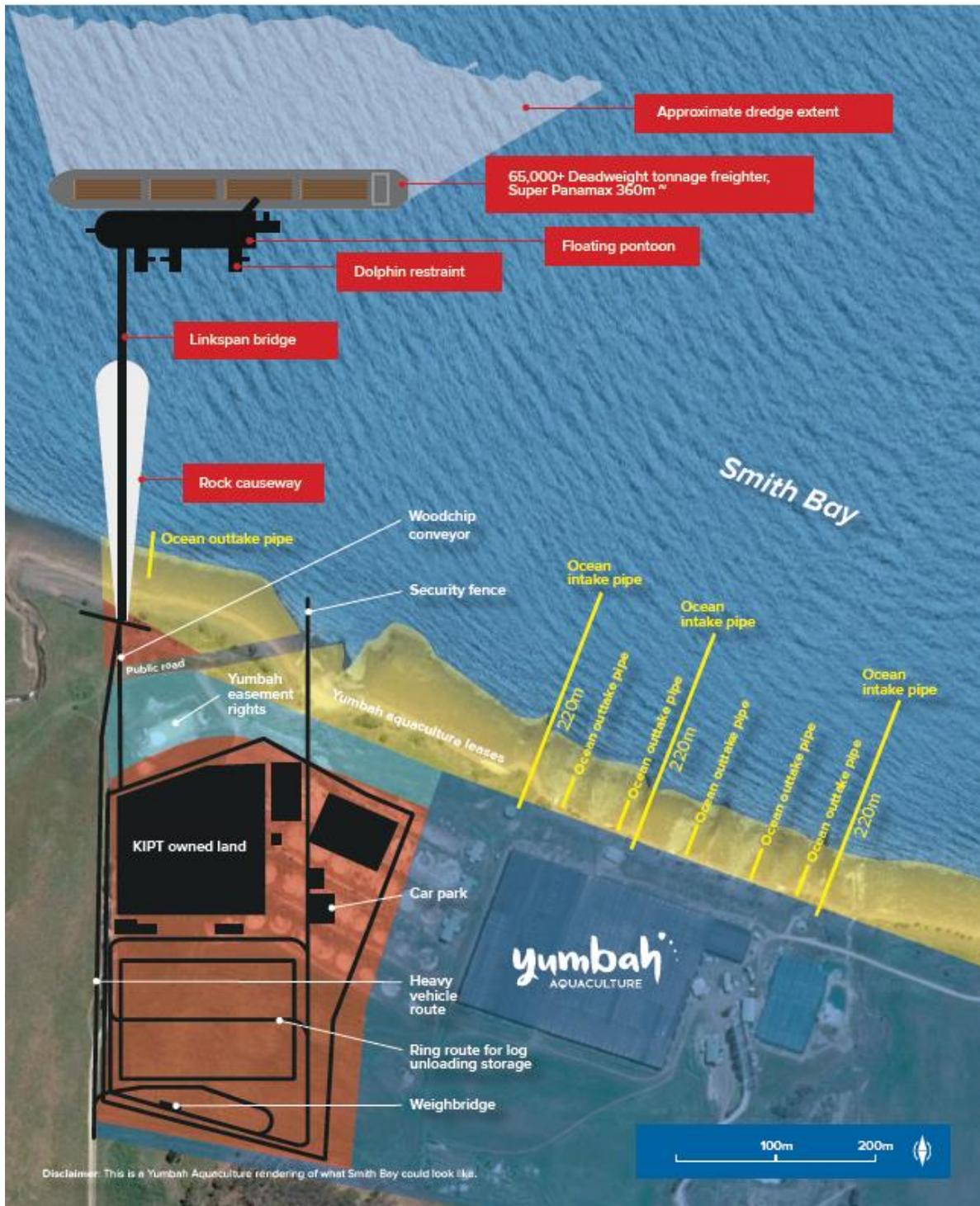


Figure 8 - Rendering of KIPT proposal at Smith Bay showing Yumbah's easement rights

## KIPT LAND USE

The draft EIS makes no comment on future uses of the 225 hectares of land KIPT owns at Smith Bay.

On 4 September 2018 KIPT announced an option to acquire 41 hectares south of and adjoining its existing land at Smith Bay. It told the ASX the control of this land gave it flexibility to:

- Change intersection geometry at the turn-off from the main road to accommodate high productivity vehicles,
- Create a truck parking and driver rest area or an additional pine log storage; and
- Realign the heavy vehicle route from the main road to the KI Seaport
- Possibly dispose of some surplus land and seek to acquire other land parcels in the area

Despite disclosures to the market, the draft EIS is silent on these matters.

## KIPT'S TRUE INTENTION?

Did KIPT buy these parcels to make an approved Smith Bay project attractive to a foreign bidder?

Is this Major Development Process simply a play to offload an approved infrastructure project to a third party?

Why would the company require such large parcels of land around Smith Bay, when according to its draft EIS the development will be fully contained in the 11ha parcel of land directly adjacent to Yumbah?

The draft EIS attempts to raise a robust argument diminishing potential environmental consequences of a timber export seaport built on Yumbah KI's doorstep. The significant and undisclosed risks of further establishing a multi-use port cannot be ignored in an EIS – but they are in this draft EIS.

## KIPT CLAIMS AGAINST YUMBAH

KIPT claims it is a significant contributor to the economic viability of Kangaroo Island and provided optimistic forecasts of jobs, and economic activity associated with its proposal.

To support its case, KIPT has made many claims about Yumbah in private and in the public domain.

It hasn't hesitated to work to dirty Yumbah's standing with Government and community.

It has raised red herring arguments about Yumbah KI's survival at Smith Bay.

It has argued Yumbah's failure to invest is (1) an indication of a struggling business, and the action of investing in site maintenance and (2) an indication Yumbah is confident it can prosper with KIPT as its overshadowing neighbour.

KIPT has even postulated Yumbah faces impending closure thanks to climate change impact.

The real and absolute threat to Yumbah KI is KIPT.

## ERRORS AND OMISSIONS

- *There are unlikely to be sufficient skilled workers on Kangaroo Island to fill the new positions. Consequently, at least 60 per cent of the workers (140 FTE jobs) would be recruited from the mainland, increasing the Island's population by an estimated 330.<sup>42</sup> –*

An estimated population increase of 330 suggests workers will bring their families with them. With 20 per cent utilisation of infrastructure and seasonal work programs, the bulk of these will turn out to be low-skilled contractors on fly-in/fly-out engagement

- *A Marine Activity Zone (MAZ) would be prescribed for the Smith Bay site during construction to warn the public to avoid a clearly defined area to reduce navigational risks.<sup>43</sup>*

How will Yumbah operate in what KIPT will seek to have declared a 'Marine Activity Zone' with temporary exclusion zones? How will KIPT respect the licences and easements that Yumbah holds, some of which intersect and surround the wharf site?

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<sup>42</sup> EIS Executive Summary p66

<sup>43</sup> EIS Executive Summary p63

## GUIDELINE 9:

### NATIVE VEGETATION AND FAUNA

#### DESCRIPTION:

The proposed site is in an area that is mostly cleared of native vegetation, however patches of vegetation remain, and although fragmented these may provide critical habitat for fauna. Investigation into vegetation on surrounding properties and within the adjacent marine environment should also be undertaken to determine if the proposed development and associated activities will impact upon these habitat areas and the species, including migratory species, that may be reliant upon them.

#### RESPONSE SUMMARY

- A single ecological survey conducted over one day in 2016 is not sufficient
- KIPT has not considered behavioural impacts on white bellied sea-eagles or southern right whales
- The arguments in the draft EIS appear to be based on personal judgement, not an evidence-based scientific conclusion

#### NOTHING TO SEE HERE

Despite the ecological riches of Smith Bay and the native vegetation and fauna guidelines above, plus its responsibility to satisfy the needs of an EPBC Act referral, KIPT's draft EIS is premised on just one ecological survey over one day in 2016.

Its conclusion from a walk-past is that there is nothing to see, nothing to manage or protect at Smith Bay.

As example, a patch of the Kangaroo Island Narrow-leaved Mallee (*Eucalyptus cneorifolia*) Woodland Ecological Community on the adjacent southern property fence line has potential to meet the size category for a threatened community.

Likewise, no observation of the daily flight of the magnificent White-bellied Sea Eagle across the subject development site. High-disturbance developments have been shown to affect fledgling outcomes of this endangered species.<sup>44</sup>

And having even further understated the nature of what is in the marine environment, the proponents lists shortfall mitigation measures, some of which Yumbah responds to below.

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<sup>44</sup> Effects of human disturbance on productivity of White-bellied Sea-Eagles (*Haliaeetus leucogaster*), Terry E. Dennis A D, Rebecca R. McIntosh B and Peter D. Shaughnessy C - <http://www.publish.csiro.au/mu/mu10044>

## ERRORS AND OMISSIONS

- *A medium level of risk associated with impact piling potentially resulting in permanent hearing damage to southern right whales within 900 metres of the piling, and temporary hearing damage within 6.5 km of piling.*<sup>45</sup>

How has KIPT reached the prognosis that hearing loss will be permanent or temporary?

Consideration is only given to the physical damage that close-proximity to noise generating sources may cause. There is no discussion of the behavioural impacts of exposure to noise at levels below that causing physical damage.

There is much recent literature about these impacts particularly on behavioural changes resulting from exposure to piling activities. This should be discussed in this draft EIS; it is not.

- *Shipping activity (approximately 10–20 vessels per annum) to and from Smith Bay is unlikely to result in an increase in whale strikes.*<sup>46</sup>

If we're to believe KIPT, it's seaport will operate at just 20 per cent capacity.

We don't know what it will do, what shipping will be required, or what other changes are needed to accommodate the other 80 per cent capacity it's reasonably expected an

ASX-listed company's shareholders will pursue.

How many more ships or other vessels will berth? What sorts of vessels? What cargo? What impacts? What mitigation and management?

No answers in the draft EIS.

- *The construction of a causeway (0.95 ha) and the dredging of the berthing pocket and approaches (9.2 ha) would result in the direct loss of about 10 ha of mixed habitat, including the seagrasses *Posidonia sinuosa*, *Amphibolis antarctica* and *A. griffithii*, and associated invertebrate communities.*<sup>47</sup>

Confirmed sea grass loss, best practice biosecurity does not eradicate the risk.

By the tone of this draft EIS, losing seagrass is okay because there is more along Kangaroo Island's north coast and animals can move there. But sites like Smith Bay have niche ecosystems specific to site, and the variation and ongoing discovery of what Smith Bay is and has continues with the work of citizen science organisations like AusOcean.

On a specific point, the draft EIS fails to mention the severe impact on the critically endangered pipefish, with estimated elimination of 5000 *Syngnathid spp.* as a result of the seaport construction.

<sup>45</sup> EIS Executive Summary p41

<sup>46</sup> EIS Main Document p40

<sup>47</sup> EIS Executive Summary p50

- *There is no reasonable or foreseeable possibility that construction of the wharf at Smith Bay would fragment or decrease the size of populations of any species of pipefish, affect their critical habitat or disrupt their breeding cycles. It is concluded that the project poses no credible risk to the viability of pipefish on the north coast.*<sup>48</sup> –

A “reasonable or foreseeable possibility” is that dredging, disturbance, noise, water quality loss and a suite of other short-term and perpetual interferences in Smith Bay by KIPT will have immeasurable impact on pipefish – and many other native fauna and flora.

- *The seagrasses *Posidonia sinuosa* and *Amphibolis* spp. (*A. antarctica* and *A. griffithi*), which are long-lived and considered to be particularly important ecologically, grow in patches among rock bottom in depths up to 9 metres, and continuously over a mixed substrate of sand, pebble and shell fragment at depths of 9-15 metres.*<sup>49</sup>

*Posidonia sp.* is a seagrass the EPA is particularly predisposed to protecting.

In Yumbah’s experience, if KIPT was proposing an aquaculture venture and *Posidonia sp.* was present, South Australia’s peak environmental regulator would not support the proposal.

The proponent would be directed to relocate to a site where *Posidonia sp.* was absent.

Are the rules for “seaports” different to those for aquaculture?

- *It is concluded that the project poses no credible risk to any of the threatened marine species.*<sup>50</sup>

The method for determining that there is “no credible risk” is a personal judgement in support of the proponent, not an evidence-based scientific conclusion.

- *Noise interference sources include some types of dredging, infrastructure construction and operation (particularly pile driving and explosives) and vessel noise (including tender activity), but the cumulative impacts of all sources of noise interference need to be considered.*<sup>51</sup>

There is no further mention at all of any noise impacts on marine fauna. It’s understood that underwater noise modelling was undertaken for the draft EIS but this has not been incorporated into the marine ecology analysis despite the identification of this issue in Appendix 12.

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<sup>48</sup> EIS Appendix 11 p 27

<sup>49</sup> EIS Appendix 11 p11

<sup>50</sup> EIS Appendix 11 p26

<sup>51</sup> EIS Appendix 12 p5

## GUIDELINE 10:

### TRAFFIC & TRANSPORT

#### DESCRIPTION:

The proposed port, and associated infrastructure, will generate traffic, in particular for the export of timber. The proponent estimates that there will be approximately 14 shipments of harvested timber per year from KIPT operated land, and that the wharf will be used 50-75 days per annum in total for all Kangaroo Island timber exports (including from other timber operators on the Island). As it is proposed to be a multi-user wharf, traffic will also be generated from a range of potential other uses including, but not limited to, agricultural exports and tourist and/or cruise ships. – DAC Guidelines.

#### SUMMARY RESPONSE

A-Double trucks, also known as a short road train 30m long carrying up to 60 tonnes, will haul timber on KI roads, 24 hours a day, seven days a week. At peak production, a truck is expected to pass along KIPT's transport route to Smith Bay, in each direction, every 22 minutes. This huge volume of traffic will travel on roads not fit for purpose, in areas not accustomed to dealing with timber haulage vehicles, among tourists and school buses.

The impact on KI and its residents will be massive, and to date there is no information as to who will pay for the necessary road upgrades and maintenance, the inevitable road trauma, or the effect on native fauna.

- Timber haulage vehicles will increase wear on poor roads that are not built to carry heavy traffic. Yet there is no established plan as to who will pay for the constant road maintenance and upgrades. KIPT says it won't pay. That leaves KI ratepayers or South Australian taxpayers footing the bill.
- The impact and heightened risk of such careless planning on road safety, community amenity and public infrastructure is a matter of record in The Green Triangle plantation region.
- Road safety guidelines will be required, to reduce, but notably not eliminate, the increased number of accidents that will occur on KI roads due to timber haulage. Again, there is no suggestion as to who will pay and who will implement these.
- In pursuing Smith Bay for its seaport, KIPT is forcing timber haulage vehicles to drive further than necessary, given there are suitable wharf sites closer to its timber plantations.

## INCREASED TRAFFIC ISSUES

Timber haulage will see A-Double trucks – semi-trailers with two trailers – driving continuously on KI roads 24 hours a day, seven days a week. At peak production, a truck would be expected to pass along the transport route in each direction approximately every 22 minutes.

These heavy vehicles will increase surface wear on unpaved and poor conditioned roads unsuitable for this kind of heavy, consistent traffic. Yet KIPT says it has no idea who will pay for the constant road maintenance and upgrades – assuming it will be council ratepayers or taxpayers through government funding.

The EIS states:

*"During the construction phase, the increase in traffic (up to about 10 vehicle movements a day over the 15-month construction period) is likely to be indistinguishable from existing volumes."<sup>52</sup>*

This EIS does not reveal the traffic baseline so it is impossible to evaluate the nature of the increase in traffic – it simply cannot be defined or dismissed as “indistinguishable”.

The EIS states:

*"During the operational phase, heavy vehicle movements are likely to reach a daily maximum of about 130 and an average of about 85."<sup>53</sup>*

The EIS also states:

*"The proportion of heavy vehicles using the roads would increase from the existing 6 to 15 per cent up to approximately 11 to 22 per cent near the major population centres, and up to 28 per cent on Playford Highway."<sup>54</sup>*

This effectively doubles the proportion of heavy vehicles using KI roads. Meanwhile, the exact nature of the heavy vehicles is yet to be defined nor has the exact route taken nor the specific activities these vehicles will be carrying out.

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<sup>52</sup> EIS Executive Summary p62

<sup>53</sup> EIS Executive Summary p62

<sup>54</sup> EIS Executive Summary p62

## TRAFFIC SAFETY ISSUES

KIPT says it will need:

*"A set of road safety guidelines developed by the University of Adelaide's Centre for Automotive Safety Research for KIPT, to improve the safety of the timber haulage operations, through safer roads and speeds, driver competency and training and in-vehicle technological aids".*

This is a dangerous operation. Timber haulage vehicle near misses, incidents

and collisions will be a consistent annoyance to life on Kangaroo Island.

The EIS states:

*"training and safety initiatives"*

will be required to minimise incidents, noting that there is absolutely nothing anyone can do to stop them if the seaport is constructed. There is no discussion regarding who is going to implement any "initiatives", who will ensure they happen and who will pay for these.



Figure 9 - Image from [www.kangarooisland.sa.gov.au/vegetation](http://www.kangarooisland.sa.gov.au/vegetation)

## NATIVE FLORA AND FAUNA

The EIS estimates up to 21 endangered Kangaroo Island echidnas will be killed each year as a result of the timber haulage, while other animals including the southern brown bandicoot and the hooded plover will also be affected. By building the seaport at a location closer to the tree plantations, the distances travelled by timber trucks would be reduced and, as a result, the impact on native fauna would also be reduced.

The EIS provides no plans or specifications for the road upgrades that will be necessary to support the traffic from construction vehicles and timber haulage trucks. It is therefore not possible to estimate the impact on roadside vegetation and the extent to which any such upgrades would comply with or be denied by the KIC Roadside Vegetation Management Plan<sup>55</sup> (KICRVMP) which operates under the legislative framework of the *Local Government Act*, *Native Vegetation Act* and the *Environment Protection and Biodiversity Conservation Act*. Key considerations listed by the KICRVMP for managing roadside vegetation include:

- Managing the spread of Phytophthora (a soil based root fungus)
- Preserving threatened species (15 EPBC identified Nationally threatened plant species)

The EIS is silent on these issues.

## OTHER ERRORS AND OMISSIONS

- The EIS states the exact nature of the traffic on KI and the number of

*"vessels visiting each year depends on the sequence of plantation harvesting, commodity prices and availability of shipping."*<sup>56</sup>

The economic viability of the proposed seaport depends entirely on the sequence of plantation harvesting, commodity prices and availability of ships, none of which is in the control of KIPT.

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<sup>55</sup><http://www.kangarooisland.sa.gov.au/webdata/resources/files/KIC%20Roadside%20Vegetation%20Management%20Plan%2002007.pdf>

<sup>56</sup> EIS Executive Summary p21

## GUIDELINE 11:

### WATER

#### DESCRIPTION:

Water availability and use is a critical issue on Kangaroo Island and is fundamental to the livelihood and sustainability of the community and local industry. SA Water supplies reticulated water to some areas on the island, however Kangaroo Island is heavily reliant on the capture and reuse of surface water. The proponent should indicate how it is intended to source, reuse and treat water for, and at, the proposed site, to minimise impact on existing water resources and quality.

#### RESPONSE SUMMARY

- KIPT will need water for dust suppression, fire hazard reduction and firefighting
    - The source of this reliable supply is not known
    - Water for dust suppression will be contaminated with dust, chemicals and organic matter that will negatively affect Yumbah
  - Such contaminated water may find its way into groundwater or Smith Bay
    - There is evidence the groundwater is connected to the marine environment
  - KIPT's proposed industrial stormwater ponds are 125 metres from Smith Bay
    - EPA requires wastewater lagoons to be at least 500 metres from a high tide mark
- 
- KIPT will need massive volumes of water during construction and ongoing operations
    - Draft EIS has no information about water sources, rights or licensing
    - There is no information about who will pay for water delivery and removal infrastructure
  - Spray run-off is a contaminant risk for Yumbah KI
    - Draft EIS is silent on water treatment and containment on-site
    - The reasonable assumption is that contaminated water will go either back to the water table or to pollute Smith Bay

## WATER IS CRITICAL

Water availability is critical on Kangaroo Island. Smith Bay has no access to reticulated water from SA Water and groundwater is highly saline, which means the project will rely on capturing and reusing surface water.

The only water supply for its immediate neighbour, Yumbah KI, is obtained from rainfall captured into a dam. The silence of the draft EIS on the matter of sourcing a water supply seems, ignorantly, to assume the availability of a metropolitan, city level, supply of water to remote Smith Bay.

Water is required for:

- Dust suppression
- Dredge spoil watering
- Hazard reduction (woodchips and logs)
- Fire suppression (emergency)
- Potable supplies for staff amenities

The draft EIS states water is required for:

- Mitigation measures to reduce emissions during construction and operations, including using water sprinklers on cleared areas before infrastructure construction during periods of adverse (hot and windy) weather<sup>57</sup>
- Using water sprays on bare timber during hot and windy weather and using water sprays during woodchip and log handling and loading<sup>58</sup>

- Watering unpaved roads during construction and operation and cleared areas during construction/land clearing activities<sup>59</sup>

But where is the water coming from, and in what volumes, requiring what treatment to make it fit for purpose?

The draft EIS reports ongoing water demands to be:

- (enough to spray) up to approximately 0.5 ha of roadways and up to 5 ha of timber storage areas requiring a peak of approximately 10,000 litres per day
- fire suppression water only required in emergencies and training/readiness drills
- up to approximately 500 litres per day of potable water associated with staff ablutions and drinking water

The draft EIS offers storage of up to 54,000 litres of dust suppression water (in addition to storage within the site retention basin) in a high-density polyethylene tank (or series of tanks), with separate firewater storage.

Using the utilisation figures above, this means KIPT will hold enough water for just 5.4 days of spraying the timber storage area.

What happens after this?

The amount of water available for dust suppression and firefighting is most likely inadequate.

<sup>57</sup> EIS Executive Summary p37

<sup>58</sup> EIS Executive Summary p37

<sup>59</sup> EIS Executive Summary p38

## FIREFIGHTING AND DUST SUPPRESSION INADEQUATE

Dust generation and combustion of stockpiled timber or woodchips at the seaport will present a new threat to Yumbah KI, particularly given its primarily “down-wind” positioning from the sources of these threats.

The impact of fire is exacerbated by Smith Bay’s isolation and the absence of readily available local emergency services.

Kangaroo Island is experiencing more frequent extreme weather conditions where summer temperatures consistently reach mid-40s for extended periods. Under these scenarios, there is no guarantee a reliable water supply will be available for firefighting.

The draft EIS reports:

*“... timber log and woodchip storage yards are isolated from the general stormwater system. Each yard will drain via a concrete forebay to intercept sediment and debris. Stormwater will then enter the retention basin (holding pond)”<sup>60</sup>.*

Water from the retention basin will be:

*“used for irrigation of adjacent landscape buffer (where contaminants will biodegrade) and for dust suppression (within wood storage areas)”<sup>61</sup>.*

Dust suppression using industrial stormwater will likely involve spraying timber stockpiles, which means airborne water mist extending to Yumbah’s adjacent sensitive receptors.

The proposed use of contaminated industrial stormwater for landscape watering and dust suppression gives no consideration to the threat of this activity to the ongoing operations of Yumbah KI.

## WATER FOR DUST SUPPRESSION INAPPROPRIATE

The draft EIS fails to provide adequate understanding of potential contamination of the captured stormwater and timber leachate generated within the hard stand areas of the seaport.

Logs and woodchips (without additional chemical treatment) can leach high organic matter and correspondingly high chemical oxygen demand (COD), both of which are known to decrease oxygen levels in receiving waters. They can also leach phosphorous, nitrogen, phenols, resin acids and ammonium and alter soil and water pH.

Of the organic compounds extracted from softwood, those of greatest concern as likely contributors to toxic runoff include tannins, lignins, phenols, tropolones, volatile fatty acids and resin acids. Increased irrigation intensities and pollutants can exceed the infiltration absorption and degradation capacity of soil, resulting in leaching to groundwater.

An ecotoxicological analysis of the stormwater must be conducted to understand the effect of any proposed reuse.

<sup>60</sup> Main report pg.73

<sup>61</sup> Main report pg.371

## HIGHLY SALINE

The use of groundwater and seawater as potential emergency water supplies should be prohibited due to elevated salinity in both sources.

The draft EIS states:

*"groundwater is unlikely to be in use in the immediate Smith Bay region and there is no intent to use groundwater for site activities".*

"Unlikely" suggests "possibility" and must be confirmed or denied. If there is possibility, there is intent to extract groundwater for on-site activities, and a hence a comprehensive groundwater assessment is required.

## NEGATIVE EFFECTS ON GROUNDWATER

Potential impacts of site activities to groundwater below the site and connectivity with regional aquifers demands further investigation.

A single grab sample taken towards the northern boundary of the site identified the groundwater to be 1.65m below ground level (BGL) (Appendix L, Section 4.3).

The total dissolved solid (TDS) concentration was 18,000 mg/L, indicative of saline conditions, inferring that groundwater is potentially connected to the marine environment. Contaminants including iron, lead, cobalt, copper, sulphate and nitrite were measured in the sampled groundwater. This single sample is scientifically insufficient to adequately characterise baseline groundwater quality at the site.

The potential impact on groundwater from stormwater management and industrial water reused for dust suppression and landscape watering must be further investigated.

**STORMWATER PONDS: TOO CLOSE FOR COMFORT**

SA EPA509/19 *Wastewater lagoon construction* guidelines state:

*"To minimise the impacts of odour, the risk of leakage to groundwater and the risk of polluting groundwater or surface waters, the construction of wastewater lagoons should be avoided ... within 500 m of a high tide mark.*

The draft EIS proposes industrial stormwater be ponded 125 metres from Smith Bay. The draft EIS Appendix C3 identifies this location due to the low topography of the land.

The location of this contaminated stormwater storage presents risk to both Smith Bay and groundwater beneath the site, and is just metres of Yumbah KI's grow-out tanks (see Figure 10).

**NOT THE SOLUTION: MORE TRUCKS**

It has been suggested fresh water be brought to the site by a third-party to supplement short supply.

Further, reclaimed seawater may be used during extended periods without rainfall. This brings even more trucks to an incapable road network – and has not been considered by the draft EIS traffic impact assessment.

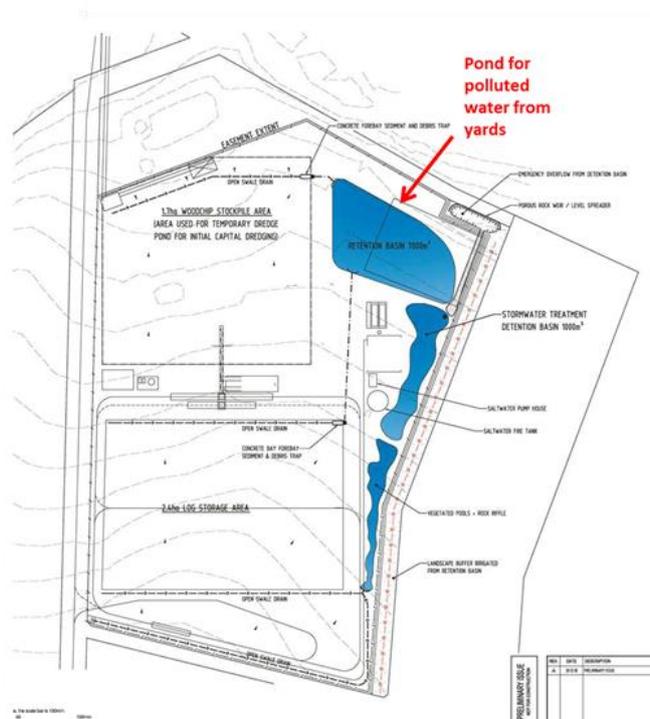
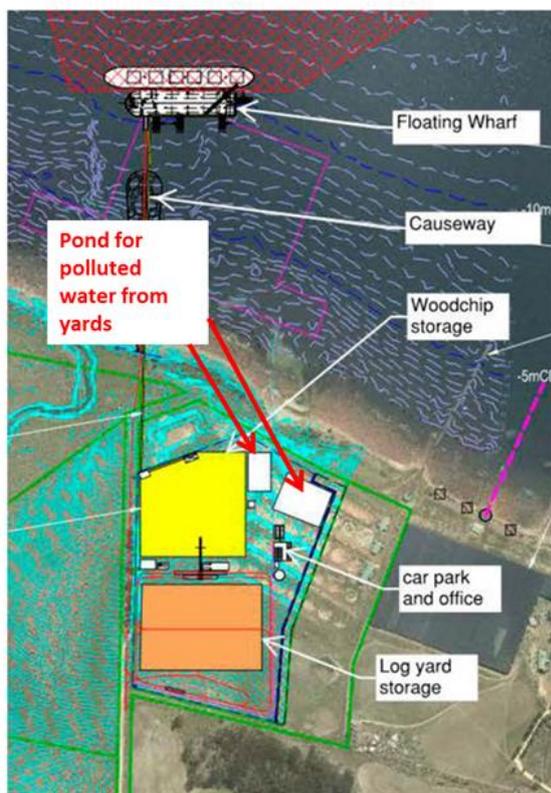


Figure 10 – Graphic from KIPT's draft EIS showing the locations of contaminated stormwater storage

## GUIDELINE 12:

### NOISE & LIGHT

#### DESCRIPTION:

It is expected that both underwater and terrestrial noise pollution will occur during the construction phase as a result of securing the mooring and retaining structures to the seabed, the use of earthmoving equipment and physical construction of the structures. Post construction, the movement of vehicles to and from the proposed site, stockpiling and ship-loading operations onsite at Smith Bay will also generate noise. If construction and/or operations are to occur at night there will also be light pollution impacts on the surrounding area.

#### SUMMARY RESPONSE

The lighting required for the proposed seaport to operate safely and commercially is not compatible with the operations of an adjacent onshore abalone farm, nor for guests at high-end accommodation who stay at Smith Bay for its peaceful isolation. Further, escalated noise levels during construction and operations, both on land and in the Smith Bay marine environment, will have a negative effect on amenity, on native species – and the wellbeing of highly sensitive abalone.

- KIPT claims the major source of artificial lighting at Smith Bay is associated with the existing land-based aquaculture operation which is continuously lit at night. This “major source” at the abalone farm consists of two single outdoor lights for security purposes
- The two security lights are minimal and shielded from abalone production
- Abalone feed predominantly at night, and onshore production mimics natural cycles by ensuring darkness at feeding times
- Light spill expected from the port construction and ongoing operation will further jeopardise Yumbah’s ongoing business in Smith Bay

KIPT agree that construction may cause permanent hearing damage to whales that come within one kilometre of the wharf, and temporary damage for those that come within 6.5 kilometres.

- There is no existing regulatory requirement regarding underwater noise to drive standards and compliance by KIPT
- KIPT admits that there will be significant underwater noise during the construction phase

## LIGHT

KIPT claims that the wharf will be lit similarly to the abalone farm. Apart from small external security lights Yumbah KI does not emit light at night. Light from the seaport however will be emitted continuously at night, and it is expected large flood lights will brightly illuminate the entire port area pre-dusk to post-dawn for safety and ongoing operations.

Abalone are extremely sensitive and largely intolerant to night-time light. Literature indicating abalone's sensitivity to light is missing from the draft EIS.

The most viable comparison is a night photo of the woodchip/wharf area at the Port of Portland in Victoria whose activities would be subject to similar OH&S requirements as the proposed KI wharf.

The amenity that sustains the nearby premium accommodation business, Molly's Run, will be ruined which currently invites guests to "enjoy beautiful night skies, sunsets, dawns".

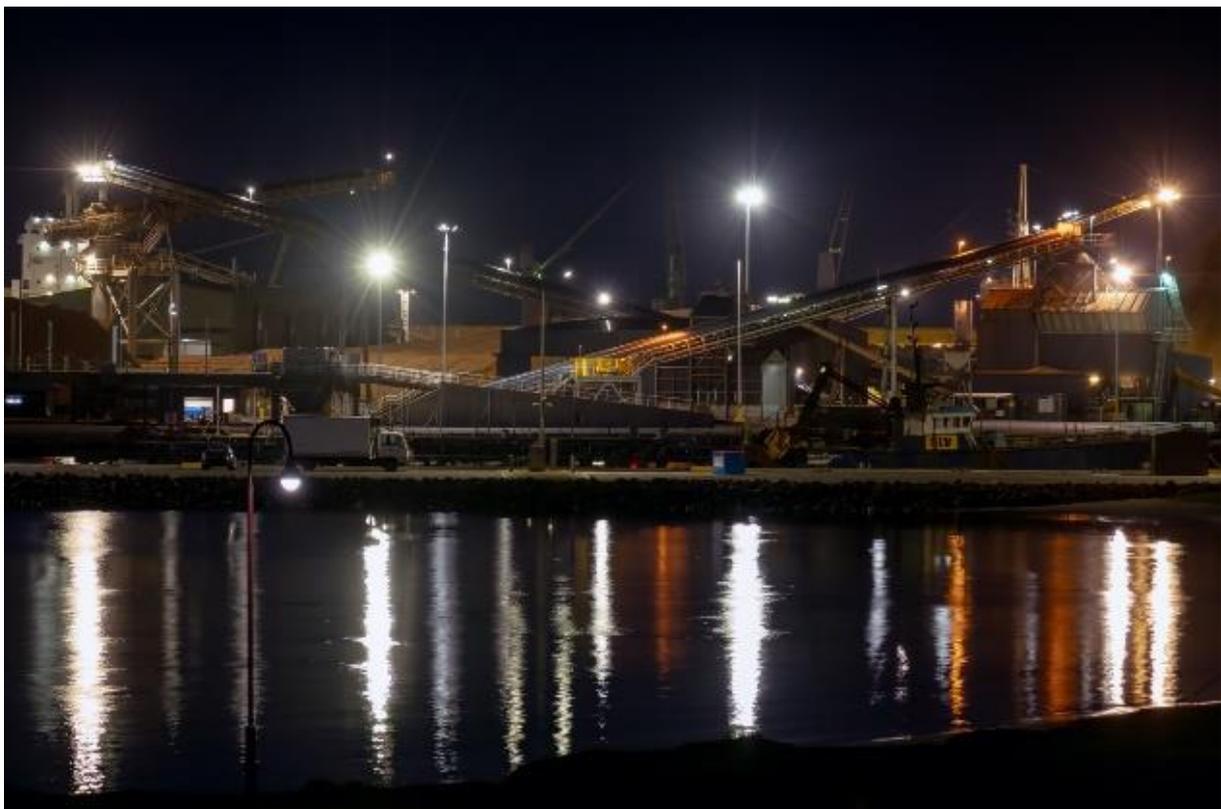


Figure 11 - Port of Portland at night.

## ABALONE FEEDING

Abalone are disturbed by light, they actively feed at night and are sedentary during the day. Any light emitted by the seaport will compromise their feeding behaviour, significantly reducing animal health, compromising welfare, and reducing the productivity and viability of Yumbah KI.

The draft EIS states

*"the major source of artificial lighting at Smith Bay is associated with the existing land-based aquaculture operation, which is continuously lit at night, illuminating the beachfront north of the facility and the abalone tanks, and the western side of the facility."*

This opinion, like so much of the opinion offered by KIPT in the draft EIS, is partially true in some way, but simply incorrect in context.

There are at this point in time no lights at Smith Bay other than security lighting on the Yumbah KI office building to illuminate a small area of the farm for security purposes.



Figure 12 - Drone photo of Yumbah KI at night.

McShane (2019) confirms that light-spill onto the abalone farm from KIPT's proposed infrastructure in the hard-standing area and along the wharf/causeway as well as from transport vehicles will create significant difficulties for Yumbah KI.

The vague and misleading assessment regarding abalone tolerance to extraneous light attempts to relate abalone's propensity to preferring dark environments as their defence mechanism to avoiding predation. Abalone are cryptic gastropods, preferring to hide in crevices and against ledges. They are nocturnal feeders and feeding rates decrease in the presence of light (e.g. Ebert & Houk 1984; Tutschulte & Connell 1988; Tahil & Juino-Menez 1999; Garcia-Esquivel et al. 2007; Searcy-Bernal & Gorrostieta-Hurtado 2007; Lloyd & Bates 2008).

If an accurate interpretation of literature was indeed conducted for extraneous light impacts to abalone, Section 4.3.2 of Appendix H would otherwise have accurately presented the evidence to conclude night-time light is detrimental to abalone in a farming environment.

Appendix H concludes that in a study by Alter *et al.* (2004) there was no measurable effect of light vs dark conditions on the oxygen consumption rates (used as a direct index of stress) for these animals. The outcomes of this study were blatantly misrepresented, tests were conducted on abalone larvae in a hatchery.

Reference to Pereira *et al.* (2007) is misleading. The results of the experiment were inconclusive as to which light regime was most favourable when considering the growth patterns and comparative mortality rates within the systems.

The time of feed introduction and light intensity have also been shown to affect abalone feeding behaviour, with darkness stimulating both higher grazing and growth rates compared to light exposure for post-larvae, six-day-old red abalone (*Haliotis rufescens*) in static conditions (Searcy-Bernal & Gorrostieta-Hurtado 2007).

Feed intake and growth rates have been reported to increase by 24 and 260%, respectively, for red abalone juveniles (40 mm) when cultivated in complete darkness (Ebert & Houk 1984).

No feeding activity was observed during daylight hours in ass's ear abalone (*Haliotis asinina*). The highest feeding activity occurred during darkness between 1800 and 0200 h and ceased entirely before sunrise (Tahil & Juino-Menez 1999).

Quiescent behaviour was dominant in all greenlip abalone (*Haliotis laevis*) from 0400 h until the following evening (Buss et al. 2015). The cessation of movement during this period has previously been noted for other *Haliotis spp.* (Shepherd 1973; Tutschulte & Connell 1988; Tahil & Juino-Menez 1999; Pereira et al. 2007; Lloyd & Bates 2008), demonstrating that as daytime approaches, the presence or absence of food has minimal effect on abalone movement.

Juvenile abalone, in particular, have been reported to follow this trend, displaying quiescent behaviour during daylight, actively feeding during darkness and resuming quiescent behaviour before dawn (Tutschulte & Connell 1988; Pereira et al. 2007).

The high proportion of quiescent behaviour displayed by greenlip abalone during the light period in the study of Buss et al. (2015) may be an evolutionary response to increased vulnerability to predation on active wild abalone during daylight hours (Shepherd 1973; Hahn 1989; Jenkins 2004). Feed ration and photoperiod had far greater impacts on the feeding behaviour of abalone than diet type (Buss et al. 2015). In regards to photoperiod, greenlip abalone exhibited the most movement and feeding behaviour during darkness, supporting the notion that nocturnal feeding is preferred (Buss et al. 2015).

So, the conclusions in Appendix H Section 4.3.2 should indeed state that light at night will decrease feeding as the abalone do not feed during daylight. This will consequently have a debilitating decrease in abalone growth and farm productivity. Extraneous night-time light will cause changes in behaviour and movement as the abalone are active only during dark conditions. Abalone will become stressed when the photoperiod becomes a 24-hour period of intensified light, as is the potential from the seaport. Oxygen consumption and ammonia excretion rates are higher under light versus dark conditions, indicating that environmental alterations will have physiological effects (Ahmed *et al.*, 2008).

The published findings are consistent with the observations of Yumbah's hatchery manager and the practice of reducing light to optimise feeding and growth in the farming of abalone. Light has a demonstrable and adverse effect on feeding and growth of abalone.

## NOISE

A number of misleading and erroneous statements are suggested throughout the Main Report and Appendix N that purport Yumbah as a significant noise source through its stationery equipment and heavy vehicles movements.

The very nature of abalone farming creates minimal noise, equivalent to ambient in the marine environment and does not impact amenity. There are a number of noise sources within an abalone farm that create isolated noise within close proximity to the source, but generally noise is comparable to background.

Heavy vehicle movements do not occur with abalone farming. The operational noise sources particularly bulldozers, chippers, woodchip stackers (to name a few) that will be operating constantly for 24 hour 7 days within the seaport will create significant operational noise that cannot be compared to the benign activity of growing abalone.

The statement that there is *no established special need for quiet at the Yumbah Aquaculture site* in Appendix N (pg 21) is pure negligence and offensive. KIPT continue to show complete disregard for Yumbah's staff and its operations. Yumbah KI operates in a Coastal Conservation Zone with a negligible environmental footprint and the environmental values and health of its staff require protection.

Yumbah engaged GHD to complete a technical review of the predicted noise and vibration impacts of the seaport. The review has focused primarily on Appendix N of the draft EIS.

GHD's findings in the Smith Bay Aquaculture Assessment Noise & Vibration Review (Lenchine, 2019) have been included in Appendix 8 of this submission.

The findings highlight concerns with the assessment of noise and vibration in the draft EIS, including:

- Assessment of construction noise has not been completed. The lack of this demands KIPT take the impact of its proposal on neighbours, amenity and environment more seriously
- An assessment of the efficiency of proposed noise mitigation measures is necessary
- Information in the main report contradicts the recommendations of the acoustic report regarding what noise mitigation measures should be implemented to meet the relevant noise criteria for the nearest residential receivers
- Noise from the development is not expected to meet the applicable criteria for Yumbah’s abalone farm. The acoustic report in the draft EIS does not adequately explain why it is not practicable to achieve the criteria and how this will affect the abalone farm
- Local meteorological conditions, particularly background conditions, have not been adequately considered in the assessment. The criteria under SA Noise EPP does not depend on the pre-existing background level but rather on the zoning of the noise source and the relevant receivers
- The main report in the draft EIS summarises a traffic noise assessment, yet data on traffic inputs relevant to predicting noise impact are not provided. The draft EIS simply claims traffic noise complies with requirements in the DPTI Road Traffic Noise Guidelines. But the proponent fails to present the method of its traffic noise predictions, locations of affected receivers and predicted traffic noise levels
- More information is required to validate KIPT’s assumptions

#### UNDERWATER NOISE

An underwater noise assessment forms part of KIPT’s acoustic report (Appendix N). However, there are no regulatory documents applicable to the company’s assessment that establish standards for compliance.

The South Australian Government’s *Underwater Piling Noise Guidelines 2012* report provides details on pile driving noise. Underwater vibration assessment is not mandated by any regulatory documents, and guidance on this kind of impact is lacking. Therefore, it does not form part of the submitted draft EIS.

The acoustic report details an underwater background noise assessment. Levels typical for the current environment are around 90-120 dB depending on weather conditions and other environmental factors.

The draft EIS reports that underwater noise impact is likely to be high during the construction phase of the project. As KIPT’s draft EIS does not provide detailed information about the nature of its construction activities, the effect of underwater noise and any vibration to marine species cannot be estimated. A much more considered approach is warranted.

*The proposed lighting system at the new facility is likely to be similar to existing lighting from the nearby onshore aquaculture facility. The KI Seaport’s lights would likely blend into the existing lighting of the abalone farm and thus the cumulative impact of additional lighting is expected to be low<sup>63</sup>.*

**ADDITIONAL ERRORS AND OMMISIONS**

- *The major source of artificial lighting at Smith Bay is associated with the existing land-based aquaculture operation, which is continuously lit at night, illuminating the beachfront north of the facility and the abalone tanks, and the western side of the facility.<sup>62</sup>*

Comparing the proposed operational seaport’s expected flood of light – evidenced by the operations at the Port of Portland - to the small security lights of Yumbah is disingenuous. In the claimed accumulation of impact, the baseline is zero, and the cumulative effect is all KIPT.

Manifestly incorrect. Yumbah is the only present light source, comprising two small security lights.

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<sup>62</sup> Draft EIS Executive Summary p40

<sup>63</sup> Draft EIS Executive Summary p41

## GUIDELINE 13:

### CLIMATE CHANGE & SUSTAINABILITY

#### DESCRIPTION:

Climate change is of State, National and global importance. This proposal includes elements adjacent to, and within, the coast and seabed. Measures need to be taken to both protect the proposed infrastructure in the longer term from the impacts of a changing climate and reduce any greenhouse gas emissions associated with its construction and use.

#### RESPONSE SUMMARY

- *The proposed solid causeway will produce a "Climate Change" event for Yumbah KI*
- *Yumbah is expert on Smith Bay*
  - Yumbah manages climate risks for its own operation
  - Water temperature and quality are under a continuous monitoring regime
  - Increased frequency of storm events and tidal extremities is noted
  - Infrastructure is built and upgraded to meet conditions
- *KIPT is the greatest and immediate threat to Yumbah*
  - Climate change presents a global threat
  - Yumbah tracks change and factors this in its daily operations and long-term planning
  - KIPT is the immediate, mortal threat to Smith Bay environment and business

Yumbah has observed climatic variability in Smith Bay over more than 20 years. It holds water quality data from the start of its operations, with correlating weather, tide and storm event information and observations.

It's clear Yumbah knows Smith Bay. KIPT does not.

Climate change won't force Yumbah out of business. The accumulated shocks and massive risk profile of KIPT being granted a green light for its proposed Smith Bay project will force Yumbah KI out of business and irrevocably damage Smith Bay on land, sea and in the air.

The draft EIS provides further self-serving commentary by KIPT in relation to climate change.

#### SOLID CAUSWAY IMPACTS

The predicted modelled effects of the proposal on water circulation, flushing and water temperatures are provided in KIPT's draft EIS Appendix G (Coastal Processes).

According to Romero (2019) KIPT's proposed construction of a 250m causeway will substantially affect nearshore water movement in Smith Bay. The draft EIS indicates that reduction in current speed at Yumbah's westerly seawater intake will be about 30-40% (Appendix H, page 65): this will coincide with an increase in ambient seawater temperature (Appendix G, page 23).

The adverse consequences of increased water temperature on abalone are acknowledged in Appendix H: *Likely increases in water temperature accentuated by recirculation of Yumbah effluent water will also have a harmful effect on abalone. Data collected for the EIS throughout 2017, using moored data buoys that were equipped with a suite of water quality and hydrodynamic sensors (detailed in Chapter 10), show that mean seawater temperature during the monitoring period at Smith Bay within 300 m of shore during summer was around 21-22o C but there were spikes up to 25 o C recorded during heatwaves (see Chapter 9) (Appendix H, Page 27). As Cheshire (2018) further notes: many farms across South Australia have reported substantial mortality events at much lower temperatures (22-23o C; Vandeppeer 2006).*

#### STORMWATER MANAGEMENT NOT UP TO THE TASK

The setback of stormwater retention ponds in the draft EIS is not adequate to protect against storm events and sea-level rise. The influence of interconnectivity of Smith Bay with shallow groundwater aquifers beneath the site may impact stormwater retention ponds.

#### ABALONE ARE "SENSITIVE RECEPTORS"

Abalone are adaptive and will evolve with expected increases in temperature projected at 0.5°C by 2030, and by 0.2°C and 2.2°C by 2090 under the intermediate- and high-emissions scenario, respectively. Genetic selection of broodstock to tolerate higher temperatures and improvements in husbandry and diet are expected to improve tolerance to warming average temperatures.

Abalone are less adaptive to sudden changes in water temperature which is more likely with the impact of the solid causeway on mixing and circulation of water close to Yumbah KI's intake pipes.

#### AGAIN, WHY SMITH BAY?

KIPT'S strident advocacy for a Smith Bay seaport is more unusual for the fact that it is the most remote site of all those on offer, far away from the timber plantations. For a company intent on being a "green" industry, KIPT is imposing on itself an unnecessary carbon debt from transport emissions.

Its choice of Smith Bay does not support the principles of resource efficiency and sustainability.

A seaport closer to the timber resource, and connected to the electricity grid, would produce fewer direct greenhouse gas emissions, cut the fuel bill (and emissions) from KIPT's round-number estimate of 500 000 litres of diesel. This is an estimate that assumes no connection to the electricity grid and generators being the primary power supply.

#### COASTAL BLUE CARBON ECOSYSTEMS

The term 'coastal blue carbon ecosystems' refers to three main types of vegetated coastal habitats: mangroves, tidal marshes and seagrasses.

In recent years, there has been significant development in the science – with associated policy development - to understand the role of the intertidal marine ecosystems of seagrasses, mangroves and saltmarshes and

their contribution to carbon dioxide bio-sequestration and emissions reduction<sup>64</sup>.

Improved management of carbon rich ecosystems can also improve fisheries and increase resilience of coasts to rising sea levels and storm surges.

Intertidal habitats, particularly seagrass meadows, are recognised globally as having the greatest carbon sequestration potential, far greater than sequestration potential by terrestrial forests.

The draft EIS's intent to remove 10 hectares of seagrass and create trails of sediment in Smith Bay will contribute large amounts of CO<sub>2</sub> into the atmosphere. which will continue into a future well beyond that which KIPT foresees.

The seagrass meadow cannot be replanted in the hope of acting as a new carbon sink.

As part of a more comprehensive and accountable EIS than the existing draft, KIPT must assess the carbon sequestration of their timber plantation compared with the carbon capture potential in the seabed it proposes to dredge.

## ERRORS AND OMISSIONS

- *The total carbon sequestration of the KIPT-managed plantations is conservatively estimated to be approximately 6.8 million tonnes of CO<sub>2</sub> -e.*

As individual plantations are expected to be replanted or coppiced following first harvest, this amount of sequestration would remain relatively constant over the life of the operation.<sup>65</sup>

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<sup>64</sup> <https://www.environment.gov.au/climate-change/government/australia-work-on-blue-carbon>

<sup>65</sup> EIS Executive Summary p42

## GUIDELINE 14:

### RISKS & HAZARDS

#### DESCRIPTION:

The Kangaroo Island Development Plan, and the South Australian Planning Strategy promote development, including infrastructure, to be located away from areas that are vulnerable to the risk of hazards for both the protection of human health and the environment. Given the location of the proposed development, the following hazards include, but are not limited to: spills (including oil), flooding, fire (in particular heavy vehicle, timber yard and bushfire), site contamination, storage and movement of hazardous materials and landslip/coastal erosion. All risks and hazards need to be detailed and consideration given to how these risks and hazards will be avoided and managed.

#### SUMMARY RESPONSE

The risks and hazards associated with a seaport at Smith Bay are many - and potentially devastating. Chemical spills and fuel spills are an inevitable part of seaport operations, timber fumigation is a standard feature of ports handling logs, as is chemical leaching from timber used in construction or stored at the port. The draft EIS suggests mitigation of some of these risks but acknowledges there is nothing that can be done to eliminate them.

It's curious and worrying that the draft EIS expects timber exporting at KIPT's seaport to account for just 20 per cent of the seaport's capacity.

Obviously, for KIPT shareholders to earn a commercial return, KIPT will have to identify and cater for alternative uses for the port.

But on these alternative uses, the draft EIS is silent.

KIPT and the draft EIS fail to reveal, identify or consider the risks and hazards associated with other uses for its multi-use facility.

- *Chemical spills*
  - KIPT admits that fuel/oil and chemical spills will be an inevitable part of the development
  - The company suggests it will be able to minimise these with "standards and protocols", but not stop them
  - Who sets the standards and protocols? Who agrees, who monitors them, who assumes responsibility and accounts for risk when things go wrong?
- *Alternative uses of the port*
  - KIPT admits timber exporting from the seaport will put the port at 20 per cent capacity
  - There is vague mention in the draft EIS that the seaport design has capacity for additional vessels and associated cargo
  - The infrastructure will be established for the timber industry and will be inappropriate for other uses.
  - Yet it – and the company arguing its case in the draft EIS - is silent on what these other uses may be, meaning any subsequent economic, social and

- environmental impact or implications for KI are also absent
- A credible business has a Plan B and a Plan C
  - In the absence of a complete business case for this seaport, there is no means of testing the environmental impact of this proposal running at 20 per cent capacity
  - It simply doesn't stack up particularly when KIPT now owns a significant 225 hectares of coastal land abutting Smith Bay
    - *Woodchip mill/QA screening/bioenergy*
  - KIPT's Project Description says *"...woodchipping may be undertaken at an off-plantation woodchipping facility located along the core transport route between the plantation and Smith Bay"*
  - It may argue such a development would be subject to other planning measures
  - The seaport proposal has already morphed into something different to that addressed in the draft EIS
  - Whether this possible woodchip mill is off Smith Bay or on Smith Bay, it must be detailed and assessed in this draft EIS
  - KIPT's Project Description says, *"Woodchip quality control processes may be undertaken at the plantation following primary woodchipping, or at an intermediate facility"*
  - As above, particularly if this activity is to be at Smith Bay, it should be detailed in the draft EIS
  - KIPT and Kangaroo Island Council have discussed using timber by-product in a bioenergy plant
  - A responsible proponent would include this possibility in its draft EIS, detailing the project itself, it's location – especially if at Smith Bay, and its impact, particularly a traffic and air/land pollution analysis
    - *Leaching from treated timber used in construction*
    - The draft EIS fails to address the impacts of treated timber used in wharf construction
    - KIPT has not accounted for any chemical leaching from timber stored at the seaport
    - The concentration of leachate discharged stormwater retention basins into the marine environment is unknown
      - *Fumigation at the port*
      - Will the port handle raw timber or is there a treatment process prior to export?
      - Will KIPT fumigate logs in future as occurs at other ports around the country?
      - These create additional significant risks to Smith Bay's integrity and the operations of Yumbah KI
      - What approvals or permits are required if future fumigation is considered?
      - What is KIPT's plan for consultation with regulators, neighbours and wider community?
      - These are neither mentioned nor acknowledged in KIPT's draft EIS
      - *MNES*
      - Impacts to MNES, namely southern right whales and echidnas, are of paramount concern to the wider community

- Vehicle strikes already kill on average 35 Kangaroo Island Echidnas each year, this number will increase significantly with increased traffic from timber transport to Smith Bay
- Whales have the potential to be severely impacted by the seaport, with predicted behavioural changes in response to noise, including construction and vessel noise if in a proximal location

#### UNACCEPTABLE HAZARDS AND RISKS

Safe Work Australia describes hazards and risks as<sup>66</sup>:

- **Hazards** – Situations or things that have the potential to harm
- **Risks** – The possibility that harm might occur when exposed to a hazard

The multiple hazards – some known, many unknown – in establishing and operating KIPT’s proposed seaport at Smith Bay directly adjacent to Yumbah KI cannot be satisfactorily addressed to provide confidence for Yumbah to confidently continue its business.

KIPT’s draft EIS is negligent in assessments of social, economic and environmental risks of its proposed seaport at Smith Bay. The company’s draft EIS consideration and respect of potential hazards and subsequent risks to Yumbah KI is patchwork, disorganised and routinely presents misleading opinion as science.

Yumbah KI is already compatible and well-aligned with the Rural Living Zone. Its footprint and proven performance over more than 20 years have had no impact on the Coastal Conservation Zone that makes Smith Bay such an idyllic location.

To justify its dogma on Smith Bay as the only location it will consider on KI, KIPT argues for this location, infrastructure, construction methodology, operational conditions and apparent benefits in a Risk Assessment as Appendix T in its draft EIS.

Fundamentally, this risk assessment does not accurately nor adequately reflect actual and perceived risks and hazards of its Smith Bay proposal. The Risk Assessment does not align with the details and conclusions of the technical assessments in the draft EIS, and proposed risk mitigation and management measures are negligent and unconvincing.

#### A POOR TRACK RECORD

The consequences of a realised risk from KIPT’s seaport constitute an overwhelming economic threat to the existing business of Yumbah KI.

Put simply, mitigation and management measures are not always effective. In the case of KIPT, it has already set an exceedingly low bar in preparing its draft EIS.

In 2017, KIPT was issued a *"cease and desist"* order from the South Australian Government after it failed to obtain the required approvals to drill in Smith Bay<sup>67</sup>. When the company later managed to gain the required approval, its activities caused significant damage to the seagrass floor of

<sup>66</sup> <https://www.safeworkaustralia.gov.au/glossary#risks>

<sup>67</sup> <https://www.abc.net.au/news/2017-03-10/timber-company-ordered-to-stop-drilling-off-kangaroo-island/8342338>

Smith Bay<sup>68</sup> apparently because its contractors were using “the wrong type of anchor”.

With this incident alone as its starting point, we have no confidence this company can meet even its own commitments on risk management.

Further, all management measures would need to be effective *in perpetuity* as the risks posed to Yumbah KI by this seaport are perpetual to Yumbah.

This is a high bar even for the best proponent.

For a proponent with no experience of the infrastructure it plans and deliberately ignorant of the highly-specialised business it most threatens – Yumbah - it’s an impossible ask.

For a company that outsources its forestry operation, has agreements with Mitsui to run its port operation, has separated its wharf assets to facilitate an easy sale and wants others to assist it with managing biosecurity risks, it is far from clear who will be around to clean up the mess caused by the manifestation of risk and who will be held accountable.

To set and to comply with, and simply aspiring to, best practice is no remedy.

Saying “sorry” for destruction of an existing successful, growing business through a management oversight will be costly.

The very high probability of catastrophic consequence from a seaport at Smith Bay is the result of KIPT’s failure to prove that the task of removing its trees from

Kangaroo Island cannot be achieved at another of the many appropriate and available locations on an island with 500 kilometres of coastline.

KIPT admits that a “chips only” operation can be established at three alternative sites other than Smith Bay<sup>69</sup>.

KIPT says 80 per cent of its plantation estate is hardwood and 20 per cent softwood<sup>70</sup>, with just a small proportion of softwood to be exported as logs<sup>71</sup>.

If woodchips are where the business is, and other sites are possible and available – then why is there such intent to make Yumbah KI unviable and, with it, Smith Bay?

#### HAZARDS FOR YUMBAH

Yumbah has identified multiple hazards posed to its operations by KIPT’s Smith Bay seaport proposal. Below is not an exhaustive list, and detail is addressed elsewhere in this document. The list would likely be longer if KIPT’s actual intent was known, and its draft EIS considered more recent expansions of its plans for Smith Bay.

- **Preferred location** – a seaport at Smith Bay presents social, economic and environmental risks that may be catastrophic to human health and the environment
- **Environment** – as a Coastal Conservation Zone, the environment of Smith Bay is

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<sup>68</sup> <https://www.theislanderonline.com.au/story/5659505/commercial-fishermen-voice-concerns-over-proposed-smith-bay-seaport/>

<sup>69</sup> EIS Main Report, Page 18

<sup>70</sup> EIS Main Report, Page 32

<sup>71</sup> EIS Main Report, Page 5.

populated with terrestrial and marine species, including endangered and threatened species

- **Economic** – significant economic implications exist with the proximity of the seaport to Yumbah KI and the operations of many adjacent and Smith Bay-dependent small business
- **Biosecurity** – KIPT’s actions at Smith Bay will inevitably introduce invasive marine pests and disease agents that will immediately jeopardise Yumbah KI’s operations
- **Suspended solids** – the zone of influence (i.e. extent of detectable plumes with no predicted ecological impact) is predicted to extend east and west along the coastline for approximately 5–6km for the expected case and approximately 8km for the worst case
- **Oceanic circulation** – causeway construction will significantly impact sea currents and the accumulation of wrack
- **Contamination** – potential to likely contamination of the environment from stored logs and woodchip piles
- **Reliance on third parties** – KIPT alleges it has secured supply chain partnerships that effectively outsource many of the accountabilities that would be assumed by a responsible entity. There is no accommodation of this third-party dependence in the draft EIS, which seems more than an oversight given so much risk in

construction and operations is being off-shored by KIPT

#### MISSING DREDGE MANAGEMENT PLAN

The draft EIS clearly recognises that there are no clear environmental windows that offer the opportunity to significantly reduce impacts associated with dredging. Further recognition is granted to that although dredging during winter rather than summer would avoid sensitive periods for the reproduction of seagrasses and invertebrates, it would not benefit macroalgae, which reproduces in winter, and southern right whales, which may visit the area during winter. Consequently, the draft EIS concludes there are no persuasive ecological arguments for dredging during a particular season.

How can a Dredge Management Plan consider the risks that will result at varying degrees no matter what time of the year this hazardous activity will be performed? A Dredge Management Plan has been excluded from KIPT’s draft EIS. This is a major concern for Yumbah given KIPT’s deficient performance during what should have been straightforward sediment investigations in 2017.

Yumbah has no confidence, nor does it believe should the South Australian and Australian Governments, in the potential performance of this proponent.

#### RISK OF PROJECT FAILURE IN EITHER THE CONSTRUCTION OR OPERATION PHASE

If the Seaport project fails financially in either the construction or operation phase there is the real prospect of a dangerous and unmaintained shipwreck wharf structure posing a physical hazard to those who work and recreate in Smith

Bay. The draft EIS is silent on reserving funding to guarantee the decommissioning of the wharf and the return of the coast and the seabed to its former condition.

#### QUESTIONABLE EXPERT OPINION

Yumbah knows its highly specialised business. Yumbah has grave concerns about KIPT’s knowledge of such a highly specialised area, and the knowledge of its advisors, including its employment of Professor Anthony Cheshire as the author of sections of the draft EIS.

Professor Cheshire does not have recognised expertise in contemporary onshore abalone farming which is clear from the numerous mistakes and flawed assumptions contained in his report <sup>72</sup>. His role advising a collapsed offshore abalone farm investment is well known. The impacts of this venture are still being felt by investors, community and a jailed former chief executive.

In this draft EIS, his contribution should not be regarded as any better than *personal observation*.

#### A RE-ASSESSMENT IS REQUIRED

KIPT’s draft EIS emphasises tangible risks to Yumbah KI if a seaport is established at Smith Bay. KIPT’s claim it will provide a net benefit to Yumbah KI is fanciful and uninformed.

A more detailed, accurate risk assessment of actual construction and operations must be demanded of KIPT with consideration of Yumbah KI’s review of the inadequate risk assessment in the draft EIS.

The risk assessment and corresponding matrix in Appendix T are problematic. Inclusion of rudimentary mitigation and management measures often result in reductions to residual likelihood and consequence. However, management measures can only reduce residual likelihood, not residual consequence. As such the residual risks are misleading and do not reflect the actual risk level.

Several mitigation and management measures have been specified that are unlikely to be firm commitments of KIPT.

In its current format, particularly the outcomes based on the risk categorisation, the draft EIS cannot be relied on to inform the project.

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<sup>72</sup> See AAGA document

## GUIDELINE 15:

### INFRASTRUCTURE

#### DESCRIPTION:

The construction and operation of a port and wharf, such as that proposed at Smith Bay, will require specific infrastructure, equipment and utility needs. These need to be identified and consideration given to how these requirements will be met, and how any increased demand will impact upon existing users.

#### RESPONSE SUMMARY

- Yumbah Aquaculture pre-existing infrastructure
- Draft EIS fails to recognise highly-specialised abalone farm infrastructure
- Causeway incompatible with Yumbah KI operation
- Seaport proposal includes a rock-armoured solid causeway extending 250m offshore – longer than that originally proposed to the DAC
- Causeway construction proposes materials derived from dredging. Draft EIS fails to understand what materials are in Smith Bay to dredge
- Causeway impact will be perpetual, not just a construction issue
- Impermeable barrier will block, change oceanic currents
  - Current directions periodically alternate between the dominant directions of easterly during flood tides and westerly during ebb tides
  - Draft EIS says currents will reduce by 30-40 per cent
  - Changed ocean mixing and flushing increase water temperature
- Draft EIS proposes ineffective mitigation, says it's "unnecessary"
  - Draft EIS indicates causeway gates or culverts will help water exchange
  - Proponent doesn't provide detail – but further indicates it doesn't support this

## INFRASTRUCTURE

The DAC Guidelines require KIPT to present comprehensive information on the infrastructure proposed at the seaport. Information requested by DAC is quite extensive and is requested to add value and articulate the 'nuts and bolts' of the design.

Unfortunately, information is lacking which is not surprising as this is the general theme of the draft EIS.

Issues exist with the infrastructure proposed for the seaport. KIPT is not applying best practice principles to the design of the seaport. The infrastructure, equipment and utilities proposed have been based on KIPT's own selfish agenda and have only focussed on their own corporate profitability of the project and have ignored social and environment elements. They have ignored those that intrinsically rely heavily on the values that exist at Smith Bay. These values will be destroyed by the seaport.

Infrastructure concerns have been discussed in more detail throughout Yumbah's submission, and these include:

- Causeway
- Wastewater retention and detention basins
- Lighting
- Potable water
- Firefighting and dust suppression water
- Road networks and transit routes

## YUMBAH'S INFRASTRUCTURE WILL STAY

KIPT claim to be a significant contributor to the economic viability of Kangaroo Island and have questioned the long-term viability of abalone farming in South Australia. They have insolently raised questions of Yumbah KI's survival at Smith Bay and impending closure due to futuristic climate change impacts.

Yumbah KI is a permanent fixture at Smith Bay, now and for years to come. We have a long and prosperous future at the existing site irrespective of the modelled impacts of climate change, with exciting plans for future expansion.

Unfortunately, Yumbah has suspended significant upgrades and growth of its KI farm due to the impending prospect of a seaport at Smith Bay.

The seaport presents risks that are potentially catastrophic to Yumbah KI's infrastructure and business.

## WHAT IS KIPT HIDING?

KIPT claims superiority for land use at Smith Bay and assumes the activity of a seaport is a compatible land use in this Rural Living Zone and Coastal Conservation Zone. KIPT has implied that Yumbah KI and our established business and associated infrastructure is not compatible by making the following statement in Section 6.3 Appendix N (pg 21) *Land use at the Yumbah Aquaculture site is generally consistent with Primary Production or Rural Industry. The land use is not consistent with the type of development envisaged in the Coastal Conservation Zone, or with typical activities associated with the Rural Living land use category.*

The significant risks that KIPT present with not only developing a timber export seaport but also further establishing a multi-use port adjacent to the proposed timber export seaport cannot be ignored. Lack of information relating to additional future uses further compounds the risks to Yumbah and the community.

Section 7.3.1 of Stakeholder Consultation and Engagement (draft EIS Main Report) states *KIPT acknowledges the importance of being an active member of Kangaroo Island's community and is committed to developing a sustainable timber business that considers and responds to community needs.* Why won't KIPT disclose intentions now as part of this EIS process?

KIPT has purchased an additional 173 hectares of land to the west that adjoins the 12-hectare site purchased in 2014. What are the true intentions of KIPT? KIPT continue to hide their true intentions for the seaport and surrounding lands.

An article in Business News states *The additional land provides the company with greater flexibility in the layout and capability of its onshore facilities and in managing the actual and perceived impacts of its proposed development. It also gives room for the facility to expand in the future, should this be required. All these benefits are subject to government consent<sup>73</sup>.*

The deceit displayed by KIPT to the community and misrepresentation of information is endemic behaviour. KIPT was described in the South Australian Parliament on 16 November 2016 as having "... fed out a fair degree of spin and rubbish..." in its overt promotion of this proposal.

KIPT has unknown, unreported long-term plans for future expansion of the seaport with the purchase of significantly large tracts of land to the west.

KIPT cannot and will not provide any details about other potential multi-users of the seaport. The DAC EIS Guidelines states *The construction and operation of a port and wharf, such as that proposed at Smith Bay, will require specific infrastructure, equipment and utility needs. These need to be identified and consideration given to how these requirements will be met, and how any increased demand will impact upon existing users.*

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<sup>73</sup> <https://finance.nine.com.au/business-news/kipt-buys-additional-land-at-smith-bay/e3b0f43a-f4f0-43b6-91b3-aeb927052ee2>

The draft EIS does not include future prospects for KIPT's additional freehold land equating to 173 hectares west of the proposed seaport. The acquisition of this land is likely part of a long-term plan to expand the seaport and or establish associated port related infrastructure on the additional land to the west of the seaport.

The proposed seaport extending offshore with infrastructure including the solid causeway is solely for the timber export business of KIPT. The infrastructure proposed for the seaport will be exclusive for woodchip and timber log handling. The infrastructure will not be functional for any other maritime use other than the timber industry. This is of vital relevance and raises concerns about the degree of disclosure or rather, significant lack of disclosure by KIPT on future plans for the wider environs of Smith Bay.

The introductory page to section 20 *Economic Environment* of the draft EIS Main Report states

*The potential for the facility to be a multi-user facility is acknowledged and remains an integral feature of the proposed development. However, following discussions with DPTI, it has been agreed the requirement to analyse the potential impacts of such other users and uses is not required.*

KIPT has not detailed in the draft EIS any consultations with the community on future freight and cargo opportunities, and likely infrastructure that may be required. This is a significant issue and any potential expansion at Smith Bay has serious implications to the community, the environment and Yumbah.

Prospective plans for multi-users need to be presented now. This information is critical to determining the applicability of Smith Bay as the preferred location.

Questions that need to be answered include:

What is the long-term plan for the additional 173 hectares? What will the site look like if it is developed? What infrastructure will be extending through the increasingly wider Coastal Conservation Zone that separates the freehold 173 hectares from the marine foreshore? What infrastructure will extend into the marine environment? How far will infrastructure extend into the sea? What are the baseline characteristics of the seabed? What ecological values are present on land and in the marine environment? What will be the impact to the native flora and fauna? What depth will be required for the approaching vessels? How many more hundreds of thousand cubic meters of dredging will be required? What are the characteristics of the sediment? Where will the sediment be dumped? The list goes on ...

There is confusion in Section 4.8 of the Main Report regarding power sources at the seaport. A statement that the electricity supply strategy for the development would consist of a connection to the mains electricity system for the delivery of grid-source electricity. Then the section follows by referring to a primary and backup generator for the materials handling infrastructure. Solar panels will be fitted for staff amenities. It is unclear if grid sourced electricity will be supplying the power for the site.

#### ERRORS AND OMISSIONS

- The causeway crest would be wide enough for one-way vehicular access, with two passing areas along the causeway length.<sup>1</sup>

Causeway road to be 5m wide, but it's to have two passing areas alongside it. The two areas need to be 10m wide. This cannot be seen on the current plans.

## GUIDELINE 16:

### ABORIGINAL & OTHER HERITAGE

#### DESCRIPTION:

Aboriginal and other heritage can include matters such as archaeological sites and Aboriginal remains, Aboriginal sites and objects of significance according to Aboriginal tradition, archaeology, anthropology or history, caves, mines, volcanic features, geological sites, fossils, historical buildings and monuments, relics of agricultural and industrial heritage, shipwrecks, lighthouses, whaling stations, wilderness and coastlines.

Coastal areas in particular are prone to discovery of items of Aboriginal heritage and significance.

All development should consider the impacts it may have upon Aboriginal and other heritage matters (land and marine).

#### RESPONSE SUMMARY

- **No credible site assessment for draft EIS**
  - No intrusive site assessment for site identified by its own experts as worthy of "high risk" status
  - Only this would determine Indigenous, European and maritime archaeological significance
  - Dependence on desktop without site assessment a defining characteristic of draft EIS

- **No record of communication, consultation, negotiation**
  - Recognised Aboriginal Representative Body of Smith Bay not referenced
  - Potential violation of South Australian heritage law
  - No contact with long-term adjacent landholder, Yumbah, on its understanding of site cultural heritage
- **Known European heritage sites not valued**
  - Significant sites are known widely but disregarded in draft EIS
- **Draft EIS considers a previous wharf proposal, not the current proposal**
  - Underwater heritage study must be resubmitted for KIPT's revised, larger wharf
  - Raises questions about veracity of proposed Heritage Management Plan

#### ABORIGINAL AND OTHER HERITAGE

Yumbah Aquaculture recognises and appreciates the history of Kangaroo Island and both the indigenous and European archaeological significance that is prevalent across the whole island.

Information relating to heritage is included in the draft EIS Main Report Chapter 24 and Appendix S.

It is disappointing and somewhat perplexing why KIPT has not completed

an intrusive site assessment to determine the extent of Indigenous, European and maritime archaeological significance that may be present across the proposed development site.

## INDIGENOUS HERITAGE

To inform the draft EIS, a desktop indigenous heritage assessment has been completed and is presented as Appendix S1. This report is what can only be described as significantly lacking, and inadequate. This document presents little, if any, valid information to delineate the likelihood of Aboriginal archaeological sites across the site.

Appendix S1 does not acknowledge the Recognised Aboriginal Representative Body of Smith Bay, and whether there has been any communication, consultation, negotiation or agreement with the recognised body. This appears to be a violation of South Australian *Aboriginal Heritage Act* 1988 and significant disrespect for the Traditional Owners of the land.

In its scant and lacking content, Appendix S1 states:

*Cultural Heritage sites are often found to be associated with very specific environmental features.*

The site is bounded to the north by an extensive marine foreshore. Smith Creek runs through the site. These landforms are very specific environmental features and commonly sites of archaeological significance. Why was an intrusive site assessment to survey the likely presence of Indigenous significance not completed?

The proposed project is located in an area with no recorded/registered Aboriginal sites. There is insufficient information on the archaeology of Kangaroo Island to clearly delineate areas of risk, and as such

the area should be treated as a 'high risk area' to manage heritage risk.

An intrusive site assessment should be conducted on this high-risk area to identify whether archaeological significance is present in order to adequately manage any heritage risk. How can you manage a risk when you do not even know it is present?

Archaeologists can monitor changes in soil profiles to assess the likelihood of works encountering Aboriginal heritage sites.

How can an Archaeologist monitor minute changes in soil lithology and identify potential Indigenous heritage sites when bulk earthworks will be occurring with large front-end loads, excavators, bulldozers, trenchers (to name a few) will be ripping up the site at an unprecedented rate?

The following recommendations are provided in Appendix S1 Heritage:

*No Aboriginal heritage sites are 'damaged, disturbed, or interfered' with as part of the proposed works.*

How can you know if you are damaging, disturbing or interfering with an Indigenous heritage site when you do not even know it is there?

*All workers should remain vigilant as any work into previously undisturbed soils has the potential to impact insitu cultural heritage. A heritage induction may be beneficial to ensure contractors are aware of what to look for in regards to heritage.*

Realistically, a driver or controller of bulk earthworks equipment will be concerned with maximum productivity and health and safety of themselves and colleagues. Unfortunately, their last priority will be keeping watch for minute changes and characteristics of soil lithology that could indicate presence of Indigenous cultural significance.

*To further manage heritage risk, KIPT / EP may wish to engage with the relevant Aboriginal group(s) to monitor earthworks.*

As due respect, the report should at least have named who the relevant Aboriginal group(s) are, and correctly referred to the group as *Recognised Aboriginal Representative Body(ies)* in Appendix S1 and the Main Report.

## HISTORY OF EUROPEAN SETTLEMENT

The European history of Smith Bay is presented in Appendix S2. This document outlines the history of Smith Bay, the region and the site. This report does not outline the physical features that are known to be present on site. A number of heritage values do exist on the site of the proposed seaport. These include the ruins of the original house of Harry Smith and one of the few historic European residences at Kangaroo Island. A second associated ruin is also present on the proposed development site, known as the Jacka family home ruin.

The Main report (p522) states neither of these ruins will be affected by the proposal.

It is of high concern that these heritage sites were reported anonymously to the South Australian government in early July 2017 sometime after KIPT had purchased the development site. It begs the question what other heritage values exist on the site that have yet to be reported by KIPT.

The lack of site investigation creates significant doubt about the extent of heritage that may remain unreported.

The history of KIPT and already proven failings to conduct its operation both ethically and within the confines of law, and the obvious propensity to present misleading and flawed technical information further compounds the ability

to trust KIPT in its protection of heritage values on site.

## UNDERWATER CULTURAL HERITAGE

Underwater cultural heritage is reported in Appendix S3. The objective of the reported desktop investigation is to assess the potential for any impact on any actual or potential sites. The existence and location of underwater cultural heritage is unknown prior to development works.

The report states:

*This report has looked for the possibility of historic shipwrecks being within 500m of the development impact area. The 500m distance reflects the required distance by the relevant Acts, which is sufficient to protect against indirect impacts.*

A flaw in this report is the design and footprint of the seaport, and its alignment in Smith Bay is incorrect. It appears the footprint may be the previous seaport design. Hence the findings in this investigation that were to understand the possibility of wrecks do not correctly capture 500 meters of the study area.

*The outcome of this investigation will be used to assess the Governmental heritage needs before consent is granted for work to be initiated.*

As the investigation has been conducted for a development footprint that does not exist, this report cannot be relied on for the consent. A revised report is required reflecting the actual seaport development footprint and an investigation within the actual 500 m development impact area.

*In terms of known cultural heritage, the planning application may be made more robust with the provision of evidence rather than assumptions.*

This is the only sensible statement in all of Appendix S. Yes, evidence is required to

be collected by completing intrusive field work to substantiate the extent of **all** potential heritage across the entire development footprint.

*Below low water mark, Smith Bay is considered to be within Commonwealth jurisdiction, indicating any historic shipwrecks and associated relics in the bay are covered by the Commonwealth Historic Shipwrecks Act 1976.*

*Section 13 of the Commonwealth Act prohibits damage or destruction of historic shipwrecks or relics. This also prohibits any interference, or removal or disposal of objects. A breach as such will incur substantial fines.*

The relevant Government authority regarding underwater cultural heritage on or within the seabed of Smith Bay is Department of Environment and Energy. The outcomes of the investigation in Appendix S3 have concluded that *in view of the nearby historic major sea lane in Investigator Strait, the high degree of local shipping traffic historically and the current lack of relevant heritage data about the development footprint and surroundings, the presence of such heritage materials cannot be ruled out completely.*

KIPT has no idea if historic shipwrecks or relics are present within the direct dredge area or the 500 m wider radius that may be influenced by indirect impacts.

KIPT cannot irrevocably confirm that damage, destruction, interference, removal, or disposal of objects of historic shipwrecks or relics will not occur as part of the construction and operation of the seaport.

*The shipwreck databases show four points indicating known wrecks from the historic records in the vicinity of Smith Bay.*

However, none of the four sites have been marked as 'found'.

Figure 3 in Appendix S3 indicates the shipwreck *Chum* is on land.

The development footprint is in Investigator Strait. Appendix S3 (pg 15) recognises that from the middle of the 19th century Investigator Strait has played an important part in the trade and communications network of South Australia as a natural route for shipping.

As stated in Appendix S3 (page 2), characteristics of the environment, although not ideal for preservation, do not exclude the chance for heritage materials having survived. The disturbance of sediment using the cutter suction dredge will likely remove any maritime cultural heritage material before discovery. It is vital that the history of Smith Bay is better understood, and not merely by using reports that present reports with invalidated and vague conclusions.

## ERRORS AND OMISSIONS

- *A Heritage Management Plan would be developed and implemented during construction (including dredging) to ensure that workers remained on the lookout for heritage items, particularly during earthmoving and excavation activities. The Plan would prescribe the procedures to be followed in the event of potential heritage items being discovered.<sup>74</sup> – When it comes to the area's heritage, KPT is going to make plans up on the fly.*

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<sup>74</sup> EIS Executive Summary p69

## GUIDELINE 17:

### GEOLOGY & SOILS

#### DESCRIPTION:

The proposal will require the construction of structures on and/or adjacent to coastal geological formation, this may have impacts on those formations and their natural processes.

#### SUMMARY RESPONSE

- *Contradictions between KIPT's claims and draft EIS "science" and local knowledge raise questions about the thoroughness of proponent's investigations*

*Locals know that Smith Bay is shallow and the seabed is hard.*

- Continued misrepresentation of a flat coastline that continues into a shallow bay as being deep
- Continued inaccurate reference to the seabed being a "mixture of cobbles and sediment"<sup>75</sup>
- Claims that there is "no indication that hard rock is present at depths that would cause concern in the area that will form the berth pocket" contradicted by evidence of core refusal in the draft EIS<sup>76</sup>

- *Water contamination likely*
  - Further investigations of the potential impacts to groundwater are required, including likely groundwater contour flows and connectivity to Smith Bay
  - The condition and quantity of groundwater resources seems unlikely satisfy the high-intensity water demand necessary to achieve site construction and operational management and mitigation described in the draft EIS
- *Causeway impact on coastal processes*
  - The causeway will reduce ocean currents by an estimated 30-40 per cent, which, in turn, will bring elevated water temperatures, reduced mixing of oceanic water, accumulation of drift seaweed (wrack) and compromised oceanic conditions.

<sup>75</sup> <https://www.asx.com.au/asxpdf/20180221/pdf/43rrfmyt34xfc4.pdf>

<sup>76</sup> <https://www.asx.com.au/asxpdf/20180221/pdf/43rrfmyt34xfc4.pdf>

## GROUNDWATER HIGHLY SALINE, LOW YIELD

The draft EIS assessment notes a single grab sample towards the northern boundary of the site identified depth to groundwater at 1.65 metres below ground level (BGL) (Appendix L, Section 4.3).

Total dissolved solid (TDS) concentration was 18 000mg/L, indicative of saline conditions, inferring that groundwater is potentially connected to the marine environment. Contaminants including iron, lead, cobalt, copper, sulphate and nitrite were measured in sampled groundwater.

It must be stressed that:

*The results did not suggest that previous site activities had caused groundwater contamination and detected concentrations were considered to be background levels for saline water.*

The results from groundwater assessment suggest the shallow aquifer has little beneficial use due to high salinity and low yield.

## DEPTH TO GROUNDWATER

Depth to groundwater is also of concern, as KIPT's site footprint involves considerable bulk earthworks to create benches across the site, form storage areas, build stormwater management infrastructure (settlement ponds), dredge spoil dewatering ponds and cut access roads.

The interception of the shallow groundwater table presents risks to Yumbah KI and the adjacent marine environment.

The draft EIS is lacking in describing the groundwater flow contours and connectivity of aquifers across the region. The risk is contaminated stormwater and leachate leaking from proposed storage ponds, dredge spoil dewatering ponds, and settlement ponds into groundwater.

This would likely create additional contamination of the nearshore environment as groundwater flows are inferred towards Smith Bay.

Further investigations of the potential impacts to groundwater are required, including likely groundwater contour flows and connectivity to Smith Bay.

## CAUSEWAY CAUSES MANY PROBLEMS

Yumbah has many concerns – expressed throughout this document - and the negative impacts of the proposed 250 metre causeway: its construction, its integrity and its impact on coastal processes.

The draft EIS proposes that dredge spoil will be stockpiled on land, dewatered and used to construct the 250-metre causeway. But there are gaps in the information KIPT relies upon in its geotechnical assessment of the dredge material.

These gaps preclude an adequate understanding of the geotechnical properties of the dredge spoil and confirmation of whether the material will even support the causeway, the proposed rock armouring and be able to withstand constant oceanic impacts the causeway will be exposed to.

It is unknown if the sediment sampling previously conducted attempted to characterise the dredge material to ascertain the suitability of dredge spoil for use as onshore fill and/or material for the causeway's core.

## GEOTECHNICAL ANALYSIS FALLS SHORT

Sub-Appendix C1 (Geotechnical Investigation Report) provides no interpretation of the geotechnical cores and the geotechnical integrity. It presents only the core logs.

The proposed material to be dredged has not been aptly characterised due to core refusal above design dredge depths and the anecdotal information that hard rock obstructed drilling.

The draft EIS Main Report (page 367) refers to sediment depth overlaying the hard sea floor ranging from zero to 140 centimetres.

Conclusions about the geotechnical properties of the sediment that was sampled, the potential nature of the hard substrate below the unconsolidated upper layers of sediment, and its ultimate applicability for construction of the proposed causeway, has been based on just 13 core samples extracted for geotechnical analysis, of which only five are in the actual dredge pocket.

## WHAT IF THE SEAFLOOR IS HARD?

The draft EIS has not addressed the likelihood or consequences of encountering the hard sea floor, otherwise referred to as Class 3 unconsolidated sediment elsewhere in this document. It does not account for the risk of not achieving the desired dredge depth of three metres.

## ARE DREDGE VOLUMES ADEQUATE FOR THE CAUSEWAY?

Estimated dredge volumes are from 100 000m<sup>3</sup> to 200 000m<sup>3</sup>, but the actual minimum volume of spoil required to construct a causeway 250 metres long and five metres high is not quantified.

There is risk that volumes of dredged spoil may not be enough to construct the causeway. Alternatively, surplus spoil may be dredged in excess of causeway construction requirements.

What is the intention if either of these scenarios is encountered?

This weakness in the draft EIS demands further exploration and requires an adequate understanding of the sediment characteristics, which is yet to be achieved.

## PAST PERFORMANCE AN INDICATOR OF FUTURE PERFORMANCE?

Yumbah is intimately aware of previous geotechnical investigations in Smith Bay.

During October 2017 KIPT commissioned a drill barge to conduct seabed sampling to inform the draft EIS. Yumbah closely observed these activities and remained on high alert to what was considered an extreme risk to business continuity.

During this time, it was obvious the vessel and drill rig were experiencing problems.

Following extended periods of heavy grinding, a loud bang was often heard, followed by the extraction of the drilling equipment and a lengthy delay prior to the activity re commencing.

In a conversation between Yumbah senior site management and the drill operator following a day's drilling, the operator shared the problem:

*"It's just straight stone, so hard the drill heads were getting stuck and snapping off."*

The drill operator said drilling would be delayed while they sourced a different drill head. He expressed frustration and commented that usually when solid rock is hit the location is changed, but his instructions were to persist regardless of any difficulties.

Irrespective of these significant limitations to sampling and analysis in this draft EIS KIPT is attempting to build an argument on inaccurate, flawed data.

For Yumbah – and, we expect, for regulators and the science they should be able to rely on - this is a serious breach of corporate and ethical responsibility.

#### DREDGING PILES UNKNOWN ON UNKNOWN

The proponent has a patchy record on dredge sampling that only raises doubt about its information and its claimed capabilities.

There can be no guarantee over the accuracy of suggested volumes likely to be dredged in Smith Bay, nor the likelihood of effectively dredging to the required three metre dredge depth because of core refusal during geotechnical investigations in 2017.

KIPT has not presented plans to dredge to the required three metres with the assumed presence of 1.6 m of the seabed being *hard sea floor*.

Its 2017 drilling rig sediment sampling survey conducted for core acquisition via 10 tonnes of drilling hydraulic pressure yielded low penetrations prior to core refusal consistently below one metre for all samples except for site SB7.2 (Appendix F) which was sampled to 1.4 metres below the seabed.

The interpretation of the geotechnical/borehole data cannot be confirmed for >1-3 metres of marine sediments due to core refusal by the hard sea floor.

The presence of a very hard substrate (possibly consolidated material) underlying a veneer of unconsolidated sediments that may require Cutter Suction Dredge (CSD) grinding, and subsequently a better understanding of this third class (Class 3) of dredge material.

The CSD has the potential to generate very fine particles from the dredge-header grinding the hard substrate into material and small particle diameters. This will lead to a greater dispersion of fine sediment beyond the current Impact Zones reported throughout the draft EIS.

## ERRORS AND OMISSIONS

- *The sediment load in the dewatering discharge from the dredge slurry potentially could be high if not managed effectively.<sup>77</sup>*

"If not managed effectively". It's a phrase repeated through the draft EIS, relied upon by an accident-prone proponent to support its case for an ill-founded, poorly-planned investment in the wrong place.

The question for the proponent is:

*"Who ensures effective management?"*

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<sup>77</sup> EIS Executive Summary p37

## GUIDELINE 18:

### BUILT FORM & DESIGN

#### DESCRIPTION:

The development is proposed in an area that is a relatively remote coastal landscape that is natural in appearance. There are no other developments of this scale or type situated along this portion of coastline. The proposed development will establish a prominent visual feature along the coastline. Kangaroo Island is internationally known for its natural beauty and this must be considered in the built form and design of the proposed development.

#### SUMMARY RESPONSE

Kangaroo Island is one of Australia's largest off-shore islands. Due to its relative isolation from the rest of the State it faces unique economic, environmental and social circumstances, challenges and opportunities. In a strategic plan created for Kangaroo Island, development proposals are required to reflect the importance of retaining economic benefits on the island, balanced with the protection of the island's natural resources.

- The built form and design proposed is in direct contrast to the natural landscape of Smith Bay, and will negatively affect the widely-distributed economic benefits of Yumbah Aquaculture
- Suitable port and marina infrastructure and port opportunities already exist on Kangaroo Island that would provide greater benefit when establishing a seaport for KIPT to export trees



Figure 13 - Actual Pontoon to be used for the Seaport

## BUILT FORM

The DPTI EIS Guidelines acknowledge that the seaport is proposed in a relatively remote coastal landscape that is natural in appearance. The KIPT EPBC referral of proposed action from July 2016 states:

*The Smith Bay site is within the Coastal Conservation Zone of the KIDP (Kangaroo Island Development Plan), which means that the proposed development is non-complying. Under this plan, non-complying developments are not prohibited per se, but must be considered on their merits.*

The built form and design proposed is in jarring contrast to the natural landscape of the Coastal Conservation Zone of Smith Bay.

Kangaroo Island is one of Australia's largest off-shore islands. Due to its relative isolation from the rest of the State it faces unique economic, environmental and social circumstances, challenges and opportunities<sup>78</sup>. In 2011, the *Kangaroo Island Plan*<sup>1</sup> was created as a statutory policy document to guide the type of development in the Kangaroo Island Council Area.

The Plan outlines strategic land use directions to better align with priorities of the *Kangaroo Island Futures Authority* (KIFA) to provide an overarching framework for sustainability. The Plan is supported by a number of other documents developed to inform future development opportunities on the Island.

<sup>78</sup>[https://www.dpti.sa.gov.au/data/assets/pdf\\_file/0009/249975/Kangaroo\\_Island\\_Council\\_Development\\_Plan.pdf](https://www.dpti.sa.gov.au/data/assets/pdf_file/0009/249975/Kangaroo_Island_Council_Development_Plan.pdf)

A major thread in these strategic plans for Kangaroo Island is the importance of retaining economic benefits on the island, balanced with the protection of the island's natural resources. Diversification and value-adding is required across the Island in relation to tourism and agriculture that ensure sustainable coastal development and protect natural and industry assets.

The Island's economic base continues to expand and is targeting increased tourism and new industries in the areas of horticulture, aquaculture and renewable energy.

The island's clean, green reputation underpins these industries.<sup>79</sup>

## DESIGN

The many strategic plans for Kangaroo Island observe that developments should be appropriately located, sited and designed to fit in with and be subservient to the environment and not to compromise the scenic and landscape experience or the Island's natural assets.

Smith Bay is one such location on Kangaroo Island that should be afforded better protection.

From the sea Smith Bay is the coda to the environmental ballet danced along the North Coast which attracts tourists who, on a three-hour journey ending in Smith Bay<sup>80</sup>, see seals, dolphins, sea eagles and possibly whales. That ending will be forever destroyed by the surprise of a wharf reaching out hundreds of metres

into Smith Bay overshadowed by a woodchip mountain as you enter the Bay.

On land the Yumbah KI abalone farm has been at Smith Bay since 1995 and with its low profile, quiet operations and barely registered presence at night, it blends well with topography and natural land, and marine assets.

The *Kangaroo Island Plan Addendum* (January 2014)<sup>81</sup> notes that the ability for commercial forestry to contribute to the Island's international reputation by providing value-added opportunities, farm-gate experiences and local employment is low in comparison with other agricultural uses, thus providing lower social and economic benefits to the Island.

The Plan confirms that further expansion of forestry on the Island should be restricted and replacement of forestry with other farming and horticultural land uses should be encouraged, especially where located on land with high capability to support such uses.

It also notes that a clear hierarchy of environmental areas to be protected from or used for development should be developed and existing infrastructure assets should be utilised instead of expanding areas used for forestry.

This must be considered for the proposed seaport at Smith Bay, since port and marina infrastructure and port opportunities already exist across the Island that would provide a greater benefit when establishing a wharf from which KIPT can export logs and potentially woodchips.

<sup>79</sup> [https://www.sa.gov.au/\\_data/assets/pdf\\_file/0019/72802/DOCS\\_AND\\_FILES-8251751-v5-Formatted\\_Kangaroo\\_Island\\_Plan\\_Addendum\\_January\\_2014\\_low\\_res.PDF](https://www.sa.gov.au/_data/assets/pdf_file/0019/72802/DOCS_AND_FILES-8251751-v5-Formatted_Kangaroo_Island_Plan_Addendum_January_2014_low_res.PDF)

<sup>80</sup> <https://kimarineadventures.com.au/>

<sup>81</sup> [https://www.sa.gov.au/\\_data/assets/pdf\\_file/0019/72802/DOCS\\_AND\\_FILES-8251751-v5-Formatted\\_Kangaroo\\_Island\\_Plan\\_Addendum\\_January\\_2014\\_low\\_res.PDF](https://www.sa.gov.au/_data/assets/pdf_file/0019/72802/DOCS_AND_FILES-8251751-v5-Formatted_Kangaroo_Island_Plan_Addendum_January_2014_low_res.PDF)

Governments have an important role in resource planning for marine and coastal areas. The rationale for Government intervention stems from the need to control potential conflicts of use and/or the environmental impacts that can arise from use and development in marine and coastal areas<sup>82</sup>.

Planning for Kangaroo Island has a focus to:

- encourage sustainable growth particularly in Kingscote, Penneshaw, Parndana and American River and make the best use of their existing and expanded infrastructure
- reinforce the expanded role of Kingscote and Penneshaw as the main passenger and freight gateways to the Island
- incorporate high-quality design to protect coastal landscapes

The Kangaroo Island Council Development Plan (September 2015) states an objective for Aquaculture Development as Marine aquaculture development in marine waters that ensures fair and equitable sharing of marine and coastal resources and minimises conflict with water-based and land-based uses.

Aquaculture in South Australia is afforded protection from conflicting and incompatible land use activities. The activities of ports are widely recognised as a conflicting land use with aquaculture.

Section 6.3 Appendix N (pg 21) of the draft EIS states Land use at the Yumbah Aquaculture site is generally consistent

with Primary Production or Rural Industry. The land use is not consistent with the type of development envisaged in the Coastal Conservation Zone, or with typical activities associated with the Rural Living land use category.

This is again purely remiss of KIPT and ignores that the aquaculture farm has been established within the planning framework and is an activity consistent with Rural Living and the Coastal Conservation Zone.

The seaport is clearly at odds with this zoning.

Ports are widely recognised as an industrial activity and 'high risk' for aquaculture, especially when planned to be built less than a few hundred metres from a long-standing, successful aquaculture business.

The National Biosecurity Plan Guidelines for the Australian land-based abalone industry<sup>83</sup> explicitly refers to 'ports' as high risk in relation to farm locality and features.

The Kangaroo Island Council at its meeting on May 15, 2019 strongly opposed Smith Bay as the location for KI Plantation Timbers' proposed timber exporting port<sup>84,85</sup>. At that meeting, Councillors – as elected representatives of their community – made their position very clear. Yumbah Aquaculture is an industry that fits well with the image of Kangaroo Island, supporting the seafood, primary production and food industry sectors of the island.

<sup>82</sup> <https://www.pc.gov.au/research/completed/aquaculture/aquaculture.pdf>

<sup>83</sup> Spark, E., Roberts, S., Deveney, M., Bradley, T., Dang, C., Wronski, E., Walker, M., and Savva, N., PIRSA Fisheries and Aquaculture, 2018. National Biosecurity Plan Guidelines for the Land Based Abalone Industry. Department of Agriculture and Water Resources, Canberra August 2018. CC BY 3.0

<sup>84</sup> <https://www.theislanderonline.com.au/story/6126068/ki-council-rejects-smith-bay-as-location-for-kipt-port/>

<sup>85</sup> <https://www.kangarooisland.sa.gov.au/webdata/resources/minutesAgendas/20190515%20Council%20Minutes.pdf>

Council also confirmed its view that it was not feasible to have a single-use port at Smith Bay and that the Yumbah abalone farm and KIPT should both be allowed to exist without compromise or dispute. On top of this, Councillors said the proposed port was not hidden and its location on North Coast Road would impact on tourism and locals in that region of the Island.

It should therefore, according to Council representatives, not proceed at Smith Bay.

## GUIDELINE 19:

### CONSTRUCTION & OPERATION

#### DESCRIPTION:

During the construction and operation of a large infrastructure project, such as what is proposed at Smith Bay, there will be a range of standard impacts that can occur. Many of these can be adequately managed through construction and operational environmental management plans. As the wharf is proposed to be multi-user, information is needed on who the other potential users may be and how often it is anticipated to be used for other purposes.

#### SUMMARY RESPONSE

- *The draft EIS does not profile the potential users of the wharf. In fact, it simply describes a major customer often promoted in earlier misleading press releases namely the cruise ship industry as being "out of scope". Furthermore, the environmental impact and business impact of "other potential users" is ignored in the draft EIS. As the draft EIS proposes that only 20% utilisation is being provided by the timber operation this means that 80% of the potential wharf usage is left conveniently unexamined by the draft EIS.*
- *"Trust us" does not cut it*
- Further discrepancies between draft EIS Main report and Appendices (see below)
- Missing documentation prevents review and consideration of the actual proposal (see below)
- "Monitoring" is not managing
- *Unacceptable hazards and risks*
- Smith Bay is an inappropriate location for the KIPT's proposed seaport
- Poor quality of draft EIS gives no confidence Construction and Operation impacts are considered adequately
- *Track record of proponent a primary consideration*
- Unlicensed test drilling in Smith Bay sets a precedent
- Destruction of seagrass raises flag on proponent's ability and appetite to build or operate complex infrastructure in a sensitive environment

## TRACK RECORD LEAVES PROPONENT'S CAPABILITY EXPOSED

In considering *Appendix U - Environmental Management* of the draft EIS, it's impossible to ignore the previous actions of the proponent:

- disregarding licence conditions, undertaking illegal drilling in Smith Bay
- demonstrable miscommunication between field operators and management leading to mass destruction of seagrass in Smith Bay
- incomplete dredging analysis
- incomplete information about dredge spoil utilisation
- over-stated beneficial claims regarding Smith Creek
- demonstrable ignorance about the operations of a successful onshore abalone farm
- failure to professionally consider alternative sites that meet the purpose of this infrastructure

The list is longer than the points above, but these accumulate to the point of no confidence that the proponent could capably manage the detailed processes listed in the Appendix, when it cannot competently manage the demands of an EIS process.

## PROPONENT FAILS TO COMPLY WITH DAC REQUIREMENTS

The draft EIS attempts to present information that corresponds with what's required of the EIS guidelines, but fails to meet this challenge.

The information requested must be re-assessed and compiled correctly as a set of comprehensive and all-encompassing management plans to be rigorously reviewed prior to any project approvals.

The DAC EIS guidelines require Construction (CEMP) and Operational Environmental Management Plans (OEMP) for all components of the proposed development.

The draft EIS includes a draft CEMP and OEMP but these are inadequate considering the Risk Assessment does not sufficiently reflect the full extent of the hazards associated with the construction and operation of the seaport.

The potential for interaction with Smith Bay's shallow groundwater table during bulk earthworks is not considered adequately in either EMP. The CEMP includes groundwater and surface water subheadings as Management Measures tables, but the corresponding measures are not relevant to groundwater protection.

The EMP shows impact to Yumbah KI during both construction and operation, but the extent and duration of impact cannot be adequately quantified. Hence, any potential impact is completely unacceptable to Yumbah KI.

A Dredge Management Plan (DMP) is referenced throughout the draft EIS with some supporting technical documents, but this critical plan is not provided to show activity and associated management considerations Yumbah must confront.

Similarly, a Traffic Management Plan will be required as a condition of any approvals document.

The Site Control Plan is not yet completed, and so strategies to apply across the entire Smith Bay project footprint have not been developed. Supporting appendices for quality control, reporting and continuous improvement procedures don't exist.

These missing links limit the capacity to properly review and comment on this EIS; their absence should also preclude the South Australian Government accepting this is a valid document on which to base such a significant decision.

#### INCONSISTENCY BETWEEN DRAFT EIS DOCUMENTS

Concerns have been identified in the CEMP that are inconsistent with the content of the draft EIS and its supporting technical assessment. These include:

- An objective of Land Disturbance on page 5 of the draft CEMP
- *No introduction of new weeds or pests, nor material increase in the abundance or area of existing weed or pest species. No loss of abundance or diversity of native vegetation.* This objective should be applied for biosecurity and marine disturbance
- No disturbance to Aboriginal or European heritage items (unless prior approval obtained from relevant legislation).
- How can this disturbance be avoided without a comprehensive assessment

of the site for archaeological significance?

- Where in the EIS is proper regard for the original dwelling of Harry Smith the resident for which Smith Bay was named. The ruins of his house, one of the first dwellings on Kangaroo Island, are remnant on the site proposed for the wharf development. KIPT's website records their intention to respect this site:

*""The ruins of Harry Smith's cottage were nominated as a heritage place. The Heritage Council of SA decided at its July meeting not to list the ruins as a heritage place after an investigation and site visit by its officers. Kangaroo Island Plantation Timbers will consider its site plans to assess whether the ruins can be preserved."86*

- Sadly, that respect has not extended to even the smallest reference in the draft EIS which bulldozers this heritage relic.
- Potential impacts of marine disturbance
- *Loss of small area of pipefish habitat and some individuals of ring-backed pipefish*
- This reference to some equates to >10 hectares, plus a 500-metre radius of the dredging site. This is estimated to destroy the habitat of 5000 pipefish (Appendix 9).

<sup>86</sup> <https://kipt.com.au/2017/07/05/harry-smiths-ruins-not-listed-heritage-site/>

- Interactions with terrestrial fauna recognise there will be impact on echidnas that occasionally forage on site.

## DRAFT OEMP DOES NOT PROTECT YUMBAH

KIPT's draft OEMP cannot protect Yumbah KI from the risks of this seaport in Smith Bay. The raft of management and mitigation measures suggested in the plan cannot guarantee risks will be prevented, and so Yumbah cannot have confidence in the security of its Smith Bay business.

The draft OEMP includes details of possible alterations to the causeway, reluctantly if necessary to minimise the interruption of tidal currents (Draft OEMP, page 23). Are these measures proposed as a reactive measure once the causeway is constructed? What will be the trigger for redesigning a causeway once it is deemed this 250-metre tidal barrier does indeed create a critical issue for Yumbah? How much stock must Yumbah lose to trigger remedial action by KIPT? Who will direct KIPT to re-engineer and reconfigure the causeway? What legal protection will Yumbah have, to ensure that action is taken and future threat is removed? What reassurance does Yumbah have that the KIPT will have the financial resources to remedy any damage caused by the manifestation of the many risks posed by the wharf development and operation?

Inclusions in the draft OEMP cannot be enforced and reduce the responsibility KIPT bears to manage the multiple impacts of its operation:

- Other than in exceptional circumstances, vessels would discharge foreign-sourced ballast water on the high seas (that is, further than 200 nautical miles from the Australian shoreline) before entering

the Australian EEZ, in conformance with the Biosecurity Act 2015.

- What are the exceptional circumstances? Who will control these? Who is responsible for any damage caused by the "exceptional circumstance"? Where in the EIS is an estimation of frequency for such exceptional circumstance?
- All vessels using the KI Seaport would be required to comply with state policies relevant to the management of biofouling and pollution prevention ((SA EPA Code of Practice for vessel and facility maintenance (marine and inland waters) 2017)).
- Who will mandate these?
- If a new (including suspected) exotic organism was identified during operation, the marine biosecurity response procedure would be implemented (see Appendix S2 – OEMP for further detail). The organism would be reported to the relevant authorities via the Fishwatch 24-hour hotline and all directions issued by PIRSA would be followed. If there was a biosecurity incident, PIRSA would take over the on-ground management of the incident, including any information that would be provided to the media.
- Too little too late. Given the fuzzy chain of responsibility evidenced by KIPT outsourcing and looking to sell off operational aspects of their project where exactly "does the buck stop?".
- Where is the legal liability of KIPT and corporate responsibility of introducing a contaminating activity into a Coastal Conservation Zone?
- Drivers would be encouraged to report native fauna vehicle strikes during timber haulage.

- Encouraged?
- If a hooded plover nest was discovered in Smith Bay during operations, a protection zone (determined in consultation with DEW) would be imposed around the location for the entire breeding season.
- Is this irrespective of location and impact to the productivity of the seaport?
- Nowhere in the EIS is any consideration given to the nesting endangered white bellied sea eagles, which fly over the wharf site each day.



# APPENDICES



## APPENDICES

APPENDIX 1	Review of Predicted Water Quality Impacts
APPENDIX 2	Global Marine Resource Management Response to EIS
APPENDIX 3	Australian Abalone Growers Association (AAGA) Submission
APPENDIX 4	Marine Biosecurity Review
APPENDIX 5	Economic Impact Statement
APPENDIX 6	Review of Air Quality Impacts
APPENDIX 7	Easements - Certificates of Title
APPENDIX 8	Review of Noise and Vibration
APPENDIX 9	AusOcean Marine Ecology Report



APPENDIX 1 –

**REVIEW OF PREDICTED  
WATER QUALITY IMPACTS**

Romero

2019



22 May 2019

David Connell  
General Manager  
Yumbah Kangaroo Island

Our ref: 6137616-98313  
Your ref:

Dear David

## **KIPT Smith Bay Wharf Draft EIS Review of Predicted Water Quality Impacts**

### **1 Introduction**

Yumbah Kangaroo Island (Yumbah KI) requested a review of the predicted water quality impacts of the Smith Bay Wharf Draft Environmental Impact Statement (KIPT 2019, hereafter referred to as EIS). This review has focused primarily on Appendix F of the EIS. Appendix F is organised into the following four (4) sections:

- F1 – Assessment of Marine Sediments.
- F2 - Hydrodynamic Modelling.
- F3 – Marine Water Quality Baseline and Impact Assessment.
- F4 – External Hydrodynamic Modelling Peer Review.

Additionally, review comments/observations are provided on Appendix G (Coastal Processes) and Appendix T (Risk Assessment). The EIS Main Report was not reviewed in this commission, but any salient review comments here regarding the EIS appendices ought to be considered relevant for review of the content of the Main Report. The Main Report is a summation of the technical reports presented as the appendices in the EIS. This review has identified a number of issues and concerns with the reports primarily presented in Appendix F. Those of primary importance have been underlined further within this document.

### **2 Sub-Appendix F1 – Assessment of Marine Sediments**

#### **2.1 SAP and SAP Implementation Information (Section 2)**

The assessment of marine sediments proposed for the dredging footprint is a significant contributor to a number of studies that form the EIS. The sampling and analysis of the seabed is deficient and does not provide an adequate description of the sediments to allow an assessment of the potential impacts of its disturbance. In short, there is a lack of information regarding the sediment sampling and analysis plan (SAP) and its implementation. The SAP is lacking in important information, including:

- Justification for the spatial arrangement and the number of sampling sites. Typically, this is based on the National Assessment Guidelines for Dredging (NAGD 2009). The National Acid Sulfate Soils Guidance (Commonwealth of Australia 2018) for guidelines for the dredging of acid sulfate soil sediments and associated dredge spoil management defaults on these matters to NAGD. The NAGD recommends that the locations should be randomly selected within the dredge pocket rather than the structured grid implemented here.

- Target core / sediment acquisition depths required to describe the sediment quality and PSD of the proposed material to be dredged. As per NAGD, the full depth of dredging needs to be characterised
- Details/justification of change in the sediment sampling acquisition methodology from drilling (original dredge footprint) to SCUBA (revised dredged footprint),

The following is also of concern in Appendix F1:

- Split sediment samples for the first drill-core acquisition event were done for QA/QC to test within sample variability, but not for the second SCUBA-core acquisition event. However, no replicate samples were collected to evaluate within site variability. Justification for the reliability of the SCUBA-core acquisition samples is purely based on a comparison with the previous sampling event.
- It is unknown if the sampling was also meant to ascertain the suitability of the sediments for use as onshore fill and/or material for the causeway's core. Sub-Appendix C1 (Geotechnical Investigation Report) does not provide any interpretation of the geotechnical cores and thereby their geotechnical integrity, and only presents the core logs. There is no information that reports if the dredged material is suitable for onshore infill and/or the causeway's core material. The proposed material to be dredged has not been aptly characterised due to core refusal above design dredge depths.

## 2.2 Core Penetration Depths and Worst Case Uncertainty Implications (Section 3.1, Table 1)

The proposed maximum dredge depth is approximately 3m. Sediment was only sampled to a maximum depth of 80 cm, with one sample extracted from 140 cm. Core penetration depths ranged from:

- ~60 cm at sites ZZ3-ZZ8 (presumably via diver during second survey).
- 8 of 12 sites during the first survey were  $\leq 25$  cm.
- 3 of 12 sites during the first survey 50-80 cm
- 1 of 12 sites (site SB7) during the first survey had a penetration depth  $>1$  m (140 cm).

During the first survey with core acquisition via 10 tonnes of drilling hydraulic pressure yielded low penetrations prior to core refusal. This indicates a very hard substrate underlying a veneer of unconsolidated sediments that may require Cutter Suction Dredge (CSD) grinding. The CSD has the potential to generate very fine particles from the dredge header grinding the hard substrate into material with small particle diameters and thereby a propensity to remain suspended in the water column for a longer duration than the settling velocities measured for the overlying veneer of unconsolidated sediment.

Sediment has not been characterised to the extent of dredging depth estimated at 3 m. There is also considerable uncertainty in regards to the Particle Size Distribution (PSD) (and settling velocities) of the material that would be generated by the CSD. The PSD of the sediments released into the marine waters will potentially pose a much greater impact/risk in terms of a worst case scenario than the duration and amount of dredging. A potential CSD grinding of consolidated sediments scenario may lead to greater dredging related turbidity than predicted in the EIS, and will potentially have greater impacts on primary producer benthic habitat (e.g. light reduction to proximal seagrass) and Yumbah KI's inlet water. The sediment has been poorly characterised, particularly the hard substrate (consolidated) strata beneath the well characterised veneer of unconsolidated-weakly consolidated sediments. Due to the poor characterisation of the extent of sediment to be dredged, the worst case for PSD and settling velocity estimates should be further explored with additional sediment sampling and modelling.

In summary, the low core penetration depths of the sediment and the lack of adequate characterisation of the full dredge depth, introduce uncertainty in the characterisation of PSD of the proposed dredge

material. This has implications for the construction modelling inputs and also determination of the suitability of dredge spoil as onshore fill and the causeway's core material.

### 2.3 Core SB.7 and Settleability Measurements (Section 3.2)

The sediment classification in Figure 7 provides SB7.1 and SB7.2 PSD results, but there is no information on the depth intervals of these samples from the core. Figure 8 shows that sample SB7.2 has much smaller characteristic particle diameters than any of the other samples. Presumably this is a sample from the deeper portion of the SB7.2 core. Sample SB7.2 is potentially the only sample to characterise pockets of unconsolidated sediment that extend to similar depths. Site SB7 is outside of the revised dredge area (see Section 8.1) and it may not be indicative of the deeper sediment in the actual dredge footprint.

Settleability reported in Table 2 is on the basis of four shallow sediment samples with penetration depths of 20-25 cm (SB3 and SB11) (via the drill rig) to ~60 cm (ZZ4 and ZZ9) (via SCUBA). The settleability of the sediment cannot be confirmed based on limited shallow samples collected from both within and outside of the dredge footprint. Settleability needs to consider the deeper unconsolidated and consolidated (noting that small particle sizes are likely to be generated during CSD grinding) sediment horizons. Settleability measurements should have been reported, as a minimum, on sample SB7.2 to ascertain the lower bound of measurements for the deeper unconsolidated sediments. Further, settleability of deeper consolidated sediments are not characterised due to no acquisition of samples (note these latter sediments would need to be treated to simulate CSD grinding). In short, settleability testing is required across the full depth of dredging, not just to 60 cm, which is only 25% of the proposed maximum dredge depth.

## 3 Sub-Appendix F2 – Hydrodynamic Modelling

### 3.1 Catchment Modelling and Smith Creek Flow Scenario (Sections 2.7 and 6.5)

Catchment modelling of a 1:10 AEP storm event is described in Section 2.7 of Sub-Appendix F1. The objective of the catchment modelling in the context of the EIS is for impact prediction of flood plumes from Smith Creek into the proximal marine waters with an emphasis on the effect to the Yumbah KI seawater intakes.

Yumbah has been operating successfully with minimal impact to operation with the exception of a limited number of storm events in 2016. The following issues are identified with the catchment model:

- The use of a 1:10 AEP storm event does not provide a realistic representation of the impact of Smith Creek to Yumbah KI. A smaller design event on a more frequent basis is considered more representative if benefits are being claimed for Yumbah KI intake water.
- The even split between clay and silt for such a large event and the exclusion of coarser size fractions to comprise the TSS model input concentration of 140 mg/L is not justified.
- The sizeable peak flow rates (30-55 m<sup>3</sup>/s) of the 1:10 AEP storm event are unverifiable.

Appendix B of the Draft EIS Sub-Appendix F2 provides the nearbed TSS time series for the 1:10 AEP storm event during summer and winter conditions, which predict with the modelling input uncertainty highlighted above that:

- For the winter simulation peak TSS at the western and middle intakes is substantially greater, but of shorter duration, for the existing case (30-45 mg/L, 12 hours) than the proposed causeway

development (5-15 mg/L, 24 hours). Hence, there is a trade-off between intensity of impact and duration.

- There is a clearer benefit during the summer case, generally with higher TSS levels and longer duration for the existing versus proposed development cases, although the intensity of impact as indexed by peak TSS levels (7-9 mg/L for existing case and 4-7 mg/L for proposed causeway) is substantially less than for the winter case.

The predicted benefit to Yumbah KI's inlet turbidity reduction from such very infrequent 1:10 AEP Smith Creek storm events does not justify the causeway's construction. In summary, the objective of the catchment modelling is seemingly to demonstrate the reduction in Smith Creek flood-derived suspended sediments into Yumbah KI's intakes from the proposed causeway. The simulated large discharge and sediment loads are not verifiable. The modelling of smaller storm events is required to demonstrate the frequency, magnitude and duration of any suggested benefit.

### **3.2 Model Validation of Temperature and PAR (Sections 4.3.3. and 4.4)**

Statistics (as with Figures 4-1 to 4-3, 4-5) and/or scatter plots (Figure 4-4) of simulated versus measured values are lacking for temperature (Figure 4-6) and PAR (Figure 4-7). These statistics and plots characterise the model's skill in predicting these key marine impact parameters.

### **3.3 Dredge Material Specifications for Modelling (Section 5.2.1)**

The dredge material is not sufficiently characterised to adequately configure the simulation inputs and thereby to simulate the intensity and extent of sediment plumes from the dredge activity. On the basis of the CMW Geosciences Geotechnical Investigation Report (Appendix C1) and the WGA Borehole Investigation Summary, in Section 5.2.1 it is stated that *'generally there is 1-3 m of marine sediments and sands overlying deeper strata consisting of cobbles, conglomerates, mudstones and silt/clay/sands. Generally the deeper strata were below the design dredging depth (-12.0-13.0 CD), which indicates that the majority of sediment to be removed will be surface marine sediments.'*

On the basis of this interpretation, two dredge material sediment classes were configured as dredging simulation inputs. Class 1, comprising of 75% of the total simulation dredge volume, was representative PSD of all sediment samples reported in Sub-Appendix F1 except for sample SB7.2. Class 2, comprising the other 25% of the total simulation dredge volume, was based on the relatively deep sample of SB7.2 (sediment depth interval unknown, refer to previous comments regarding Sub-Appendix F2).

The issues in regards to the interpretation of the sediment sampling and analysis include:

- This review's Section 8.1 and attachment (Sediment and Borehole Sampling Locations) show that much of the sediment characterisation data is for locations outside of the dredge area, and thereby does not provide an accurate characterisation of the sediments to be dredged (particularly in regards to the consolidated component), and thereby the ability to predict its behaviour during dredging.
- Uncertainties highlighted in this review's Section 2 in regards to the sediment sampling core depths and extrapolation to the dredge depth (core refusal generally <60 cm), and the inclusion of sediment characteristics outside the dredge area, the assigned volumes of 75% and 25% for class 1 (primarily sand) and class 2 (greater proportion of clay and silt) cannot be relied on.
- Following on from this, the purported hydraulic pressure of the drill was 10 tonnes, yet core refusal was consistently well below 1 m for all samples except for site SB7.2. The interpretation of the geotechnical/borehole data in Section 5.2 cannot be confirmed for >1 - 3 m of marine sediments

because the core refusal depths were well less than 1 m (except for SB7.2 outside of the dredge pocket) during the drilling rig sediment sampling survey.

- An alternative interpretation on the basis of the core refusal depth evidence is that a relatively thin veneer of marine sediments (primarily sand) with perhaps some scattered relatively deeper pockets of finer material (e.g. site SB7.2) occurs, and the underlying sediments are comprised of a harder substrate (consolidated material?). If so, then this would support a third class (class 3) of dredge material.
- If the alternative interpretation is plausible, a worst case third class of dredge material for a reasonable worst case estimate is valid given the information available and potential interactions between the CSD and the harder (consolidated) sediments of the deeper strata of the dredge area. This requires additional modelling for a worst case dredge material characterisation that includes worst case estimates from dredging of the third class and worst case dredge volume allocations to the three classes.

In summary, the characterisation of the sediments to be dredged has considerable uncertainty in terms of the potential PSD composition of the deeper sediments, which ought to be a third class of sediments that has not been modelled. The evidence indicates this a strongly consolidated deeper layer supported by the core refusal observations from a drill rig with 10 tonnes of hydraulic pressure. All of the dredge material modelled to date has assumed unconsolidated or weakly consolidated material from samples within the dredge pocket at shallow depth. The dredge modelling predictions do not correctly describe the worst case in terms of PSD uncertainty. There is uncertainty in the PSD characterisation of the deeper sediments that has not been adequately characterised. These deeper, uncharacterised sediments potentially yield greater dredge-related turbidity impacts than modelled to date.

### **3.4 DMPA Tailwater Discharge (Section 5.2.3)**

A 50 mg/ TSS concentrations is modelled for the DMPA tailwater discharge. This model input parameter sets the degree of impact at the confluence of discharge with the marine environment. Hence, it is assumed that the 50 mg/L TSS tailwater discharge will be a construction commitment by KIPT.

### **3.5 Impact Assessment Framework (Section 5.2.6.3)**

The dredge plume modelling assessment has assessed impact prediction variability by considering an ensemble of simulations to address different physical environmental conditions and to a lesser degree different dredging scenarios, which is commended. Predictive variability associated with different dredging scenarios is likely most impacted by the uncertainty in the PSD characterisation of the Class 3 dredge material (underlying harder [consolidated?] substrate under a veneer of marine sediments) described previously in this review in Section 3.3, which ought to be addressed. This dredging scenario factor of Class 3 PSD uncertainty is likely to have greater impact than variations in the dredging volume-footprint-duration as a 30-day assessment window is used. Hence, the assessment with a 30-day window does not materially change with the same dredge plant over a longer duration dredging program and relatively minor change to the dredge footprint.

### **3.6 Current Field Impacts (Section 6.3.2)**

Current speed measurements by Yumbah KI in the shallow waters in front of the abalone farm range 4-13 cm/s across the 10<sup>th</sup> to 90<sup>th</sup> percentiles over a period of 6 months measurements from 24 August 2018 to 25 February 2019 (see Section 8.2 of this review). Material changes to the nearshore current

regime may have potential implications to the flushing of Yumbah KI's outlet waters into the nearshore waters and potentially increased recirculation into the facility's intakes, which is of concern to Yumbah KI.

It is recognised that this section addresses coastal processes, so please refer to Section 4.3 for further comments on this operational risk/impact associated with the proposed causeway. As this is the only section in the Draft EIS where current field impacts are addressed, for the purposes of assessing predicted changes in the proximal location to the Yumbah KI inlets and outlets. The close-up figures of the differences in current velocities in the region of the aquaculture facility are not adequate as finer current velocity intervals of 1-2 cm/s rather than 10 cm/s intervals (bottom panels of Figures 6-8 and 6-9) is more representative and should instead be applied.

## **4 Sub-Appendix F3 – Marine Water Quality Baseline and Impact Assessment**

### **4.1 Impact Thresholds (Section 3.2.1)**

The use of 10× (Zone of High Impact) and 5× (Zone of Low to Moderate Impact) standard deviations above the 50<sup>th</sup> and 80<sup>th</sup> percentile means to define ecological impact thresholds from turbidity are unjustified. There is no ecological basis for these criteria. This does not address seasonality in biotic receptors. It has been demonstrated that ambient turbidity is highly correlated to wave climate in Smith Bay (Figure 2-10 in Sub-Appendix F2).

Peak seasonal insolation (mid-spring to mid-autumn) corresponds to a seasonally low wave climate (Figure 3-3 in Sub-Appendix F2) with resultant low seasonal ambient turbidity (again Figure 2-10 in Sub-Appendix F2). This is a sensitive period for benthic primary producers (e.g. seagrass) with seasonal maxima in benthic PAR harvesting. The approach to define the impact thresholds does not seemingly account for this sensitive period (mid-spring to mid-autumn), which from a benthic primary producer perspective is the worst case timing to carry out the dredge program.

### **4.2 Plume Modelling Scenarios (Section 3.4.1.1)**

The draft EIS considered variations in the location of the dredge footprint and the environmental conditions. It was concluded that design of the dredge footprint does not have a substantive effect on predicted construction impacts, and that environmental conditions do so. The PSD uncertainty of the proposed sediment material to be dredged has been addressed previously in this review (Sections 3.3 and 3.5). The TSS impact assessment is questionable as there is considerable uncertainty in the PSD of the dredge material, and the need for deeper sediment understanding, particularly to confirm the presence of a Class 3 sediment of consolidated material.

### **4.3 Lack of Nearshore Flushing and Yumbah KI Intake-Outlet Recirculation Assessment (Section 3.5)**

No impacts to the flushing of Smith Bay and effects on recirculation of the aquaculture's outflows to the intakes were evaluated as indicated in Section 3.6 of this review. The placement of a solid causeway to the east has the potential to alter the typical flushing patterns with a potential to increase the recirculation of the facility's outlet waters to the inlets. The potential for changes to the very nearshore flushing of Yumbah KI's outlet waters due to the presence of the proposed causeway and any impacts/risks in terms of recirculation of the outlet waters into the Yumbah KI facility's intakes has not been addressed.

#### 4.4 Residual Impacts and Assessment Summary (Section 5)

In terms of capital dredging mitigation measures, the following mitigation measure is a suggestion in Sub-Appendix F3 Section 4, not a recommendation, and hence should not be considered in the Risk Assessment Summary unless it is a firm pre-approval KIPT commitment:

- Dredging should be limited from October to March to limit impacts to ecological receptors and Yumbah KI's intake water.

If not a firm commitment, remove this measure from the risk assessment and reassess the residual likelihood.

The Ballast Water hazard risk assessment and the inherent and residual consequence rating of minor should be assessed with consideration of Yumbah KI's review on biosecurity by Prof. Chad Hewitt and Prof. Marnie Campbell.

The risk assessment should include the changes to Smith Bay nearshore circulation and flushing from the proposed development and the potential impacts to increased recirculation of outlet to inlet waters of the Yumbah KI facility.

### 5 Sub-Appendix F4 – External Hydrodynamic Modelling Peer Review

This reviewer concurs for the most part with the external reviewer's assessment. The primary issue is with the configuration of the model, in particular the uncertainty of the PSD characterisation of the proposed dredged material and the respective volumes of the existing Class 1 and Class 2 sediment types, and suggested need for modelling of a Class 3 sediment type. The difficulty in confirming the adequacy of the modelled outputs aligns with the limited characterisation of the deeper sediment strata during the two surveys of the superficial sediments in or in proximity to the dredge pocket.

### 6 Appendix G – Coastal Processes

This reviewer has the following comments on EIS Appendix G in regards to coastal processes in relation to Section 4 – Residual Impacts and Assessment Summary, which are:

- Please refer to this review's Sections 3.6 and 4.3 for Yumbah KI's view on potential changes to 'nearshore' flushing and currents, and potential implications for recirculation of the aquaculture facility's outlet water to the intakes. The statement 'Coastal circulation impacts are not expected to result in reduced flushing of Smith Bay waters' needs to be demonstrated.
- Seagrass wrack accumulation has the potential to impact Yumbah KI's intakes. Coastal structure (e.g. groynes, causeways) often cause the accumulation of seagrass wrack and degradation of seawater quality that did not occur prior to their placement. The proximity of the causeway to the Yumbah KI facility's intakes may cause wrack accumulation and water quality degradation of source waters to its abalone farm. EIS Appendix G is lacking the following information to address the potential impacts of seagrass wrack on the abalone farm:
  - A description of the seagrass wrack dynamics of Smith Bay.
  - Predictions of the effect of the proposed development on the seagrass wrack dynamics of Smith Bay.
  - Impacts of the predicted changes of seagrass wrack dynamics on the source waters to Yumbah KI's abalone farm.
  - Though risk reference item 8 in Table 4-1 of EIS Appendix G identifies the hazard, modification to seagrass wrack accumulation, the basis for a consequence of 'minor' and

likelihood of 'possible' is not supported. Further, mitigation measures only change the residual likelihood and not the residual consequence (note this comment also applies to reference item 6 in Table 4-1, and it is uncertain why changes in residual likelihoods to references 2 and 3 are included with no [nil] mitigation measures noted). The inherent and residual risk for seagrass wrack accumulation is not supported.

- The risk of seagrass wrack accumulation on the quality of the source waters to Yumbah KI's abalone farm is lacking and needs to be addressed, particularly given the close proximity of the proposed development to the inlets.

## **7 Appendix T – Risk Assessment**

The following is noted in regards to the Appendix T Risk Assessment.

- Appendix T would benefit from descriptors of the consequence and likelihood, and a risk matrix table.
- The risk assessment is problematic in many instances in that mitigation measures have often resulted in reductions to the residual likelihood and residual consequence. Management measures can only reduce the residual likelihood, not the residual consequence. Please revise the risk assessment accordingly.

## **8 Supporting Information**

### **8.1 Sediment Sampling Locations**

Attachment 1 overlays the following locations that comprise the sediment sampling:

- The revised dredging footprint.
- The bore holes OSBHDs. Only 5 of the 13 bore holes are within the revised dredge footprint.
- The drill rig sediment sampling locations (SB1-SB12). Only 5 of the 12 drill rig sediment sampling sites are within the revised dredge footprint. Note that site SB7.2, a critical sampling site in the PSD characterisation for modelling inputs, lies outside of the dredge footprint. Thus, this location cannot be relied on as an accurate interpretation of the sediment characteristics particularly in the deeper profile.
- The SCUBA sediment sampling locations (ZZ3-ZZ7), which are along the northern periphery of the dredge footprint, which presumably characterises only a small portion of the proposed dredge volume.

The sediment sampling locations do not adequately characterise the sediment to be dredged

### **8.2 Inshore Tilt Meter Measurements**

Yumbah KI recently deployed a tilt meter in the nearshore waters of their facility in order to characterise the current regime at the site just offshore from the western intakes in approximately 8 m water depth over approximately 6 months from 24 August 2018 to 25 February 2019. The tilt meter recorded current speeds and directions at 2-minute intervals.

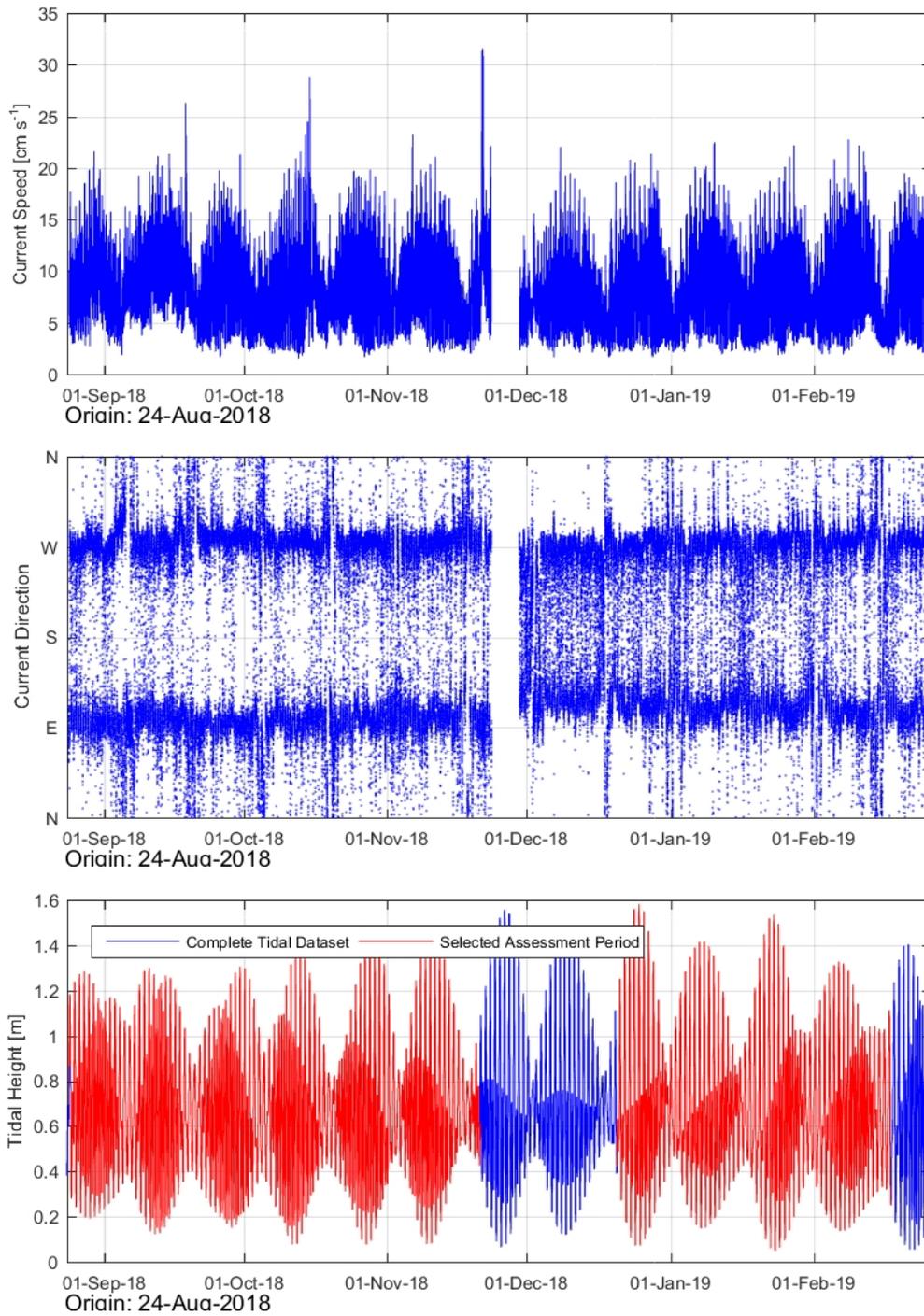
Measured current speeds and directions over the duration of the deployment are displayed in Figure 1, which also presents the predicted tides at Emu Bay. Current speeds typically ranged between 2 to 15 cm/s during neap tides and 2 to 20 cm/s during spring tides. The highest current speed recorded at the

site was ~32 cm/s on 21 November 2018, coinciding with a storm event that moved through the region. The climate statistics for Kingscote, South Australia, obtained from the Bureau of Meteorology indicate maximum wind gusts of 94 km/h on this day, which would have a significant influence on current speeds in these shallow coastal waters.

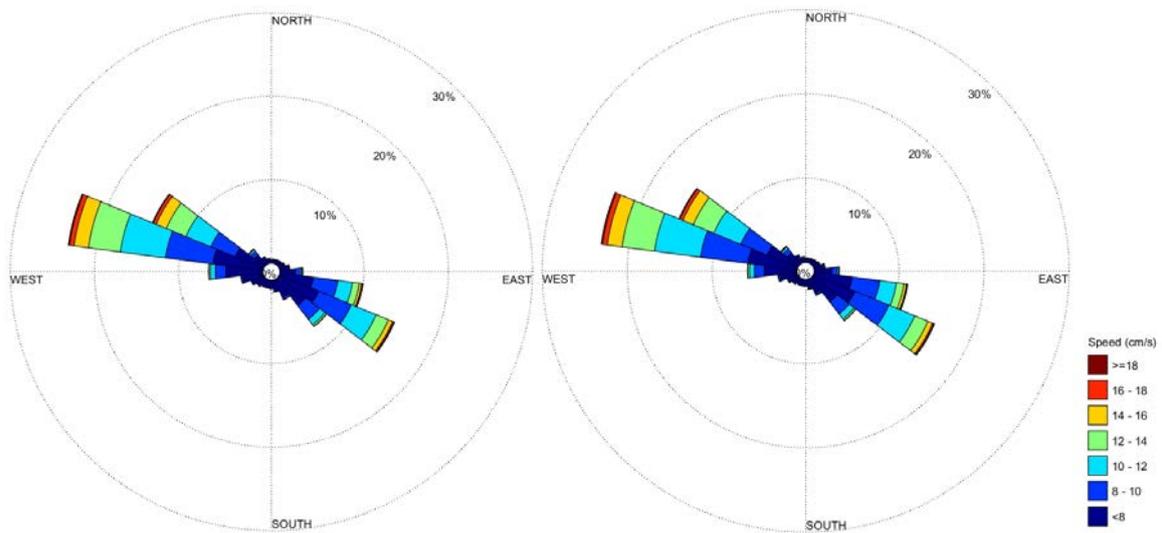
Current directions at the site periodically alternate between the dominant directions of easterly during flood tides and westerly during ebb tides (Figure 1). Further, the minimum current speed of ~2 cm/s is sufficient to transport a turbid plume from the proposed port to the western intake of Yumbah KI's facility, a distance of approximately 300 m.

Current roses for the site are presented in Figure 2 for the entire data record and the selected five lunar cycles. Westerly currents are slightly more frequent than easterly currents. In total, currents with an easterly component make up 44% of the measurements over the five lunar cycles compared to 56% of currents with a westerly component. With reference to the proposed construction of the woodchip port to the west of Yumbah's facility, the high frequency (44%) of easterly currents provides a mechanism by which suspended sediments and pollutants generated at the port may enter the seawater intakes of the aquaculture facility.

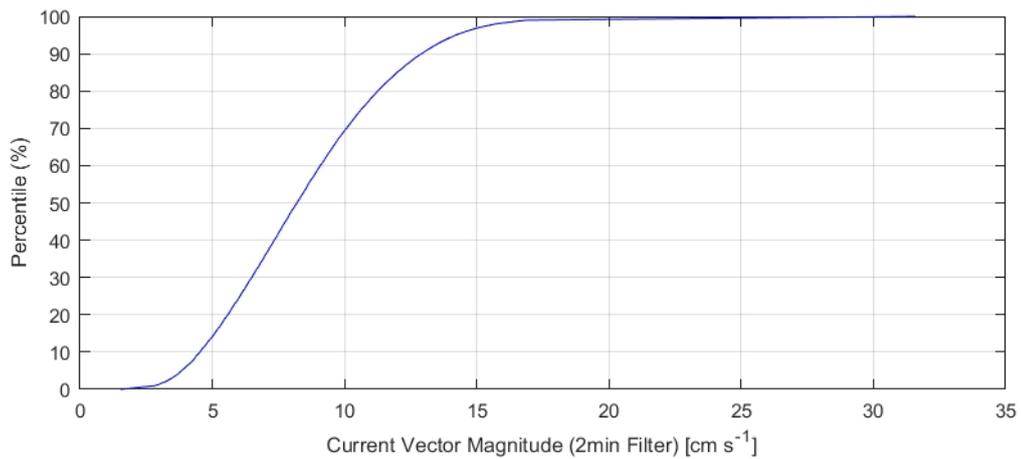
Figure 3 shows the probability distribution of the inshore currents over the 6 month deployment. The 10<sup>th</sup>, 20<sup>th</sup>, 50<sup>th</sup>, 80<sup>th</sup> and 90<sup>th</sup> current speed percentiles are approximately 4, 6, 8, 12 and 13 cm/s.



**Figure 1** Time series of current speeds (top), directions (middle) at the western site and predicted tides at Emu Bay (bottom)



**Figure 2** Current roses for the western site for the full data record (left) and the five lunar cycle assessment period (right)



**Figure 3** Probability distribution of current vector magnitudes

Sincerely

**Jose Romero**

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APPENDIX 2 –

**GLOBAL MARINE RESOURCE  
MANAGEMENT RESPONSE TO EIS**

McShane

2019

Smith Bay Seaport  
Response to Draft Environmental Impact  
Statement  
Kangaroo Island Plantation Timbers



**Professor Paul McShane**

*Global Marine Resource Management Pty Ltd.*

*May 2019*



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**Cover photograph**

*Looking north from Yumbah Aquaculture Smith Bay*

Photo: Paul McShane



## Professor Paul McShane

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**Smith Bay Seaport**

**Response to Draft Environmental Impact Statement**

**Kangaroo Island Plantation Timbers**

May 2019.

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- Vice-President, International and Development and Professor of Marine Sciences, Australian Maritime College;
- Director Fisheries and Marine Environment, Australian Maritime College;
- Program Leader, South Australian Research and Development Institute;
- Program Leader, New Zealand National Institute of Water and Atmospheric Research Ltd.

Professor McShane has published more than 80 peer-reviewed book chapters, papers and technical reports, plus more than 120 popular articles, contract reports and conference papers.

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## INTRODUCTION

Smith Bay is a shallow coastal embayment located within a Coastal Conservation Zone (Department of Planning, Transport and Infrastructure 2015) off Kangaroo Island, South Australia. Kangaroo Island Plantation Timbers (ASX: KPT) proposes to develop a log or chip export facility, including a sea port at Smith Bay capable of accommodating large bulk carriers ([www.kipt.com.au](http://www.kipt.com.au)). The proposed seaport is less than 500 metres from Yumbah Aquaculture and presents a number of unacceptable risks to the viability of the abalone farm through construction and operation of the seaport. In response to legislative requirements and issues of concern that have been raised, KPT has produced a draft environmental impact statement (KIPT 2019).

This report builds on previous work which identified and characterised the likely impacts of, and extant risks associated with, the proposed seaport (McShane 2017). It addresses issues raised in the draft Environmental Impact Statement (EIS) released in March 2019. It focuses on key hazards and extant risks to the Smith Bay coastal ecosystem and, by extension, the viability of Yumbah's abalone (among other species that could be farmed at Smith Bay) aquaculture operation (consistent with Yumbah's existing licences). This report does not address other risks presented by the proposed seaport including terrestrial impacts (e.g. endangered species, dust, noise, traffic, visual amenity).

In relation to the coastal ecosystem of Smith Bay and the continuing viability of Yumbah's aquaculture operation, major risks arising from the proposed seaport include:

1. Mobilisation of fine sediments from the construction of a 250 m causeway, capital dredging program of an unconfirmed volume of spoil, tailwater discharges from dewatering of sediments on land, maintenance dredging and shipping operations. Apart from likely sub-lethal and potentially lethal impacts on farmed abalone, these proposed activities all have the potential to adversely affect the subtidal ecosystems and associated fauna and flora, including beneficial benthic diatoms (required for farmed abalone nutrition).
2. Changes to the light environment, reduced circulation of nearshore waters and elevated water temperatures will increase the risk of harmful algal blooms at Smith Bay with potential catastrophic impacts on Yumbah's farmed abalone.
3. Light-spill onto the abalone farm emanating from proposed infrastructure in the hard-standing area and along the seaport/causeway as well as from transport vehicles. Light adversely affects feeding and growth of abalone.
4. Changes in coastal processes (primarily associated with the construction of the causeway) that would impact on nearshore circulation with the potential to:
  - a. Increase the temperature of Yumbah's intake water due to reduced mixing in the vicinity of the causeway with potential lethal impact on farmed abalone, and
  - b. Changed sedimentation and resuspension processes due to changes in benthic shear stress in the vicinity of the causeway and in the dredged areas.
5. General impact to marine ecology in the Smith Bay environment including seagrasses and species listed under the EPBC Act.

Environmental impacts of dredging on coastal ecosystems are pervasive and well documented (Essink 1999, Wilber and Clark 2001, Bolam and Rees 2003, Bray 2008) including studies of South Australian ecosystems (Westphalen et al. 2004). Specific impacts relating to Smith Bay and to the Yumbah abalone farm are described below. Extant risks are evaluated given the information contained in the draft EIS report (KIPT 2019), relevant publications and reports, and the available evidence based on an evaluation of existing information. Much of the specific information relevant to the following risks is contained in Appendices to the Main report of the draft Environmental Impact Statement (KIPT 2019). These are referenced where applicable.



## FINE SEDIMENT IN THE CONTEXT OF IMPACTS ON ABALONE

The EIS guidelines (DAC 2017) require the proponents to: *outline impacts that dredging may have on sediment loads and the neighbouring commercial land-based aquaculture operation. Detail measures for managing these impacts, including management of dredge spoil* (Guideline No. 2.7, Table H-1, Appendix H, Page 13).

Due to the proximity of the proposed seaport to Yumbah Kangaroo Island (KI), there will be detrimental impacts of increased suspended sediments arising from the construction and operation of the proposed seaport on Yumbah's abalone farming activities. The draft EIS has recognised that impact is likely. *The capital dredging program has the potential to affect water quality, principally suspended sediment loads, at the Yumbah seawater intakes under some dredging scenarios* (Appendix H, Page 9).

Furthermore, in relation to the potential ecotoxicity of suspended sediments: *Sediments used in the test were obtained from Smith Bay but were dried and then sieved through a 64 µm sieve to ensure that the material used for testing comprised only the finer sediment fraction which would both remain in suspension (i.e. not settle out) and has a particle size that is more likely to have an adverse effect on animals exposed to the sediments. These finer sediments are also representative of the fraction that would be transported from the dredging operations to the abalone farm intakes because the coarser, heavier particles, would settle more rapidly and will not remain in suspension long enough to reach the seawater intakes* (Appendix H, Page 47).

There are a number of statements throughout Appendix H (Cheshire 2018) and elsewhere throughout the EIS that state that abalone are well adapted to high sediment loads in their natural habitat. These references are inflated and misleading. In fact, abalone are demonstrably not well adapted to fine sediments (silt and clay particles). Again, this finding is reinforced by Cheshire (2018). *Such resilience* (of abalone to high suspended sediment loads) *is likely to be skewed towards the coarser sediment fractions because, in the abalone's natural environment, finer materials would be winnowed out of the system* (Appendix H, Page 42).

## ABALONE AND THEIR NATURAL ENVIRONMENT

There are numerous statements in the EIS that suggest abalone (including *Haliotis laevis*) are well adapted to high suspended sediment loads because they live in high energy subtidal coastal environments which provide suspended material such as seaweed particles upon which abalone rely on for food (McShane et al. 1994). Yet Cheshire (2018) consistently understates that the tolerance is only to larger suspended matter unrepresentative of fine sediments characteristic of dredge spoil.

It is true that abalone are well adapted to high energy coastal environments (Tissot 1992, Shepherd 1973). As marine gastropods in their natural environment, abalone cling to rocky substrata and aggregate in areas where seaweed particles accumulate (Shepherd 1973). Tissot's (1992) study, quoted extensively by Cheshire (2018), presents some adaptative strategies of various abalone species to tolerate high water movement (i.e. to mitigate shear stress in adhering to reef surfaces). This is not evidence of tolerance to high suspended sediment loads as claimed by Cheshire (2018). Rather, such adaptations relate to withstanding the sheer stress created by wave-induced turbulence in typical coastal subtidal habitat. The ability of abalone to maintain adherence to rocky substrata, feed and avoid predation require such adaptation (Tissot 1992, Naylor and McShane 1997). Furthermore, abalone's inability to actively ventilate their gills requires a dependence on passive water movement (Ragg and Taylor 2006, Voltzow 2015). Thus, abalone are poorly adapted to low water movement (Tissot 1992): conditions in which fine sediment fractions accumulate (Airoldi 2003, Blott and Pye 2012).

Under turbulent conditions typical of sub littoral coastal environments, only large particles are found among suspended solids in seawater (Thomas and Ridd 2004, Blott and Pye 2012) including the drift seaweed particles favoured by abalone as food (Shepherd 1973). Indeed, this is acknowledged by the Cheshire (2018) (Appendix H, page 47): *These finer sediments are also representative of the fraction that would be transported from the*



*dredging operations to the abalone farm intakes because the coarser, heavier particles, would settle more rapidly and will not remain in suspension long enough to reach the seawater intakes.*

Not surprisingly, there are relatively few studies which explore impacts of fine sediments on abalone as these are rarely, if ever, encountered in the natural habitat of abalone and have not, until now, been considered as an imminent risk to abalone. Indeed, this is also acknowledged in the draft EIS (Appendix H, page 33). *The paucity of papers detailing negative effects of suspended sediments on sub-adult through to adult animals is likely because such impacts rarely occur in the natural environment.* This statement is further qualified by Cheshire (2018): *Most southern Australian abalone species (with the exception of H. cyclobates), live in environments where they are frequently exposed to high levels of suspended sediments* (Appendix H, Pages 33,34). Yet these “sediments” are coarse particles (seaweed fragments and sand), much larger than those typically encountered in dredge spoil (Thomas and Ridd 2004, Blott and Pye 2012). This is acknowledged by Cheshire (2018): *Abalone have evolved to live in an environment where, in order to feed and grow, they need to be able to deal with the associated suspension of sand and other forms of detritus (see e.g. Melville-Smith et al. 2017)* (Appendix H, Page 38).

## REVIEW OF SEDIMENT IMPACTS ON ABALONE

Table H-7 of Appendix H, reproduced below, purports to show a relatively benign effect of suspended solids on abalone. Most of the studies cited expose abalone to high total suspended solid concentrations, but few studies examine the specific impact of fine sediments. Such impacts are directly relevant to the evaluation of fine sediment impacts on farmed abalone at Yumbah. Those studies that do examine fine sediments (e.g. Chung et al. 1993) indicate a relationship between concentration (fine sediment loads) and exposure. Many experimental studies of sediment impacts examine concentration (of sediment) alone and duration of exposure is not considered. Acute exposure (48 h) of *Haliotis discus* to 50 mg/l fine sediments caused no mortality whereas longer exposure for 96h) caused 7.5% of the exposed population (Chung et al. 1993). Similarly, concentration alone correlated poorly with the response of salmonid fish to suspended solids whereas duration was more strongly associated with fish response (Wilber and Clark 2001).

Construction of the causeway and the dredging of the berthing basin will collectively entail more than six months of exposure to fine sediment loads in Smith Bay (KIPT 2019 main report, page 52). Fine sediment emanating from dredge spoil and construction debris will enter Yumbah’s seawater intakes. This presents an unacceptable risk and will significantly compromise the continuing viability of abalone farming at Yumbah, Smith Bay. Thus, risks of the seaport on abalone should be evaluated in terms of concentration (likely fine sediment loads) and exposure to the hazard (duration). This has not been done in the draft EIS (KIPT 2019).

Extremely high concentrations of fine sediment (1,000 mg/l) caused substantial mortality (> 80%) in abalone (Chung et al. 1993). Stringer (2018a) draws attention to the lack of controls and replication of many of the studies cited in Table H-7 but notes greater rigor in the design of Yoon and Park (2011). However, Yoon and Park’s (2001) study did not examine specific impacts of fine sediments and, as Stringer (2018a) points out, may have little relevance to likely impacts on *H. laevisgata* (... further investigation is required before any guideline value is derived for greenlip abalone).

Stringer (2018a) citing Cheshire (2018) claims that the ANZECC (2000) trigger value of 10 mg/l total suspended solids for aquaculture is overly conservative for abalone. They attempt to justify a new guideline value of 25 mg/l: *suspended sediment levels are not expected to exceed values the defined threshold (25 mg/l) at which no chronic or acute effects are likely* (Appendix H, Page 69). Given that there is no evidence presented in the EIS regarding chronic effects of fine sediment on abalone, and their own claim that further investigation is required (see above), there is no objective basis for setting trigger values higher than the aquaculture guideline of <10m/L. ANZECC (2000) states that *Guideline trigger values are concentrations that, if exceeded, will indicate a potential environmental problem, and so ‘trigger’ further investigation. The investigation aims to both assess*



whether exceedance of a trigger value will result in environmental harm and refine a guideline value, by accounting for environmental factors that can modify the effect of the chemical. Although in some cases this will require more work, it will result in much more realistic goals for management and therefore has the potential to reduce both costs for industry and confrontation. This invalidates the risk assessment relating to potential dredge impacts on abalone (Appendix H, Table H-12, Page 71) which assumes a threshold suspended solids concentration of 25 mg/l. ANZECC (2000) explicitly states that thorough assessments are required that are site specific and that consider all environmental factors.

Table H-7 is reproduced below with comments added. It purports to present acute impacts of suspended solids on abalone and other marine fauna. Additional tests by Springer (2018b) are also added to the Table originally published in Appendix H (KIPT 2019).

Species	Treatments	Period	Finding	Source	Comment
<i>Haliotis discus hannai</i>	TSS at: 0, 1000, 1500 and 2000 mg/l	96 h	No effect on mortality. Decrease in glycogen content over 1500 mg/l	Lee 2008	Unrepresentative impact as does not examine fine sediment effects
<i>H. diversicolor</i>	TSS at: 100, 200, 300, 400 mg/l	96 h	No effect on mortality, weaker motility at higher concentrations	Wang et al. 2007	Unrepresentative impact as does not examine fine sediment effects
<i>H. discus</i>	TSS (silt and clay): 50 mg/l	48 h	No effect on mortality	Chung et al. 1993	Provides evidence of mortality effects for longer exposure (see below)
<i>H. discus</i>	TSS (silt and clay): 50 mg/l	72 h 96 h	0-1.25% mortality 0-7.5% mortality	Chung et al. 1993	Evidence of exposure/concentration effects
<i>H. discus</i>	TSS (silt and clay): 1000 mg/l	96 h	Up to 82.5% mortality	Chung et al. 1993	Evidence of concentration effects
<i>H. discus hannai</i>	TSS at: 250, 500, 1000, 2000, and 4000 mg/l	7 d	LOEC = 500 mg/l LC50 = 1888 mg/l	Yoon and Park 2011	No information provided on particle size distribution
<i>Tigriopus japonicus</i> (copepod)	TSS at: 250, 500, 1000, 2000, and 4000 mg/l	7 d	LOEC = 31 mg/l LC50 = 61 mg/l	Yoon and Park 2011	Evidence of exposure/concentration effects. Unrelated species.
<i>Paralichthys olivaceus</i> (flounder fry)	TSS at: 250, 500, 1000, 2000, and 4000 mg/l	7 d	LOEC = 125 mg/l LC50 = 157 mg/l	Yoon and Park 2011	Evidence of exposure/concentration effects. Unrelated species.
<i>H. iris</i>	Synthetic particles 100 mg/l		No significant effect on mortality	Allen et al. 2006	Unrepresentative impact as does not examine fine sediment effects
<i>H. laevigata</i>	TSS (< 63 µm) 250 mg/l	24 h	No effect on mortality	Springer 2018b	Short term exposure only. No examination of sublethal impacts. Not representative ecotoxicity test



## LACK OF ECOTOXICOLOGICAL TESTS

The likely consequences of dredging activities in Smith Bay are captured in Page 51 of Appendix H: *These estimates of suspended sediment loads do not provide specific predictions on the likely composition of the suspended material in relation to the particle size distribution (PSD). Ambient sediment loads are likely to show changes through time in PSD with coarser particles being found during and immediately after storm induced resuspension events (e.g. periods of rough weather). The same is not true of the sediment plume generated by dredging operations. At the point of dredging the plume will likely be comprised of the full range of coarse and fine sediment particles but as the suspended material moves further away from the dredging site the coarser particles will settle more rapidly and hence, at a greater distance, the material remaining in suspension will be dominated by the finer size classes of sediment (consistent with those tested in the ecotoxicology studies).*

The findings presented by Springer (2018b) do not constitute an ecotoxicological evaluation of fine sediments on abalone. Short term exposure of wild juvenile *H. laevigata* to fine sediments (24 h at 250 mg/l) revealed no mortality (Springer 2018b). However, as the short-term tests revealed no mortalities (after 24 h exposure and 48 h recovery), these results do not constitute an ecotoxicological assessment. Acute and chronic impacts were not observed (e.g. feeding rates, respiration). Furthermore, abalone cultivated at Yumbah Kangaroo Island have been selectively bred for Yumbah's farming conditions from brood stock that have been genetically selected for optimal farming conditions. Juvenile abalone exposed to sediment in the laboratory test described by Springer (2018b) were sourced from wild populations and their behaviour cannot be directly compared to farmed abalone due to the genetic optimisation of Yumbah's farmed stock. Springer (2018b) notes that only a limited number of juvenile abalone were able to be obtained from the wild.

Despite the obvious limitations presented above and a demonstrably inadequate ecotoxicological assessment, Cheshire (2018) concludes: *This result demonstrates that for a 24-h exposure juvenile greenlip abalone have a NOEC of at least 250 mg/l against which a ten times safety factor has been applied to account for acute vs chronic effects. This provides a water quality guideline of 25 mg/l at which neither chronic nor acute effects would be expected* (Appendix H, Page 47). There is no objective basis for this conclusion including the arbitrary assignment of a water quality guideline for suspended sediment, derived from one bioassay that exposes abalone to a given concentration for a limited duration that is unrelated to the actual exposure that will result from dredging.

## FINE SEDIMENT EFFECTS ON ABALONE

There are several lines of evidence that support harmful consequences of exposure of abalone to fine sediments. Abalone are primitive gastropods retaining a bipectinate gill structure which is relatively inefficient at extracting oxygen from seawater compared with more advanced molluscs (Wanichanon et al. 2004, Ragg and Taylor 2006, Morash and Alter 2016). Abalone have weak capacity to actively ventilate their gills and, instead, rely on passive water movement in their natural habitat (Tissot 1992, Ragg and Taylor 2006). Water movement across the perforated shell of abalone drives water into the brachial chambers and to the mantle cavity (Ragg and Taylor 2006, Morash and Alter 2016). Thus, abalone typically inhabit high energy sublittoral environments where water movement generated by waves and tide provide for the necessary gill ventilation. The shells of abalone are adapted to reduce drag (and therefore shear forces which could remove them from reef substrata) and to provide for gill/mantle ventilation (Tissot 1992).

Associated with the gills of abalone is a hypobranchial gland which functions to produce mucus to keep the gills and the mantle cavity clean (Wanichanon et al. 2004). When foreign particles from turbid water enter the mantle cavity, the mucus cells bind particles that can be expelled through the ciliary action of the epithelial cells. Abalone have limited capacity to clear fine sediment and associated mucus. Exposure to fine sediment can therefore have an adverse impact on abalone health (Ragg 2014), as has been demonstrated for farmed *H. laevigata* at Yumbah KI (see below). Similar adverse effects of fine sediments have been found in other shellfish



e.g. scallops (Stevens 1987). Pumping rates of the gills of bivalves is reduced by more than 90% in the presence of fine sediment (80 mg/l). Lateral cilia in bivalves lack the capacity to clear particles which accumulate at the leading edge of the gills causing frictional drag (Stevens 1987, Yang et al. 2017). Fine suspended silt (< 5 µm) was found to be more deleterious to bivalves than coarser (5-25 µm particles) (Stevens 1987). Unsurprisingly, when present in aquaria, abalone avoid fine sediment: fine sediment adversely affects the righting response (Chew et al. 2013).

Such findings are consistent with observed mortalities of *H. laevisgata* at Yumbah KI (McShane 2017). Following severe storms at Smith Bay during September 2016, mortalities of farmed abalone were observed. Similar impacts were observed following a less intense storm during October of the same year (David Connell Yumbah, personal communication). Abalone appeared moribund 2 days after the storm and mortality occurred over 6 weeks following initial impact (storm suspension of fine sediment). Histopathological analysis by Dr Richmond Loh, an aquatic animal health specialist, revealed the following (Letter to David Connell 28<sup>th</sup> March 2017): *Mortalities were worst in 3 to 4-year old group (harvest class), though 1-year olds were also affected. Clinical signs reported in abalone include swollen head, swollen foot, and difficulty holding onto substrate, and death within 2 days of showing clinical signs. Storms and abalone deaths coincided with higher frequency of clogging of their 1 µm water filters (in their hatchery).*

*Microscopic examination of 20 abalone showed consistent lesions, the most significant being gill damage.*

*Changes in the surface mucus layer observed in *H. laevisgata* may be caused by changes in:*

- *Viscosity of the mucus (dilution)*
- *Reduced production of mucus*
- *Degradation by enzymes, or*
- *Increased loss of mucus.*

*We suspect that the breakdown of their mucus barrier and damage to the epithelium of the gills and skin, may lead to electrolyte disturbances and dehydration – and death ensues.*

*The sick abalone all had inflammation and oedema, varying from moderate to marked, varying between organs in its severity. I did not see any clear evidence of bacteria such as vibrio or flavobacteria.*

Similar observations were recorded by Dr Celia Hooper (letter to David Connell 17<sup>th</sup> November 2016):

Normal gills were apparent from specimens sampled for histopathological examination 5 months after the storm event (February 2017): *I examined abalone from KIAB sent to Gribbles Veterinary Pathology on 6th September, following severe storm weather.*

*Following the poor weather, abalone from this property became ill with puffy heads, swollen feet, difficulty holding onto the autosubstrate and death. Signs were seen two days before death. Losses had occurred over the preceding six weeks, always following on after storm weather.*

*Upon examination, these affected abalone had inflammation throughout, but more severe in the muscle of the foot and head regions. The inflammation in the head probably reflects increased silt in the environment of these animals, including increased silt in the mouth.*

*Further disturbance of the sea bed in the vicinity of this farm is likely to have a deleterious effect on the abalone and oyster farms in this location.*

Dr Hooper and Dr Loh are both experts on the pathology of abalone (Hooper et al. 2007). The evidence presented in the two histopathological reports indicate conclusively sediment is significantly detrimental to abalone.



## ADVERSE TEMPERATURE EFFECTS ON ABALONE: LIKELY CONSEQUENCES OF REDUCED LOCAL CURRENTS

Proposed construction of a 250 m causeway will substantially affect nearshore water movement in Smith Bay. The draft EIS indicates that reduction in current speed at Yumbah's westerly seawater intake will be about 30-40% (Appendix H, page 65): this will coincide with an increase in ambient seawater temperature (Appendix G, page 23).

The adverse consequences of increased water temperature on abalone are acknowledged by Cheshire (2018): *Likely increases in water temperature accentuated by recirculation of Yumbah effluent water will also have a harmful effect on abalone. Data collected for the EIS throughout 2017, using moored data buoys that were equipped with a suite of water quality and hydrodynamic sensors (detailed in Chapter 10), show that mean seawater temperature during the monitoring period at Smith Bay within 300 m of shore during summer was around 21-22° C but there were spikes up to 25° C recorded during heatwaves (see Chapter 9) (Appendix H, Page 27). As Cheshire (2018) further notes: many farms across South Australia have reported substantial mortality events at much lower temperatures (22-23° C; Vandeppeer 2006).*

## SEDIMENT IMPACTS ON DIATOMS AND RISK OF HARMFUL ALGAL BLOOMS

Diatoms are unicellular non-motile phytoplankton important in the diet of abalone farmed at Yumbah (McShane 2017). Dredge spoil presents a risk to the viability of diatoms in the subtidal environment of Smith Bay by decreasing available light and affecting light quality. Several unsubstantiated claims are made in Appendix H in relation to diatoms and dredge effects (Pages 18, 54, and 67):

- Diatoms are only important in diet of early stages of abalone;
- Algae exhibit a high level of plasticity in their adaptation to ambient light environments allowing adjustments to adverse light climate;
- Changes in turbidity at shallow depths are small and will not have an adverse effect on diatom production;
- Conditions that would promote harmful algal blooms (red tides) are not likely to occur in Smith Bay.

In fact, advice from Yumbah KI's hatchery manager reveals that diatoms are important dietary supplements across all life-history stages of the farm operation. My previous report (McShane 2017) drew attention to likely negative impacts of fine sediment dispersal on diatom growth. Fine sediments, particularly clay particles, selectively absorb blue light negatively impacting on diatom growth (Prieur and Sathyendranath 1981).

Although diatoms have accessory pigments that can harvest other spectral components e.g. green light (Vesk and Jeffrey 1977, Humphrey 1983), carbon metabolism and growth of diatoms is favoured under conditions of blue light (Mercado et al. 2004, Cao et al. 2013, Lockhart 2013, Lawrenz and Richardson 2017, Baldisserotto et al. 2019).

The benthic diatoms preferred as food for farmed abalone lack the motility to migrate to surface waters where the full spectrum of photosynthetically active radiation (PAR) is available (Ault 2000). Thus, motile organisms such as dinoflagellates including red tide species, may be favoured over diatoms in suboptimal light regimes (low- or poor-quality light) (Ault 2000; Park et al. 2001; Smayda and Reynolds 2001; Peperzak 2003, Shikata et al. 2013, 2015, 2017; Zhou et al. 2017) or low nutrient conditions (Charles et al. 2005). Thus, attenuation of light through suspension of fine sediments during construction of the proposed seaport and during maintenance dredging activities will have a deleterious effect on those benthic diatoms favoured in the diet of abalone farmed at Yumbah. Further to this, changes to light climate in Smith Bay coupled with the potential introduction of exotic dinoflagellates (via ballast water) increases the risk harmful algal blooms (e.g. Park et al. 2001, see also Dowsett et al. 2011 for *H. laevigata*).



There is a significant risk of introduction of harmful marine dinoflagellates from ballast water of vessels using the proposed seaport (Hewitt and Campbell 2019). Although high seas ballast water exchange (as required under existing biosecurity protocols) can reduce numbers of toxic dinoflagellates, it is generally ineffective at reducing ballast sediment which can house cysts of harmful algal species (Ruiz and Reid 2017). The risk of harmful algal blooms will also be enhanced by reduction of nearshore currents following construction of a 250 m causeway in Smith Bay. The draft EIS indicates that reduction in current speed at Yumbah's westerly seawater intake will be about 30-40% (Appendix H, page 65). This will lead to recirculation of Yumbah effluent and an increase in ambient water temperature: conditions favourable for dinoflagellate blooms (Ault 2000).

## EXTRANEOUS LIGHT IMPACTS ON ABALONE

Potential impacts of extraneous light from the seaport operation on Yumbah abalone farm production are dismissed in the Draft EIS. Light has a demonstrable and adverse effect on feeding and growth of abalone.

Abalone are nocturnal feeders and feeding rates decrease in the presence of white (full spectrum) light (Garcia-Esquivel et al. 2007, Gao et al. 2016, Xiaolong et al. 2016). These published findings are consistent with the observations of Yumbah's hatchery manager and the practice of reducing light to optimise feeding and growth in the farming of abalone. Thus, extraneous light from the proposed seaport will have a negative effect on feeding and growth of abalone farmed at Yumbah.

## MARINE ECOLOGICAL IMPACTS: SEAGRASSES AND LISTED MARINE SPECIES

The proposed seaport construction will have a substantial impact on the ecology of the nearshore sublittoral environment of Smith Bay. In particular, the removal of more than 10 ha of seagrass habitat (see Wiltshire and Brooks (2018), Appendix I1 page 22) during construction of the causeway and berthing basin (dredging) will be the most obvious impact. Similarly, construction and operation of the proposed seaport will increase turbidity and sedimentation in Smith Bay and this will have a detrimental effect on adjacent seagrass communities (Westphalen et al. 2004).

From the Summary of Appendix I1 (Wiltshire and Brooks 2018): *The marine listed Stipecampus cristatus (ring-backed pipefish) was found in Posidonia habitat in the area that would be dredged and is therefore at credible risk of being affected. It is considered, however, that the loss of a small amount of pipefish habitat and potentially some pipefish during dredging would have a negligible effect on their overall population and viability in the area.* The ring-backed pipefish was the only syngnathid observed in visual surveys of Smith Bay but the draft EIS lists another 15 species that may be found in Smith Bay (Appendix I1 pp 21,22).

*Dredging of the wharf pocket and approaches would result in the loss of some seagrass habitat and the potential loss of some pipefish. Although pipefish have limited mobility, some are likely to be able to move a short distance away from the area of direct impact during construction. Furthermore, there is an abundance of similar habitat in Smith Bay, Emu Bay and other bays along the north coast which would be expected to support a similar density of pipefish* (Appendix I1 page 26).

In fact, the Draft EIS states that about 10 ha of seagrass habitat would be lost during construction (Appendix I1, page 22). The Draft EIS also notes: *Dredging can affect seagrass and other marine communities not only through direct physical disturbance of biota inhabiting the sea floor, but also through the effects of the dispersed sediment plume generated during dredging. These effects can include smothering of surrounding biota, light attenuation in the water column reducing the productivity of plants and algae and the clogging of feeding structures of filter-feeding organisms* (Cheshire and Miller 1999).

*Similar secondary impacts on marine communities may occur during construction of the causeway, from re-suspension of exposed sediments during storms, from winnowing of sediments during shipping operations and from sediment run-off from the on-shore construction site.*



There is also potential for ongoing loss of seagrass through erosion of the seafloor adjacent to the dredged basin (Appendix I1, page 23).

These mitigation of these risks to the subtidal flora and fauna of Smith Bay have not been adequately described in the draft EIS. On the contrary as noted by Wiltshire and Brook (2018): *the ecological significance of the loss of this habitat, and in particular the seagrass communities, would be minor as there is vast amount of similar habitat within Smith Bay, at Emu Bay and elsewhere along the north coast* (Appendix I1, page 27).

There is also an acknowledged risk to marine species listed under the EPBC Act, particularly syngnathids: *A study of the mobile epi-fauna inhabiting seagrass meadows on the north coast using beam trawls recorded 119 pipefish comprising 10 species (Kinloch et al. 2007). Although the ring-banded pipefish was not recorded during this study, the overall density of pipefish within the seagrass meadows was found to be approximately one per 20 square metres* (Page 25 of Appendix K).

Thus, applying this information from the draft EIS, removing 10 ha of seagrass during construction of the seaport will potentially destroy more than 5,000 listed syngnathids. Yet this is considerably understated (without supporting evidence) in the draft EIS: *the loss of a very small amount of pipefish habitat and potentially some pipefish during construction would have a negligible effect on their overall population in the Smith Bay area* (Appendix I1, page 28).

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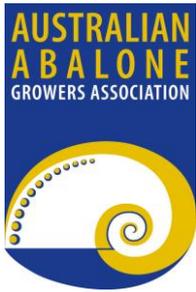




APPENDIX 3 –

**AUSTRALIAN ABALONE  
GROWERS ASSOCIATION  
(AAGA) SUBMISSION**

2019



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21/5/2019

Re: AAGA response to draft Environmental Impact Statement (EIS) Smith Bay Sea Port, Kangaroo Island Plantation Timbers (KPT).

Dear Minister

Australian Abalone Growers Association is the peak body for all Australian pump ashore abalone farms and presents a united and expert voice for the Australian industry. This letter addresses Cheshire, A. (2018) Assessment of risks and mitigation strategies to the Yumbah Aquaculture Facility from the Construction and Operation of the proposed KI Seaport and especially Appendix H and I – Marine Ecological Assessment by David Wiltshire and James Brook

The Australian Abalone Aquaculture industry includes 15 pump ashore abalone farms located on the Southern coastline of Australia from the southwest of Western Australia to Tasmania. Abalone aquaculture is one the fastest growing seafood industries in the country, and it is primarily undertaken in areas that are protected from the negative impacts associated with heavy industry, such as Smith Bay, Kangaroo Island. Abalone farms produced over 1000T abalone worth \$50m in the FY ending 2018. The increasing production and profitability of Australian abalone farms in recent years is underpinned by substantial and ongoing research and development investment in biosecurity, disease surveillance, health, nutrition, genetics, breeding and marketing. Much of our investment is directed through an Industry Partnership with the FRDC.

Cheshire (2018) presents information regarding abalone farming, which is incorrect or outdated demonstrating little understanding of current farming practices. It then uses this false interpretation

to denigrate our industry. The report fails to recognize that seaports of this scale and aquaculture in such immediate proximity cannot successfully co-exist. For example, Southwood Fibre recently abandoned its proposed woodchip export facility near Dover in Tasmania due to an impasse with salmon grower Tassal. Should the Sea Port proposal be approved it will set a precedent for similar emerging incompatible encroachments to aquaculture around the country. AAGA's opposition to the proposal is entirely based on proximity, it is simply too close.

Australian abalone is highly regarded in both our domestic and export markets as a clean, green and healthy product. Our production relies on pumping clean seawater of oceanic quality. This is a hard-fought reputation and one that could be easily lost. Yumbah Kangaroo Island farm (YKI) relies on the South Australia Environment Protection (Water Quality) Policy 2015 (SAEP) guidelines as set out in Australian and New Zealand Environment and Conservation Council (ANZECC) & Agriculture and Resource Management Council of Australia and New Zealand (ARMCANZ), 2000 to protect the precious marine resource that abalone farms depend on.

The proposed seaport poses an extreme risk to Yumbah Kangaroo Island farm (YKI) due to its immediate proximity, raising threats to biosecurity, pollution, elevation of fine sediment loading beyond the SAEP and ANZECC standards, air-borne pollution, sawdust and dust, artificial lighting and interruptions to the existing coastal processes within Smiths Bay.

#### **Vessel born Biohazards and Pollution.**

The potential biosecurity threats to the marine environment and aquaculture from cargo hold ballast water, hull-clinging (or hull-fouling) and ships' bilge water is understated in the EIS. Ballast water may contain oil, bacteria, viruses, algae and other marine organisms including the often-microscopic egg, embryo or immature larval stage of marine invertebrates. Ballast water taken from one ecological zone then discharged it into another can introduce invasive species and exotic diseases. Hull-clinging can also transport marine organisms and pathogens between locations. Bio-invasion is one of greatest threats facing the world's oceans today, once established these pests are almost impossible to eradicate in the marine environment with catastrophic consequences. The Smiths Bay Seaport would place the Yumbah KI farm directly in the firing line of these threats greatly increasing the biosecurity risk to the farm. Ship's bilge water can contain oil, detergents, chemicals and more. The EIS does not refer to any risks from bilge water and is void of any reference to its management. It should be noted also that YKI like most abalone farm has approval and intentions of culturing other species under a multitrophic aquaculture model. No consideration has been applied to risk the report poses to any other species the farm may grow in the future.

#### **Total Suspended Solids (TSS).**

The KPT EIS report neglects to properly describe the impacts of elevated TSS and sediment resuspension that would be created during construction, maintenance dredging and operation of the seaport. The report attempts equate sand particles with silt. Whereas abalone are well adapted to the rigors of high energy marine environments and the sand present there they are much less tolerant of fine silts and clays and the high bacteria loads typically associated with such sediments. (McShane 2019)

Abalone farms use micro filtration systems for water supplied to the hatchery and nursery to remove fine silt as this inhibits larval survival and settlement. These filtration systems will be at risk of being overwhelmed. Growout systems rely on pumping large volumes of clean water and are not suited to filtration as this would dramatically increase both the pumping costs, (energy consumption) and infrastructure costs. The tank systems are also not designed to cope with heavy silt loads. Likewise, the gill configuration of abalone is adapted to a high energy environment. Abalone can cope with being covered by sand following storm events; but they are susceptible to smothering and asphyxiation by silt. Bacteria are generally not carried directly in the water column but are borne on particles; the finer the particles (silt) the greater the surface area available for bacteria to inhabit. The threat of elevated bacterial loads (*Vibrio* spp. in particular) associated with silt loadings and elevated temperatures was ignored in the EIS.

### **Ecotoxicological Studies**

Cheshire (2018) refers to an ecotoxicology study conducted over 24 hours at 18 °c. Cheshire (2018) states “On the basis of these findings it is concluded that the construction and operation of the Kangaroo Island Seaport will not have any measurable impact on water quality that would impact on the performance of the Yumbah Smith Bay abalone farm.”

However:

- This was very short acute study conducted at the ideal temperature for survival.
- It is impossible to determine chronic effects from such a study.
- It ignores the compounding effects of elevated bacteria levels associated with increased silt loading.
- It ignores compounding effects of the above at higher summer water temperatures.

Yet Cheshire (2018) concludes that there would be no impact on the Yumbah Smith Bay Abalone Farm, (regardless of chronic effects and at higher summer temperatures). Furthermore, the report goes on to suggest, based on this simplistic study that ANZECC guidelines for TSS be relaxed. (Re. Dredge Spoil Management). Such nonsensical claims are alarming and indefensible.

### **Dust Noise and Light.**

AAGA shares YKI’s further concerns regarding dust, noise and light.

- Dust from the woodchip piles and heavy traffic is likely to accumulate on the shade cloth of the abalone farm and enter the tanks in concentrated form following rain events.
- Noise from woodchipping and other activities is likely to disturb abalone.
- Light: Abalone farms are deliberately not lit at night, so as not to disturb the nocturnal habits of abalone.

The EIS fails to address remediation of the above factors.

### **Conclusion.**

The Seaport proposal is an unprecedented encroachment on a successful, established business that provides permanent employment for some 30 people, within a company that employs 125 people within an industry that employs more than 400 people. This is an expanding industry with Yumbah alone proposing a \$73 million expansion of its Portland (Vic.) abalone operations and all other farms

expanding or actively seeking expansion opportunities. The YKI site has available land and licenses to expand to more than double its current capacity, creating significantly more jobs and investment to Kangaroo Island. I am advised that this expansion would be already underway if there wasn't a proposed seaport threatening its ongoing existence.

AAGA appreciates the effort KPT have undertaken to gain approvals for their project. It is most unfortunate that they chose such an inappropriate site and failed to consult properly with their immediate neighbor. YKI should not be forced to bear the cost of KPT's poor decision making.

Yours sincerely

A handwritten signature in black ink, appearing to read 'NS', with a stylized flourish at the end.

Nicholas Savva

Executive Officer

## References

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APPENDIX 4 –

# MARINE BIOSECURITY REVIEW

Hewitt & Campbell

2019

# Smith Bay Wharf Draft Environmental Impact Statement

## Marine Biosecurity Review

Prepared by:

*Professor Chad L Hewitt and Professor Marnie L Campbell*

*Harry Butler Institute, Murdoch University, Murdoch, Western Australia*



**Harry Butler Institute**  
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# REVIEW OF MARINE BIOSECURITY ASPECTS OF SMITH BAY WHARF DRAFT ENVIRONMENTAL IMPACT ASSESSMENT

As requested by Yumbah Kangaroo Island (Yumbah KI), we have undertaken an analysis of the Smith Bay Wharf Draft Environmental Impact Statement (SBW Draft EIS 2019). Specifically we have focused on aspects that will influence marine biosecurity hazards, specifically the Marine Biosecurity chapter in Appendix A and the information provided in Appendix I, but also including information provided in other locations in the SBW Draft EIS (2019).

There is limited description of the methods used to identify risk species other than reference to the previously developed Commonwealth and South Australian pest identification. While these represent legislated activity, they do not specifically examine the likely species that would be transported from the Northwest Pacific (ie China, Japan, Korea). These findings are discussed further below, and additional risk species are highlighted.

## PRIORITY PEST SPECIES

The proponents highlight that they have focused attention on a priority list developed by CSIRO (Hayes et al. 2005) and note that further work by the Australian Government is being undertaken to determine a priority list of invasive marine species (DAWR 2015). Additionally they note that “[a]ll exotic species are of concern to the South Australian Government”, but note a list of species of most concern (PIRSA 2015).

Given the statement that “all exotic species are of concern to the South Australian Government” I would have anticipated a much more comprehensive assessment than seems to have occurred, with specific focus on both the port construction phase (with assessment of likely species transfer from domestic and international ports associated with the construction) and the operational phase.

### Port construction phase

There is no explicit assessment of species’ transfer risk associated with the construction phase, despite this representing a very high potential due to the movement and arrival of slow-moving vessels with long port residence times, including the potential for sediment transport (dredges and barges) which may lead to the transfer of harmful algal blooms in cyst stage. I would expect to see an identification of source ports for vessel transfer during this phase, and some explicit statements surrounding species known from those ports/regions that might pose a risk of transfer.

**The mitigation measures *as stated* are unlikely to be adequate to mitigate risk during the construction phase.**

- Dredges and associated supporting barges should have an explicit cleaning protocol prior to departing the last port of call. Dredges and supporting vessels have been explicitly linked to the transfer and spread of non-native marine species, particularly biofouling species such as *Sabella spallanzanii*, and dinoflagellate cysts in retained sediments from the last port of operations.
- During the construction phase it is unlikely that vessels will be “in ballast” due to transfer of goods and materials for construction, however once construction is complete, material and equipment will need to be removed/relocated and it is likely that vessels will arrive in ballast. The mitigation measures for discharges and ballast water management state that they will adhere to international and Commonwealth law protocols for “complete ballast exchange enroute.” High seas ballast exchange is moderately successful at reducing the planktonic component of the assemblage, however is poor at reducing the ballast sediment

load (eg Ruiz and Reid 2007). Additionally it is unlikely that domestic movements will be able to undertake ballast exchange in the “high seas” and indeed are not required to under international or Commonwealth legislation. Therefore this mitigation is unlikely to be applied unless explicit agreements and requirements are made.

- Biofouling on domestic vessels, particularly in niche areas or on slow moving vessels (such as dumb barges and dredges) can transfer mature communities resulting in the spawning or accidental dislodgment of material. While the mitigation requiring “no in-water or dry dock cleaning would be permitted at Smith Bay” will limit intentional discharge of material, a more thorough method would require all vessels used during the construction phase to be “cleaned prior to entry”. This would significantly minimize the likelihood of transferring biofouling species from domestic ports into Smith Bay during the construction phase.

#### Port operation phase

The primary assessment appears to be restricted to the operation phase with a primary focus on ballast water and biofouling. Hewitt and Campbell (2010) highlighted that a large majority of recognised global marine invaders are capable of being transported by multiple vectors, with ballast water (of commercial vessels) and biofouling (of commercial and recreational vessels) having the greatest contribution.

The assessment has been restricted to previously highlighted lists of species as mentioned above. It should also be noted that many of the species identified in Table 1 (Appendix I5) are not native to, nor currently introduced to, the Northwest Pacific (see the emended Table 1 below). This information may aid in targeting marine biosecurity surveillance, however it should also be noted that numerous other species with known invasion histories are found in the Northwest Pacific that should be considered further.

Hewitt et al (2009) identified 324 marine species introduced to the Northwest Pacific bioregion (107 of which are not present in Australia), and 645 native species that have been introduced to other parts of the world (266 of which are not present in Australia). The 373 species with an invasion history and known to be present in the Northwest Pacific but not present in Australasia represent a significant risk.

Additionally, we note that there is mention that trading vessels from other regions are likely to use the port facilities. This will create additional unassessed exposure to biosecurity risks as new connections with other trade regions occur.

#### **The mitigation measures *as stated* are unlikely to be adequate to mitigate risk during the operation phase.**

- The proposed mitigation measures focus on “Discharges and Ballast Water Management”, stating that “all vessels would adhere to international and Commonwealth law protocols for complete ballast water exchange enroute. Ballast water exchange, if conducted properly, can be highly efficient (~99% volumetric exchange of coastal waters for open ocean water) and significantly reduce the density of many planktonic organisms, however many studies have also demonstrated that ballast water exchange has severe limitations depending on the type and location of exchange resulting in variable outcomes for many taxa ranging from 95% reduction to <50% reduction in population size.

Ballast water exchange is a risk minimisation strategy, and does not provide a zero risk scenario. For this reason International Convention for the Control and Management of Ships' Ballast Water and Sediments (aka BWM; IMO 2004) explicitly highlighted that ballast exchange was an interim measure, with a focus on developing ballast water treatment technologies that would achieve much more rigorous standards as highlighted in the Convention, and now in the Biosecurity Act.

**Table 1:** Introduced marine species relevant to Smith Bay from Smith Bay Wharf Draft EIS (2019), emended to include those species known from the Northwest Pacific bioregion. Note highlighted sections in yellow represent mis-alignment to phyla in the original table.

Group	Species	Common name	National priority	PIRSA concern	Declared noxious	Recorded on Kangaroo Island	Known from NW Pacific Bioregion
Ascidians	<i>Asciadiella aspersa</i>	European sea squirt				Y	
Ascidians	<i>Botrylloides leachi</i>					Y	Y
Ascidians	<i>Botryllus schlosseri</i>					Y	Y
Ascidians	<i>Ciona intestinalis</i>	Vase tunicate	M			Y	Y
Ascidians	<i>Didemnum spp (exotic strains only)</i>						Y
Ascidians	<i>Styela clava</i>		M				Y
Ascidians	<i>Styela plicata</i>					Y	Y
Macroalgae	<i>Bryopsis plumosa</i>					Y	Y
Bryozoans	<i>Bugulla flabellata</i>		M				Y
Bryozoans	<i>Bugula neritina</i>		M			Y	Y
Bryozoans	<i>Schizoporella errata</i>		M				
Bryozoans	<i>Tricellaria occidentalis</i>		M				Y
Bryozoans	<i>Watersipora arcuata</i>		M				Y
Bryozoans	<i>Watersipora subtorquata</i>		M				Y
Crustaceans	<i>Balanus eburneus</i>		M				Y
Crustaceans	<i>Balanus reticulatus</i>		M				Y
Crustaceans	<i>Balanus improvisus</i>		M		Y		Y
Crustaceans	<i>Megabalanus rosa</i>		M				Y
Crustaceans	<i>Megabalanus tintinnabulum</i>		M			Y	
Ctenophore	<i>Mnemiopsis leidyi</i>	comb jelly			Y		
Polychaetes	<i>Sabella spallanzanii</i>	European fan worm	M	Y	Y	Y	
Crustaceans	<i>Carcinus maenas</i>	European shore crab	M	Y	Y		Y
Crustaceans	<i>Charybdis japonica</i>	lady crab	M		Y		Y
Crustaceans	<i>Eriocheir sinensis</i>	Chinese mitten crab	M	Y	Y		Y
Crustaceans	<i>Hemigrapsus sanguineus</i>	Japanese shore crab	M		Y		Y
Crustaceans	<i>Hemigrapsus takanoi/penicillatus</i>	Pacific crab			Y		Y

Crustaceans	<i>Pseudodiaptomus marinus</i>	(a copepod)	M					Y
Echinoderms	<i>Asterias amurensis</i>	Northern Pacific sea star	M	Y	Y			Y
Fish	<i>Neogobius melanostomus</i>	round goby	M					
Fish	<i>Siganus rivulatus</i>	rabbit fish				Y		
Fish	<i>Tridentiger bifasciatus</i>	shimofuri goby	M					Y
Macroalgae	<i>Caulerpa cylindracea</i>	(green macroalga)		Y				
Macroalgae	<i>Caulerpa taxifolia</i>	(green macroalga)		Y	Y			Y
Macroalgae	<i>Cladophora prolifera</i>	(green macroalga)					Y	Y
Macroalgae	<i>Codium fragile ssp tomentosoides</i>	(green macroalga)					Y	Y
Macroalgae	<i>Grateloupia turuturu</i>	(red macroalga)			Y			Y
Macroalgae	<i>Hinckesia sandriana</i>	(brown filamentous macroalga)					Y	Y
Macroalgae	<i>Polysiphonia brodiei</i>	(red macroalga)	M				Y	Y
Macroalgae	<i>Sargassum muticum</i>	Asian seaweed				Y		Y
Macroalgae	<i>Ulva lactuca</i>						Y	Y
Macroalgae	<i>Ulva taeniata</i>						Y	Y
Macroalgae	<i>Undaria pinnatifida</i>	Japanese seaweed	M	Y	Y			Y
Microalgae	<i>Alexandrium catenella</i>						Y	Y
Microalgae	<i>Alexandrium minutum</i>		H				Y	Y
Microalgae	<i>Alexandrium tamarense</i>						Y	Y
Microalgae	<i>Gymnodinium catenatum</i>		H				Y	Y
Microalgae	<i>Heterosigma akashiwo</i>						Y	Y
Molluscs	<i>Corbula amurensis</i>	Asian clam	M			Y		Y
Molluscs	<i>Crassostrea gigas</i>	Pacific oyster	M	Y			Y	Y
Molluscs	<i>Crepidula fornicata</i>	American slipper limpet				Y		
Molluscs	<i>Ensis directus</i>	jack-knife clam				Y		
Molluscs	<i>Limnoperna fortunei</i>	golden clam	M					Y
Molluscs	<i>Maoricolpus roseus</i>	New Zealand screwshell	M	Y	Y			
Molluscs	<i>Musculista senhousia</i>	Asian date mussel	M			Y		Y
Molluscs	<i>Mya arenaria</i>	soft shell clam				Y		
Molluscs	<i>Mytilopsis sallei</i>	black-striped mussel	M			Y		Y
Molluscs	<i>Perna perna</i>	brown mussel				Y		
Molluscs	<i>Perna viridis</i>	Asian green mussel	H	Y	Y			Y
Molluscs	<i>Pinctada albina sugillata</i>	pearl oyster		Y				

Molluscs	<i>Rapana venosa</i>	rapa whelk		Y	Y
Molluscs	<i>Varicorbula gibba</i>	European clam		Y	
Polychaetes	<i>Hydroides ezoensis</i>		M		Y
Polychaetes	<i>Hydroides sanctaecrucis</i>		M		Y
Polychaetes	<i>Marenselleria spp.</i>	red-gilled mudworm		Y	

- As noted in the Operational phase, ballast water exchange is poor at reducing the risks associated with ballast sediments, particularly for the cysts of toxic dinoflagellates.
- Biofouling of commercial vessels, particularly in niche areas and dry docking support strips (areas that were not repainted during the previous dry docking), can transfer mature communities resulting in the spawning or accidental dislodgment of material. At present there are only international guidelines to mitigate biofouling risks, and several States and Territories have undertaken independent measures, primarily focused on recreational vessels and High Value Areas.

Additional risks associated with mature biofouling communities include the transfer of disease agents and parasites in species present on the hulls of vessels.

There is some concern with the exclusion of species considered “[e]xceptions that meet [those] criteria but are considered unlikely to establish in the oceanographic environment at Smith Bay”

- Toxic dinoflagellates in the genus *Alexandrium* are stated to be “restricted to coastal, nutrient-enriched sites, particularly harbours, estuaries and lagoons (GISD 2017)” and therefore not represent a threat of establishment in the Smith Bay environment. *Alexandrium* spp are widely distributed and continue to represent threats to coastal waters, particularly *but not restricted* to harbours, estuaries and lagoons.
- The Pacific oyster, *Crassostrea gigas*, is a well-known biofouling species particularly in niche areas of the hull including the propeller, propeller shaft, and thrusters. While its primary mechanism of global transfer has been through intentional movements for aquaculture, the transport by commercial and recreational vessels is well documented and has contributed to the ‘feral’ oyster problem in Australia and overseas.

While it is noted that several species of concern (ie either by the Commonwealth or by PIRSA) have already been detected on Kangaroo Island, the influx of additional and potentially novel genetic material may enhance the invasibility of the already established pests. Of particular concern to abalone farming would be:

- The toxic, bloom forming microalga, *Gymnodinium catenatum*, which is already known to occur from Eastern Cove, Western Cove and American River. The addition of new material, combined with the changing environmental conditions associated with port development, may enhance the likelihood of establishment and bloom formation in Smith Bay. The EIS reports that currents may reduce by 30-40% and drift algae will be become concentrated as a consequence of the causeway. The reduced turnover and mixing of the water, coupled with increasing water temperature will create optimal conditions for bloom forming toxic microalgae.
- The European fan worm, *Sabella spallanzanii*, can have direct impacts to seawater intakes and to aquaculture facilities. Increased activity linked with Port Adelaide may enhance the population and distribution at Kangaroo Island.
- *Codium fragile* ssp *tomentosoides* is known to interfere with shellfish aquaculture through attachment onto the shells leading to enhanced drag and hindering the movement and feeding of the shellfish.
- *Asterias amurensis*, the Northern Pacific Seastar, which could cause direct predatory mortality
- *Undaria pinnatifida*, the Japanese kelp, which could settle on shells and enhance drag, as well as compete for aspect dominance with abalone’s native algal food sources. Direct effects to Yumbah KI could also include fouling intake screens and pipes and growing in tanks.

It should also be noted that numerous species native to the Northwest Pacific (China, Japan, Korea) have been introduced globally. These species would now have a higher likelihood of arriving in Australia (specifically to Kangaroo Island) via residual ballast water and sediments, and biofouling.

**We find that the EIS fails to sufficiently consider the domestic and international introduction risks to the environment and to Yumbah KI’s interests.**

## DISEASES

The proponents have identified two “most significant diseases” of concern, however no methodology is presented that suggests a rigorous process was employed to determine either the significance or the likelihood of these two species. It should also be noted that the proponent’s analysis is solely focused on the current species (*Haliotis laevis*) at Yumbah KI and not on the complete list of permitted species that Yumbah KI is licensed to cultivate at the Smith Bay site (Table 2).

**Table 2:** Permitted culture species for Yumbah KI at the Smith Bay lease

Phylum	Common name	Genus	Species	Channels	Tanks
	Lobster, Southern				
Crustaceans	Rock	<i>Jasus</i>	<i>Edwardsii</i>	x	
Echinoderms	Sea Urchin	<i>Heliocidaris</i>	<i>erythrogramma</i>	x	
Fish	Bream, Black	<i>Acanthopagrus</i>	<i>butcheri</i>	x	
Fish	Mullaway	<i>Argyrosomus</i>	<i>Japonicas</i>	x	
Fish	Seahorse, Potbellied	<i>Hippocampus</i>	<i>abdominalis</i>	x	
Fish	Trout, Rainbow	<i>Oncorhynchus</i>	<i>Mykiss</i>		x
Fish	Snapper	<i>Pagrus auratus</i>		x	
Fish	Flounder, Greenback	<i>Rhombosolea</i>	<i>Taparina</i>	x	x
Fish	Trout, Brown	<i>Salmo</i>	<i>Trutta</i>		x
Fish	Kingfish, Yellowtail	<i>Seriola</i>	<i>lalandi</i>	x	x
Fish	Whiting, King George	<i>Sillaginodes</i>	<i>Punctate</i>	x	
Molluscs	Oyster, Pacific	<i>Crassostrea</i>	<i>Gigas</i>	x	
Molluscs	Scallops, Queen	<i>Equichlamys</i>	<i>Bifrons</i>	x	
Molluscs	Abalone	<i>Haliotis</i>	<i>conicopora</i>	x	x
Molluscs	Abalone	<i>Haliotis</i>	<i>Laevigata</i>	x	x
Molluscs	Abalone	<i>Haliotis</i>	<i>Roei</i>	x	x
Molluscs	Abalone	<i>Haliotis</i>	<i>Rubra</i>	x	x
Molluscs	Abalone	<i>Haliotis</i>	<i>rubra x laevigata</i>	x	x
Molluscs	Abalone	<i>Haliotis</i>	<i>Scalaris</i>	x	x
Molluscs	Scallops, Doughboy	<i>Mimachlamys</i>	<i>asperrimus</i>	x	
Molluscs	Oyster, Native	<i>Ostrea</i>	<i>angasii</i>	x	

The selection of disease species for consideration should have examined diseases or etiological agents that affect the target aquaculture species listed in Table 2 (or congeners), and the likelihood of introduction from the prospective trading locations, specifically in the Northwest Pacific (China, Japan), and the anticipated domestic movements of vessels during construction and operation. We note that vessels may also arrive from other regions, exposing the Smith Bay ecosystem to a much wider range of unassessed biosecurity risks.

### Domestic movements

The variety of hazards examined for domestic movements of diseases (pathogens and parasites), are insufficiently identified, particularly during the construction phase and should examine a wider variety of hazards than just the two identified: Abalone Herpes Virus (causing Abalone Viral Ganglioneuritis - AVG) and *Perkinsis*. The EIS makes no comment on the extent to which movements from these locations is anticipated to occur, nor is there any specific surety provided, other than compliance with legal obligations, to prevent the exposure to AbHV.

The unexamined domestic risks to Yumbah KI’s licensed species (Table 2) is considerable.

- The Ostreid Herpesvirus 1 microvariant (OsHV-1) which causes Pacific Oyster Mortality Syndrome (POMS) is now present in Port Adelaide. During the construction phase the risk of transfer will be significant,

particularly for vessels that have not been recently cleaned. While Yumbah KI may not currently be culturing the Pacific Oyster, *Crassostrea gigas*, in Smith Bay, the transfer and infection of wild oysters will establish a source for future infection.

- The risk of transfer of salmonid diseases, including *Anaphomyces invadans*, from other locations within Australia has not been assessed.

**We find that the EIS fails to sufficiently consider the domestic disease and pathogen risks to Yumbah Aquaculture’s current and licensed interests.**

International movements

An examination of listed Office International des Epizootics (OIE) species identifies nine notifiable diseases of marine species that are known to be present in Japan or China that affect species, or congeners of species, on the Yumbah KI permitted species list. These include two abalone diseases; and one oyster disease; and six fish diseases (Table 3). Additionally, a cursory examination of the literature for disease agents and mortality events in aquaculture facilities, including abalone hatcheries or farms, in China and Japan provides an additional nine non-OIE species of concern (Table 3).

The full extent to which these disease agents pose a risk to Australian native species has not been investigated, however consideration of transfer through ballast water (including retention after ballast water exchange), or via infected biofouling is warranted as these represent an ignored yet significant suite of biosecurity hazards to Yumbah KI. Note that many are water-borne, or have unknown (eg un-researched) horizontal transfer mechanisms (not inherited disease spread between individuals).

**We find that the EIS fails to sufficiently consider the international disease and pathogen risks to Yumbah KI’s current and licensed interests.**

**Table 3:** Diseases and etiological agents affecting permitted aquaculture species under Yumbah KI lease arrangements in Smith Bay. NOTE bolded disease agents are reportable and listed in OIE 2018.

Affected Phylum	Etiological Agent	Disease name	Survival outside host	Horizontal transmission	Vectors	Japan	China	Korea	AUS	Target Aquaculture Genera affected	Reference
Mollusc	<b>Abalone Herpes Virus (AbHV)</b>	<b>Abalone Viral Ganglio-neuritis</b>	Unknown	water borne	unknown		x		x	<i>Haliotis</i> (abalone)	OIE 2018
Fish		<b>Infectious Haematopoietic Necrosis (IHN)</b>	1 month	contact	invertebrate vectors	X	x			<i>Oncorhynchus</i> ; <i>Salmo</i>	OIE 2018
Fish		<b>Viral Encephalopathy and Retinopathy (VER)</b>	yes - "long time"	water borne	birds, invertebrates	x	x			<i>Seriola</i>	OIE 2018
Mollusc	<b><i>Xenohaliotis californiensis</i></b>	<b>Withering Syndrome (WS)</b>	yes – unknown	water borne	colonial ascidians	x	x			<i>Haliotis</i> (abalone)	Kiryu et al 2013; OIE 2018
Fish	<b><i>Aphanomyces invadans</i></b>	<b>Epizootic Ulcerative Syndrome</b>	encysting stage	water borne	unknown	x			x	<i>Acanthopagrus</i> ; <i>Oncorhynchus</i>	OIE 2018
Fish		<b><i>Oncorhynchus masou</i> virus disease (OMVD)</b>	7-14 days	water borne	unknown	x				<i>Oncorhynchus</i>	OIE 2018
Fish		<b>Red Sea Bream Iridoviral Disease (RSIV)</b>	Unknown	water borne	unknown	x				<i>Acanthopagrus</i> ; <i>Seriola</i>	OIE 2018

Affected Phylum	Etiological Agent	Disease name	Survival outside host	Horizontal transmission	Vectors	Japan	China	Korea	AUS	Target Aquaculture Genera affected	Reference
Fish		<b>Viral haemorrhagic septicaemia (VHSV)</b>	yes - 40hours	water borne	fish	x				<i>Oncorhynchus; Salmo</i>	OIE 2018
Mollusc	<b>Ostreid Herpesvirus 1 microvariant (OsHV-1)</b>	<b>Pacific Oyster Mortality Syndrome (POMS)</b>	Unknown	contact; possibly water borne	oysters			x	x	<i>Crassostrea; Ostrea</i>	OIE 2018
Fish		Viral Epidermal Necrosis (VEN)	Unknown	unknown	unknown	x				<i>Acanthopagrus</i>	Miyazaki et al 1989
Fish	Yellowtail Ascites Virus (YTAV)		Unknown	unknown	unknown	x				<i>Seriola</i>	Sorimachi and Hara 1985
Mollusc	Peronosporomycetes fungus		Unknown	unknown	unknown	x				<i>Haliotis</i>	Hatai 2012
Mollusc	<i>Francisella</i> sp.		Unknown	unknown	unknown	x				<i>Haliotis</i>	Kamaishi et al 2010
Mollusc	<i>Marteilioides chungmuensis</i>		Yes – unknown	water-borne	unknown	x				<i>Crassostrea</i>	Tun et al 2007
Mollusc	<i>Vibrio carchariae</i>		Unknown	unknown	unknown	x				<i>Sulculus</i> (abalone)	Nishimori et al. 1998
Mollusc	<i>Vibrio fluvialis</i>		Unknown	unknown	unknown		x			<i>Haliotis</i>	Li et al. 1998
Mollusc	<i>Vibrio harveyi</i>		Unknown	unknown	unknown	x				<i>Haliotis</i>	Sawabe et al. 2007
Mollusc		Viral amyotrophy	Unknown	unknown	unknown	x				<i>Nordotis</i> (abalone)	Nakatsugawa et al. 1999

## MANAGEMENT AND MITIGATION MEASURES

It should be noted that preventative management of potential invasion transport vectors does not, and cannot, result in zero risk, but is intended to provide risk minimisation.

It should also be acknowledged that risk species can potentially be transported to a new location by a number of means (Hewitt and Campbell 2010). For example, many species can be transported during a planktonic phase in ballast water, and as benthic adults in biofouling (Hewitt and Campbell 2010; Davidson et al. 2016).

As a consequence, it is difficult to determine if a species' arrival following ballast exchange was due a "failure" of ballast water exchange or if the species arrived by other means. There is, however, evidence that species are retained in ballast tanks following open ocean exchange (eg Murphy et al 2002; Ruiz and Reid 2007; Bailey et al. 2011).

The proposed marine biosecurity management and mitigation measures provided in the SBW Draft EIS (2019) are insufficiently defined to determine the level of biosecurity protection. Management and mitigation measures have been provided for two elements: Discharges and Ballast Water Management, and for Biofouling. Each are further addressed below with consideration of how these might be improved:

### Discharges and Ballast Water Management

The proponents state that the primary risk mitigation and management strategy will be to comply with international and Commonwealth law. This is a mandated (and expected) mitigation and does not adequately and explicitly address the additional risks created by this activity.

As indicated above, there are additional risks associated with the construction and operational phases that would not be adequately addressed through simple compliance with international and Commonwealth law.

- Dredges and associated supporting barges are exposed to sediments in previous ports of operation and have been explicitly linked to the transfer and spread of non-native marine species, particularly biofouling species such as *Sabella spallanzanii*, and dinoflagellate cysts in retained sediments from the last port of operations.
- Ballast water exchange on the "high seas" is only *moderately* successful at reducing the planktonic component of the assemblage, although this varies significantly by taxa, and by the method and location of ballast exchange (Molina and Drake 2016; Bailey et al. 2011).
- Ballast water exchange on the "high seas" is *very poor* at reducing the ballast sediment load and will not adequately mitigate the risk of toxic dinoflagellate cyst introductions (Molina and Drake 2016).
- Vessel trading routes between the Northwest Pacific bioregion and Australia are largely in nearshore and shallow waters which may restrict the opportunities for these vessels to undertake ballast water exchange in water of sufficient depth and distance offshore. How these situations will be managed by the Commonwealth remains unclear (ie will the vessel still be allowed to enter and discharge).
- Under international and Commonwealth law there are clear protections to vessels to not undertake ballast exchange if they consider it to be a risk to the vessel (Endresen et al. 2004). How these situations will be managed by the Commonwealth remains unclear (ie will the vessel still be allowed to enter and discharge).
- Domestic vessel movements are not managed under international or Commonwealth law, and are unlikely to be able to undertake ballast exchange on the "high seas". Therefore this mitigation is unlikely to be applied unless explicit agreements and requirements are made.

### Biofouling

- Biofouling is currently unregulated. International guidelines have been developed and adopted by the International Maritime Organization (IMO) Marine Environmental Protection Committee (MEPC) in Resolution MEPC.207. The Commonwealth further developed biofouling guidelines in 2015 (DAWR 2015).

- Biofouling is currently managed by vessel owners and operators with a key focus on reducing vessel drag and fuel efficiency rather than on biosecurity needs. As a consequence the incentives to manage “niche fouling” in protected areas of a vessel (ie areas not exposed to moving water) are likely to be insufficient (Davidson et al 2016).
- Biofouling on slow moving vessels (such as dumb barges and dredges) can transfer mature communities resulting in the spawning or accidental dislodgment of material.
- The proposed mitigation to restrict biofouling discharge through “no in-water or dry dock cleaning would be permitted at Smith Bay” will limit the intentional discharge of biofouling species. This will not mitigate the accidental dislodgement of biofouling organisms or spawning of biofouling species on ship’s hulls and protected areas while in port.
- Disease agents and parasites may be transmitted within biofouling species, including primary and secondary hosts.

## SUMMARY

1. The methodology for determining marine biosecurity risk activities, vectors and species is unclear and, based on the material presented, inadequate.
  - a. The species assessments do not appropriately consider either the domestic or international source locations to determine the species (and disease agents and parasites) likely to be transported into Smith Bay waters.
  - b. The assessment of disease agents (pathogens and parasites) does not adequately consider the suite of licensed aquaculture species permitted to Yumbah KI.
  - c. Nine OIE listed diseases or etiological agents present in Japan or China are known to affect Genera licensed to Yumbah KI.
  - d. An additional nine diseases or etiological agents species from Japan or China are known to affect Genera licensed to Yumbah KI, and known to have caused mass mortalities of aquaculture species in China or Japan.
2. The risk mitigation measures proposed are generic and meet the letter, rather than the intent, of international, Commonwealth and State requirements.
3. The measures for discharges and ballast water management focus explicitly on the operational phase using commercial trading vessels and are insufficiently detailed to address the construction phase, particularly for the risks associated with slow moving vessels including dredges and barges.
4. The lack of mitigation measures that consider sediment transfer risk either in the dredges and barges, or in the commercial trading vessels is insufficient to provide harmful algal bloom protections.
5. Domestic ballast water movement is unlikely to attain distances offshore to meet the definition of “high seas” and therefore will not be able to undertake adequate protections.
6. Biofouling species hazards associated with both construction and operational phases will continue to pose unmitigated risks. The restriction on “in water or dry dock cleaning” at Smith Bay will not prevent mature species from spawning or being dislodged into Smith Bay waters.
7. Additionally, mature biofouling assemblages are likely to pose the additional risk of transferring disease agents and parasites into Smith Bay waters.

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APPENDIX 5 –

# **ECONOMIC IMPACT STATEMENT**

Dench McLean Carlson

2019

### **Current Operation**

Yumbah's current Kangaroo Island operation generates some \$6M in sales (or output). This is estimated to:

- Generate 25 FTE jobs directly and 7 FTE jobs indirectly within Kangaroo Island's local economy
- Generate \$1.077 million in wages and salaries, and
- Grow Value added within the local economy by \$4.110 million

### **Stage 1 – Expansion of Yumbah's Kangaroo Island operation**

The Stage 1 expansion of Yumbah's current Kangaroo Island operation is forecast to generate \$20M in sales (or output) This increase in output is estimated to:

- Generate 60 FTE jobs directly and 25 FTE jobs indirectly within Kangaroo Island's local economy – this represents a growth of 53 jobs from the current operation
- Generate \$5.663 million in wages and salaries– both direct and indirectly – this represents a growth of \$3.96 million in wages and salaries within the local economy
- Grow Value added – both direct and indirectly, within the local economy by \$13.7 million - this represents a growth of \$9.59 million in Value Added within the local economy

### **Stage 2 – Expansion of Yumbah's Kangaroo Island operation**

The Stage 2 expansion of Yumbah's current Kangaroo Island operation is forecast to generate \$50M in sales (or output) This increase in output is estimated to:

- Generate 140 FTE jobs directly and 61 FTE jobs indirectly within Kangaroo Island's local economy – this represents a growth of :
  - 116 jobs from Stage 1, and
  - 169 jobs from the current operation
- Generate \$14.16 million in wages and salaries– both direct and indirectly – in the local economy this represents a growth of:
  - \$8.5 million in wages and salaries from Stage 1, and
  - \$12.46 million in wages and salaries from the current operation
- Generate \$34.25 in Value added within the local economy- both direct and indirectly - this represents a growth of:
  - \$20.55 million from Stage 1, and
  - \$30.14 million from the current operation

### **Proposed Tourism Operation**

Yumbah propose a tourism offer to be part of their Stage 2 operations and its is estimated that this offer will attract some 15,000 visitors per annum – this aspect of the operation is estimated to generate some \$2.48 million in sales (or output) and this output is estimated to:

- Generate 5 FTE jobs directly and 2 FTE jobs indirectly within Kangaroo Island's local economy
- Generate \$0.53 million in wages and salaries– both direct and indirectly
- Grow Value added – both direct and indirectly, within the local economy by \$1.15 million

The above economic impact modelling has been undertaken by REMPLAN with all figures, data and commentary presented in this report are based on data sourced from the Australia Bureau of Statistics (ABS), most of which relates to the 2016, 2011, 2006 and 2001 Censuses.

Using ABS datasets and an input / output methodology industrial economic data estimates for defined geographic regions are generated.

This report is provided in good faith with every effort made to provide accurate data and apply comprehensive knowledge. However, REMPLAN does not guarantee the accuracy of data nor the conclusions drawn from this information. A decision to pursue any action in any way related to the figures, data and commentary presented in this report is wholly the responsibility of the party concerned. REMPLAN advises any party to conduct detailed feasibility studies and seek professional advice before proceeding with any such action and accept no responsibility for the consequences of pursuing any such action.

**Summary of Estimated Economic Impacts of Yumbah's Kangaroo Island Operation  
on the Kangaroo Island Local Economy**

	Impact Summary	Direct Effect	Supply-Chain Effect	Consumption Effect	Total Effect
<b>Current KI Operation</b>	Output (\$M)	\$6.00	\$1.60	\$1.00	\$8.59
	Employment (Jobs FTE)	25	4	3	32
	Wages and Salaries (\$M)	\$1.08	\$0.41	\$0.22	\$1.70
	Value-added (\$M)	\$2.80	\$0.71	\$0.60	\$4.11
<b>Stage 1 – Proposed Growth of KI Operation</b>	Output (\$M)	\$20.00	\$5.32	\$3.32	\$28.64
	Employment (Jobs FTE)	60	15	10	85
	Wages and Salaries (\$M)	\$3.59	\$1.35	\$0.72	\$5.66
	Value-added (\$M)	\$9.33	\$2.37	\$2.00	\$13.70
<b>Change Current to Stage 1</b>	Output (\$M)	\$14.00	\$3.73	\$2.32	\$20.05
	Employment (Jobs FTE)	35	11	7	53
	Wages and Salaries (\$M)	\$2.51	\$0.95	\$0.50	\$3.96
	Value-added (\$M)	\$6.53	\$1.66	\$1.40	\$9.59
<b>Stage 2 – Proposed Growth of KI Operation</b>	Output (\$M)	\$50.00	\$13.30	\$8.29	\$71.59
	Employment (Jobs FTE)	140	37	24	201
	Wages and Salaries (\$M)	\$8.98	\$3.38	\$1.80	\$14.16
	Value-added (\$M)	\$23.32	\$5.92	\$5.00	\$34.25
<b>Change Stage 1 to Stage 2</b>	Output (\$M)	\$30.00	\$7.98	\$4.97	\$42.96
	Employment (Jobs FTE)	80	22	14	116
	Wages and Salaries (\$M)	\$5.39	\$2.03	\$1.08	\$8.50
	Value-added (\$M)	\$13.99	\$3.55	\$3.00	\$20.55
<b>Change Current to Stage 2</b>	Output (\$M)	\$44.00	\$11.71	\$7.29	\$63.00
	Employment (Jobs FTE)	115	33	21	169
	Wages and Salaries (\$M)	\$7.90	\$2.98	\$1.58	\$12.46
	Value-added (\$M)	\$20.52	\$5.21	\$4.40	\$30.14
<b>Tourism Impact</b>	Output (\$M)	\$1.77	\$0.40	\$0.31	\$2.48
	Employment (Jobs FTE)	5	1	1	7
	Wages and Salaries (\$M)	\$0.36	\$0.10	\$0.07	\$0.53
	Value-added (\$M)	\$0.77	\$0.19	\$0.19	\$1.15

**Estimated FTE Employment Kangaroo Island**

<i>Sectors</i>	<i>FTE Jobs</i>	<i>% of FTE Jobs</i>	
<b>Agriculture, Forestry &amp; Fishing</b>	<b>Sheep, Grains, Beef &amp; Dairy Cattle</b>	366	19.50%
	<b>Poultry &amp; Other Livestock</b>	51	2.70%
	<b>Other Agriculture</b>	29	1.60%
	<b>Fishing, Hunting &amp; Trapping</b>	29	1.60%
	<b>Forestry &amp; Logging</b>	6	0.30%
	<b>Agriculture, Forestry &amp; Fishing Support Services</b>	29	1.60%
	<b>Aquaculture</b>	25	1.30%
<b>Accommodation &amp; Food Services</b>	199	10.60%	
<b>Construction</b>	173	9.20%	
<b>Education &amp; Training</b>	142	7.50%	
<b>Transport, Postal &amp; Warehousing</b>	131	7.00%	
<b>Health Care &amp; Social Assistance</b>	125	6.60%	
<b>Retail Trade</b>	119	6.30%	
<b>Public Administration &amp; Safety</b>	105	5.60%	
<b>Administrative &amp; Support Services</b>	64	3.40%	
<b>Other Services</b>	61	3.20%	
<b>Manufacturing</b>	60	3.20%	
<b>Professional, Scientific &amp; Technical Services</b>	47	2.50%	
<b>Wholesale Trade</b>	40	2.10%	
<b>Arts &amp; Recreation Services</b>	34	1.80%	
<b>Rental, Hiring &amp; Real Estate Services</b>	16	0.90%	
<b>Electricity, Gas, Water &amp; Waste Services</b>	12	0.60%	
<b>Financial &amp; Insurance Services</b>	11	0.60%	
<b>Information Media &amp; Telecommunications</b>	5	0.30%	
<b>Mining</b>	0	0.00%	
<b>Total</b>	1,880	100.00%	

The increase in FTE jobs generated by the Yumbah’s Stage 2 Expansion represents an 8.9% increase on all current FTE jobs in the Kangaroo Island local economy



APPENDIX 6 –  
**REVIEW OF AIR  
QUALITY IMPACTS**

Cook

2019



27 May 2019

David Connell  
Manager  
Yumbah Kangaroo Island

Our ref: 6137616-2601  
Your ref:

Dear David

## **Smith Bay Aquaculture Assessment Review of Air Quality Impacts**

Yumbah Kangaroo Island (Yumbah KI) requested a review of the predicted Air Quality impacts, inclusive of dust, of the *Smith Bay Wharf Draft Environmental Impact Statement* (KIPT 2019, hereafter referred to as EIS). This review has focused primarily on Chapter 12 of the EIS.

### **1 Background**

Kangaroo Island Plantation Timbers (KIPT) is seeking approval to build a deep-water port and associated infrastructure at Smith Bay, from which it proposes to export logs (softwood) and woodchips (hardwood) from its Kangaroo Island plantation forests to overseas markets. The facility is proposed in Smith Bay approximately 20 km west-northwest of the town of Kingscote and 15 km northwest of the Kingscote airport.

The non-marine components of the Seaport include log and woodchip storage areas, a laydown area, materials handling infrastructure (e.g. conveyor), road transport access with ancillary facilities and infrastructure including administration buildings, car parks and security fencing.

The associated in-water structures would include a causeway, suspended jetty, link span bridge, floating pontoon, tug mooring facilities, berthing pocket, and mooring dolphins.

Ancillary services would include electricity, water storage and supply, wastewater and stormwater management facilities, telecommunications, and security.

The project submission is accompanied by multiple documents that contain information on both an operational and construction air quality assessment.

Air Quality impacts are associated with the construction dust and the operational dust (principally wood chip associated particulate matter). The EIS as part of the project submission provides information on both air quality impact pathways. As no wood chipping is planned to be conducted on-site, it is only the material transfer and storage of wood chips that produces fibrous material. However, some (crustal) dust will be generated associated with vehicle movements during operation while the same (non-fibrous) dust types will dominate during construction.

## **2 Documents considered**

The following documents have been considered during the peer review of the *Air Quality EIS* chapters, sections and appendix:

- Smith Bay Wharf - Draft Environmental Impact Statement Executive Summary, January 2019
- Smith Bay Wharf - Draft Environmental Impact Statement Main Report, January 2019
- Smith Bay Wharf - Draft Environmental Impact Statement Appendix M – Air Quality: Air Pollution Modelling Outputs, January 2019
- SA Environment Protection (Air Quality) Policy 2016
- SA Guideline for Ambient air quality assessment, August 2016

Other documents and results of research pertaining to the assessment of air quality are also taken into account (e.g. National Environment Protection (Ambient Air Quality) Measure).

## **3 Methodology**

In undertaking this review, consideration has been given to:

- The expected character of the air quality impacts during operational and construction phases of the project
- The relevant regulatory and technical/scientific documents referenced in section 2
- Australian and South Australian Environment Protection Authority (EPA SA) practices in assessing the predicted air quality from projects

The review has taken a risk-based approach and has sought to identify the more important issues where problems might arise. A summary of the key findings from the peer review is provided in section 4. The technical terminology used in this letter is consistent with the terminology used in the air quality related EIS documents reviewed and relevant standards/guidelines/policies.

## **4 Key findings**

The key findings of the review address the key concern of ‘dust, expressed as (Pers. Comm, Sustainable Project Management, May 2019):

- The dust review should “consider the accumulation of dust on the abalone grow out shade cloth”
- “The accumulated dust on the grow out shade cloth may be an issue, particularly if rains washes the accumulated dust into the abalone tanks”

#### 4.1 EIS purpose

Chapter 17 of the EIS Main report (page 373) identifies the scope for the Air Quality assessment in addressing how the “Draft EIS considers the extent to which the expected impacts of the development are consistent with the provisions of any development plan, the South Australian Planning Strategy and any matter prescribed by regulations under the Development Act)” (EIS, p.9). The published guidelines for the EIS process of 6 July 2017 specifically reference (emphasis added) the impact on Yumbah KI:

- Guideline 5.2
- “Outline the impacts of dust and/or particle generation on the existing commercial operations and any other identified nearby sensitive receivers in the vicinity of the proposed development, **in particular the existing abalone farm**” (EIS, p.373).

Guideline 5.1 “includes modelling undertaken in accordance with the Environment Protection (Air Quality) Policy 2016 and the Environment Protection Authority’s Ambient Air Quality Assessment 2016 guideline (ibid.). Guideline 5.3 includes “all potential sources of air pollution (especially dust and particulates from transport, unloading, storage and shiploading) will be controlled and monitored, including measures for their reduction or elimination” (ibid.).

#### 4.2 Modelling to Policy and guideline requirements

The author of the EIS air quality assessment has demonstrated competencies in following the SA Environment Protection Authority’s Ambient Air Quality Assessment (2016) guidelines. The guideline, for example, requires an electronic copy of the output text file(s) to be provided. Appendix M provides these. However, the guideline also says that “the EPA recommends that practitioners produce a ‘capability statement’ based on the guide”. This may have been to assist the proponent in selecting a consultant, but that information was not provided in the reporting (with no branding from the consultant within Chapter 17 – even on the figures). A number of assessment choices have been made that raise concerns about the accuracy of the modelling – these are expanded upon below.

A key issue identified in the Executive Summary (p.38) is an assessment against compliance with air quality standards and guidelines with potential effects of dust emissions on neighbours, including Yumbah’s abalone operation. AQ standards, as assessed by the consultant for ‘dust’, really only apply to human health (toxicity as specified in the Air Policy) and amenity (not a reason for classification in the Air Policy – so NSW criterion adopted). These are not very relevant to the abalone farm although they are the requirement for assessing impact at the residential sensitive receptor locations (as done by the consultant).

The guideline (p.10) identifies “Important stages for assessment using air quality modelling” as:

1. Emissions inventory development
2. Consideration of meteorological and terrain effects
3. Modelling using suitable dispersion models
4. Airshed approach (if considering cumulative impacts)
5. Validation of air pollution modelling output
6. Presenting air pollution modelling results

#### **4.2.1 Emissions inventory development**

Two emission inventories are required – for construction and operation. In the absence of site-specific data, it is standard procedure to use default NPI emission factors. Such factors are usually based on emission factor estimates for mining operations, and are acceptable for construction activity and vehicle related fugitive dust sources due to operational traffic. However, NPI emission factors are not available for woodchips, otherwise the assumptions made are all on the conservative side. For example, a reasonable assumption around dredge spoil stockpiling is that drying the material out to below 10% moisture is unlikely to occur. Importantly, there is an improvement available to change the emission inventory for wind erosion to being a function of wind speed (rather than just the threshold, and binary, wind speed cut-off) – further compounded by the meteorological modelling by the TAPM model under predicting the wind speed (see also section 4.2.2).

Wind erosion emissions only occur when the winds are high enough and then at the NPI default emission factors. Since the TAPM model has under predicted winds, which is considered overly conservative. The default emission factors (EF's) are wind speed independent. If winds are light, then the particles will not disperse as far. The model is better to be used to have the emission inventory at the default EF's all the time (and allowing the model to disperse accordingly) or adjusting the hour-by-hour EF's according to the emission rate varying as a function of the wind speed.

Dust-generating activities and assumptions for both construction and operations used NPI default emission factors of 4.23 kg of TSP emission per VKT, and 1.25 kg of PM<sub>10</sub> particulate per VKT. These are conservative assumptions as the default values assume a vehicle mass of 48 t which is greater than the expected tonnage of loaded and unloaded log/woodchip trucks.

A 75% emission reduction is assumed for vehicle dust emissions on unsealed haul roads. This is due to (mine site) standard level 2 watering of >2 L/m<sup>2</sup>/hr. This is not stated in the main text but is contained in a table. Such a mitigation measure assumes that this is applied during all hours of operation where vehicles are on unsealed roads. Such a water cart, or even a source of water, may not be available at all times.

A very brave assumption has been made that the handling of woodchips produces the same emissions as 'Log debarking' (USEPA emission factor from the late 1970s). It is further assumed that the PM<sub>10</sub> to TSP ratio is the same as for soil/overburden at 50% (and PM<sub>2.5</sub> is 10% of TSP). Both of these assumptions have the potential to cause a large error in the accuracy of the predictions.

As woodchip material handling is assumed to occur four times (Table 17-6), the accuracy of this assumption is very important. The total of the assumed emissions of woodchip handling (0.32 g/s of TSP) is of the same order as crustal material emissions of vehicles on unpaved roads (0.8 g/s - controlled by water cart use) and almost as much as wind erosion of the stockpile (0.62 g/s - assumed to be woodchips).

Some rigor has been applied to partition the data into size fractions - but these assume soil characteristics and not fibrous/cellulose material. Wind erosion from the woodchip stockpile has assumed the same default NPI emission factor as that used for mine-site overburden. Further, the deposition modelling assumes a particle density that needs to be different from the other sources - this is not discussed and may have to be re-modelled correctly. Both of these assumptions have the potential to cause an error in the accuracy of the predictions.

#### **4.2.2 Consideration of meteorological and terrain effects**

It is stated that for Kingscote PO and Kingscote Airport the meteorological "data are generally consistent" (EIS, p.378). However, there are differences between the sites, somewhat related to the measurement method (wind) and exposure (temperature and rain).

Because of the distance the airport is inland the "Kingscote Aero is generally warmer during the day and colder at night than the Kingscote" Post Office (EIS, p.378). This questions the assumption that wind data at the Airport are representative of the coastal location. However, differences between the sites are critical as the comparison is done to justify using a slightly inland site at the airport as being representative of a site with a beachhead. It can be assumed that the coastal sites of Smith Bay are more exposed than the Post Office so that the Airport data are the best that can be used to be site-representative. Therefore, measured data from the airport can be used to improve the accuracy of the representativeness of the modelled winds.

A standard procedure, when site-specific data are not available, is to initialise the CALMET (wind) model with a prognostic meteorological model (such as the CSIRO TAPM model). However, it appears that observations from the Airport are not used in either nudging of TAPM or diagnostic correction of CALMET fields. This diminishes the accuracy of the modelling as the comparison done shows that TAPM under predicts the winds (at the reference site of the Airport and by analogy at the subject site), a known artefact of the model. No model settings for the TAPM or CALMET models are provided. It would also have been useful to compare the TAPM predicted winds to the Airport annual wind climate. The methodology of including measured winds, and varying the wind erosion with wind speed, will lead to higher predicted dust impacts.

#### **4.2.3 Modelling using suitable dispersion models**

"Dispersion modelling was undertaken using the CALMET (meteorology) and CALPUFF (emissions) system of dispersion models" (EIS, p.382). This is consistent with the SA EPA guidelines. Although, CALPUFF is preferred when "for conditions such as coastal fumigation, cold-air drainage or a location with complex terrain" (SA EPA, 2016, p.12). None of these apply here.

"It is important that the complex mechanisms that affect air movements are incorporated into dispersion modelling studies for accurate predictions of dust concentrations" (EIS, p.382). While this is a true statement, it is unlikely to be significant here as the dust sources are close to the critical receptors.

#### **4.2.4 Airshed approach (if considering cumulative impacts)**

“Kangaroo Island has no air quality monitoring stations” (EIS, p.381). It is the incremental change that is critical to the assessment of impacts so it is best to treat the estimated baseline values as indicative only. PM<sub>10</sub> and PM<sub>2.5</sub> can be used to assess human health exposure. However, as we are concerned with 'ecological-like' impacts of dust deposition into water bodies or the shade-cloth areas of the abalone tanks, the use of these indicators can be ignored.

For the important dust deposition criterion, a background of 2 g/m<sup>2</sup>/month is assumed as a baseline (not seasonally varying). While this is based on Eyre Peninsula benchmarking, it is consistent with the assumed background/natural deposition rate in the NSW Approved Methods (albeit an overestimation for a coastal site on an island off the mainland).

#### **4.2.5 Validation of air pollution modelling output**

This is not possible for a proposed facility but could have been included as a literature survey of existing woodchip exporting port facilities (e.g. Portland, Geelong, Burnie, Bell Bay). Due the wide range of assumptions around woodchip emission factors (including the particle size distribution being the same between crustal soil and fibrous material), an investigation of particulate matter fallout across port boundaries to residential areas is likely to be more accurate than a modelling approach. For example, the residential areas of Portland are just 150 m from the site boundary and within a 1,500 m threshold distance of the woodchip stockpiling and material handling.

#### **4.2.6 Presenting air pollution modelling results.**

It is noted that the construction impact is almost the same (slightly lower, 0.3 to 0.4 g/m<sup>2</sup>/month added to background) as for the operational phase. The increment will be about an order of magnitude lower than background. This is an important finding for construction impacts where it will be all crustal dust, but operationally it will be a mixture of dust and wood fibre.

Assuming that the modelling is accurate enough, the impact of material falling out of the sky onto Yumbah is unlikely to be significantly higher than the assumed background. Despite this estimated result, overestimation of the background particulate matter deposition at a coastal environment is unlikely and would be expected to have less than a default fallout rate of 2 g/m<sup>2</sup>/month. The latter is adopted from mainland reference projects (and the default value for the NSW Approved Methods criterion) as sea spray salt will be in the soluble portion and the majority of wind directions at the site involve over water fetch.

### **4.3 Measures to control and monitor**

A range of mitigation and management measures are detailed for both construction and operation phases (EIS, p.396). While these are yet to be confirmed by detailed design - all are sensible (except for watering land to be cleared during construction) and would lower the off-site impacts.

The only monitoring proposed is “A series of gauges would be established on the site boundaries to monitor dust deposition rates before and during construction and during operation” (EIS, p.396). It is standard procedure to undertake audit monitoring of impacts (just deposition as PM monitoring not a health issue at Yumbah) along the common boundary so as to enable adjustments to the dust management plan if levels are experienced to be too high. However, this will be too late (as it takes a month to gather a sample and then send to a laboratory for analysis) during construction. Reactive, real-time continuous monitoring between the two sites is a better approach. If elevated levels of dust are detected to cross the boundary, either visually or measured, construction activity should cease. Downtime is only required due to drying conditions involving stronger winds and are likely to be rare enough that activity curtailment does not delay the construction program significantly.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Barry Cook', with a stylized flourish at the end.

**Barry Cook**

Technical Director - Air Quality and Meteorology  
+61 3 8687 8649



APPENDIX 7 –  
**EASEMENTS -  
CERTIFICATES OF TITLE**

LANDS TITLES REGISTRATION  
OFFICE  
SOUTH AUSTRALIA

APPLICATION FOR DEPOSIT OF A  
PLAN OF DIVISION

FORM APPROVED BY THE REGISTRAR-GENERAL

**BELOW THIS LINE FOR OFFICE &  
STAMP DUTY PURPOSES ONLY**

Orig. RTC 12040789



11:39 21-Nov-2013  
1 of 1 Fees: \$0.00

Series No.	Prefix
1	RTC
	D.P.

92343

**BELOW THIS LINE FOR AGENT USE ONLY**

CERTIFIED CORRECT FOR THE PURPOSES  
OF THE REAL PROPERTY ACT 1886

*[Signature]*

Solicitor/Registered Conveyancer/Applicant  
**TM O'HALLORAN**

	R.G.O.	POST	NEW C.T.
F	363		156-
E	PLAN EXAMINATION	SURVEY ACT LEVY	PLAN DEPOSIT
S			133-

**AGENT CODE**

Lodged by: BRIAN O'HALLORAN BTH1

Correction to: BRIAN O'HALLORAN BTH1

TITLES, CROWN LEASES, DECLARATIONS ETC. LODGED WITH  
INSTRUMENT (TO BE FILLED IN BY PERSON LODGING)

1. *CT 5870/746*
2. ....
3. ....
4. ....

PLEASE ISSUE NEW CERTIFICATE(S) OF TITLE AS FOLLOWS

1. *2 x new cfts as set out in plan*
2. ....
3. ....
4. ....

DELIVERY INSTRUCTIONS (Agent to complete)  
PLEASE DELIVER THE FOLLOWING ITEM(S) TO THE  
UNDERMENTIONED AGENT(S)

ITEM(S)	AGENT CODE
<i>2 x new cfts</i>	<i>BTH1 11</i>

Revenue SA -- Stamp Duty  
ABN 19 041 749 865

Doc Code CL  
RevNetID 129534340  
Consid/Val/Sec# 100.00  
SA Proportion \$ 0.00  
Stamp Duty \$ 1.00  
LTO Fees \$ 0.00  
Interest \$ 0.00  
Pen/Add Tax \$ 0.00  
Date 21/11/2013  
Original with 0 Copies  
----- End of Receipt -----

13:11 26/11/2013 02-016962  
REGISTRATION FEE (OPE) \$348.00  
TRANSACTION FEE \$15.00  
NEW CT \$156.00  
PLAN DEPOSIT \$133.00

**2** NEW CERTIFICATE(S) OF TITLE TO ISSUE IN  
ACCORDANCE WITH SCHEDULE OF MODE OF ISSUE

PICK-UP NO. \_\_\_\_\_  
DP \_\_\_\_\_

PLAN DEPOSITED *29/11/13*

CORRECTION	PASSED <i>B</i>
REGISTERED 29.11.2013 <i>Paul Balogh</i> Pro REGISTRAR GENERAL SOUTH AUSTRALIA	

DATED 21/11/13

EXECUTION BY APPLICANT(S)

[Signature]
Signature of APPLICANT

[Signature]
Signature of WITNESS - Signed in my presence by the Applicant who is either personally known to me or has satisfied me as to his or her identity. A penalty of up to \$2000 or 6 months imprisonment applies for improper witnessing

TANIA LOUISE ANDERSON
Print Full Name of Witness (BLOCK LETTERS)

PO Box 423 KINGSCLIFF 5223
Print Address of Witness

Business Hours
Telephone Number 85533084

Handwritten scribble

Handwritten mark

Handwritten scribble

# APPLICATION FOR DEPOSIT OF A PLAN OF DIVISION

(Pursuant to Part 19AB of the Real Property Act 1886)

789

DP.92343 ✓

Development No. 520/D006/12/001/36105

**CERTIFICATE(S) OF TITLE AFFECTED**

The whole of the land comprised and described in Certificate of Title Volume 5870 Folio 746 ✓

**APPLICANT(S)** (Full name and address of all Registered Proprietors of land divided)

**QUENTIN JOHN ANDERSON** of PO Box 423 Kingscote 5223 ✓

**To the Registrar-General,**

I/We the Applicant(s) hereby apply to have the accompanying plan of division deposited in the Lands Titles Registration Office and acknowledge that on the deposit of the said plan;

- (a)\* my/our estate and interest in the said land will be affected to the extent indicated in the Details of Transactions panel
- (b) certificates of title will issue in accordance with the Schedule of Mode of Issue. ✓

\* Delete if inapplicable

**SCHEDULE OF MODE OF ISSUE**

PARCEL IDENTIFIER / CT	FULL NAME, ADDRESS AND MODE OF HOLDING	EASEMENTS AND ESTATES OR INTERESTS
50 /	QUENTIN JOHN ANDERSON of PO Box 423 Kingscote 5223 /	Together with and subject to the rights and liberties as set forth in the accompanying plan or described herein
The allotment comprising Pieces 51 & 52 /	QUENTIN JOHN ANDERSON of PO Box 423 Kingscote 5223 /	Together with and subject to the rights and liberties as set forth in the accompanying plan or described herein

DETAILS OF TRANSACTION(S) (Applicants only)	CONSIDERATION / VALUE
<p>Creation of the rights and liberties as set out in the accompanying plan <del>and</del> described herein</p> <p>pro RG</p>	<p>Value does not exceed \$100.00</p>

**SCHEDULE OF EASEMENTS CREATED BY DEPOSIT OF THE ACCOMPANYING PLAN OF DIVISION**

- \* **Short form:** The easement(s) expressed on the plan to which the provisions of Sections 89 and 89a of the Real Property Act 1886 apply. ✓
- \* **Long form:** Easement(s) indicated on the plan to be set out in full in this application are as follows: ✓  
\*Delete the inapplicable

The right for the applicant as the registered proprietor of Allotment 50 in the plan, his agents, servants and workmen at any time to break the surface of, dig, open up and use that portion of Piece 51 marked B in the accompanying plan for the purpose of laying down, fixing, taking up, repairing, re-laying or examining pipes thereon and for the purposes of transferring water to and the storage of water in a dam thereon, affixing thereon and maintaining pumps and electrical switch gear and of using and maintaining those pipes pumps and electrical switch gear for water supply purposes and to enter the land at any time (if necessary with vehicles and equipment) for any of those purposes to be held appurtenant to Allotment 50 in the plan ~~and~~

**CERTIFICATE OF CONSENT FOR THE DEPOSIT OF A PLAN OF DIVISION**

**CONSENTING PARTY** (Full Name and Address)

*Richard Williams*

**NATURE OF ESTATE OR INTEREST HELD**

**STATEMENT OF EFFECT ON ESTATES OR INTERESTS OF CONSENTING PARTIES**

ESTATE / INTEREST AFFECTED	EFFECT ON ESTATE OR INTEREST HELD OR CLAIMED	CONSIDERATION / VALUE

I/We the consenting party

- (1) certify my/our consent to the deposit of the accompanying plan of division in the Lands Titles Registration Office.
- (2) acknowledge that the deposit of the plan will affect my/our estate or interest to the extent set out in the above Statement of Effect panel.

DATED .....

**EXECUTION BY CONSENTING PARTY**

REAL PROPERTY ACT, 1886



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



## Certificate of Title - Volume 6127 Folio 273

**Parent Title(s)** CT 5870/746  
**Creating Dealing(s)** RTC 12040789  
**Title Issued** 17/12/2013      **Edition** 2      **Edition Issued** 24/04/2014

### Estate Type

FEE SIMPLE

### Registered Proprietor

CINEREA PTY. LTD. (ACN: 167 774 058)  
OF SE 816 AURORA HOUSE 147 PIRIE STREET ADELAIDE SA 5000

### Description of Land

ALLOTMENT COMPRISING PIECES 51 AND 52 DEPOSITED PLAN 92343  
IN THE AREA NAMED WISANGER  
HUNDRED OF MENZIES

### Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED A ON DP 92343 TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000) (TG 8363477)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED B ON DP 92343 (RTC 12040789)

TOGETHER WITH EASEMENT(S) OVER THE LAND MARKED J ON DP 92343 (RTC 9234708)

TOGETHER WITH EASEMENT(S) OVER THE LAND MARKED C ON DP 92343 FOR THE TRANSMISSION OF ELECTRICITY BY UNDERGROUND CABLE (RTC 12040789)

### Schedule of Dealings

Dealing Number	Description
12719258	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)

### Notations

<b>Dealings Affecting Title</b>	NIL
<b>Priority Notices</b>	NIL
<b>Notations on Plan</b>	NIL
<b>Registrar-General's Notes</b>	NIL
<b>Administrative Interests</b>	NIL

PURPOSE:	DIVISION	AREA NAME:	WISANGER	APPROVED:	ANGELA WESTTHORP 13/09/2013	  <b>D92343</b>
MAP REF:	6326/06/Q	COUNCIL:	KANGAROO ISLAND COUNCIL	DEPOSITED:	PAUL GRAHAM 29/11/2013	
LAST PLAN:		DEVELOPMENT NO:	520/D006/12/001/36105			SHEET 1 OF 2
						39321_text_01_v03_Version_3

AGENT DETAILS:	WEBER FRANKIW & ASSOCIATES 178 MAIN ROAD MCLAREN VALE SA 5171 PH: 83238991 FAX: 83239686	SURVEYORS CERTIFICATION:
AGENT CODE:	WEBLP	
REFERENCE:	260318	

SUBJECT TITLE DETAILS:

PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER
CT	5870	746		ALLOTMENT COMPRISING PIECES	(10*.11*)	D	58423 MENZIES		SECTION 338

OTHER TITLES AFFECTED:

EASEMENT DETAILS:

STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXISTING	51*	LONG	EASEMENT(S)	A		DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	TG 8363477
EXISTING		LONG	EASEMENT(S)	J		50.(51*.52*)	RTC 9234708
NEW	50	SHORT	EASEMENT(S)	C	FOR THE TRANSMISSION OF ELECTRICITY BY UNDERGROUND CABLE	(51*.52*)	
NEW	51*	LONG	EASEMENT(S)	B	WATER STORAGE AND PIPELINE PURPOSES	50	

ANNOTATIONS:

# D92343

SHEET 2 OF 2

39321\_pland\_1\_V01\_Version\_3

BEARING DATUM: (1)-(2) 1°27'  
DERIVATION: ADOPTED D58423

TOTAL AREA:

## PIECES SCHEDULE

ONE ALLOTMENT COMPRISES	TOTAL AREA
51 & 52	11.7 ha APPROX

\* Asterisk denotes PIECE identifier only

SEC 411 SEC 361

D72294

52\*  
(1710m<sup>2</sup>)  
approx

PUBLIC ROAD

②

ROAD

PUBLIC

①

PUBLIC

SEC 471

B

A

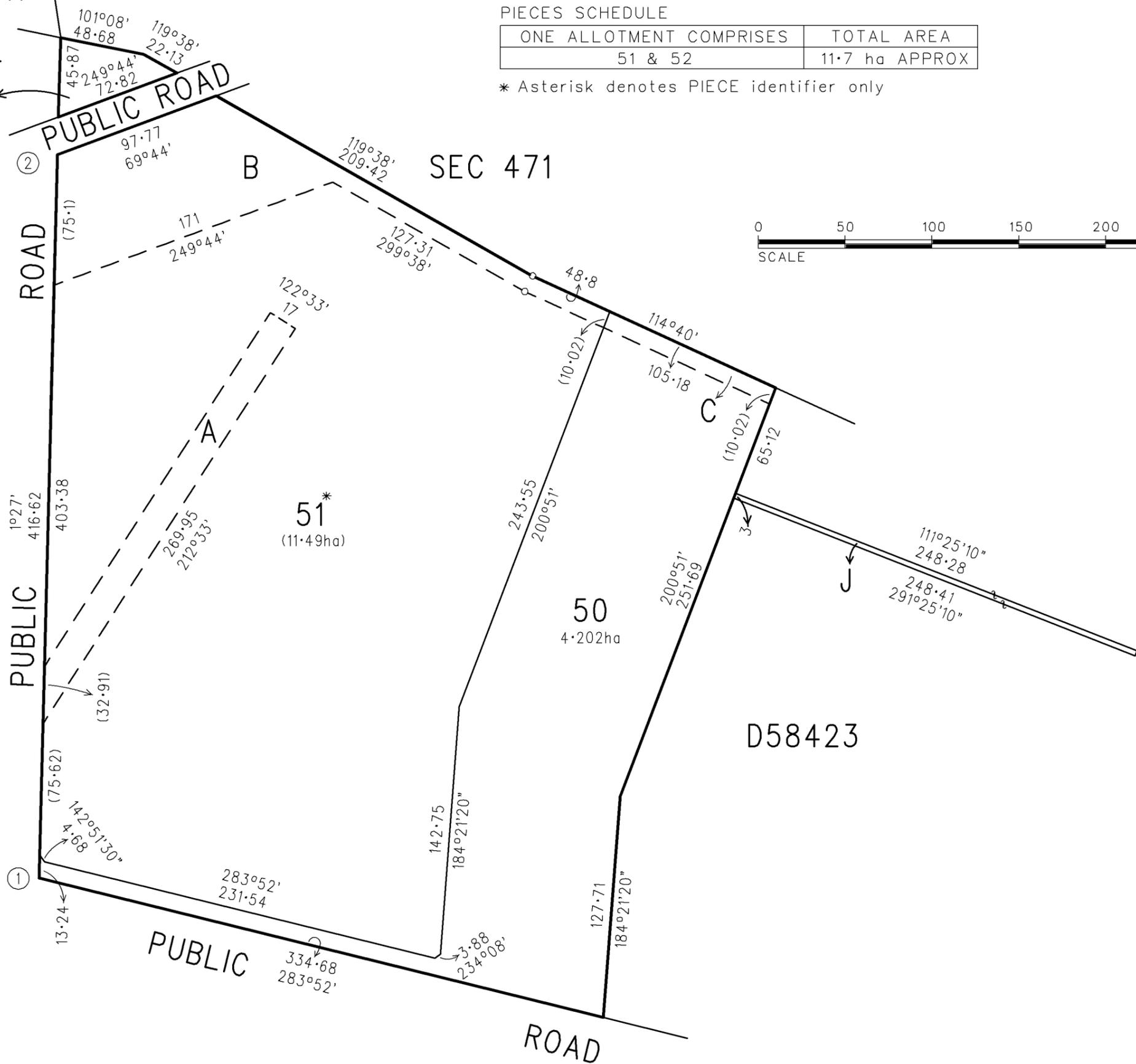


51\*  
(11.49ha)

50  
4.202ha

D58423

ROAD





APPENDIX 8 –  
**REVIEW OF NOISE  
AND VIBRATION**

Lenchine

2019



20 May 2019

David Connell  
Manager  
Yumbah Kangaroo Island

Our ref: 6137616-87921  
Your ref:

Dear David

## **Smith Bay Aquaculture Assessment Noise & Vibration Review**

Yumbah Kangaroo Island (Yumbah KI) requested a review of the predicted noise and vibration impacts of the *Smith Bay Wharf Draft Environmental Impact Statement* (KIPT 2019, hereafter referred to as EIS). This review has focused primarily on Appendix N of the EIS (KIPT-EIS\_Appendix\_N\_Noise-and-Vibration.pdf).

### **1 Background**

Kangaroo Island Plantation Timbers (KIPT) is seeking approval to build a deep-water port and associated infrastructure at Smith Bay, from which it proposes to export logs (softwood) and woodchips (hardwood) from its Kangaroo Island plantation forests to overseas markets. The facility is proposed in Smith Bay approximately 20 km west of Kingscote.

The on-land components of the Seaport would include log and woodchip storage areas, a laydown area, materials handling infrastructure (e.g. conveyor), road transport access, and ancillary facilities and infrastructure including administration buildings, car parks, and security fencing.

The associated in-water structures would include a causeway, suspended jetty, link span bridge, floating pontoon, tug mooring facilities, berthing pocket, and mooring dolphins.

Ancillary services would include electricity, water storage and supply, wastewater and stormwater management facilities, telecommunications and security.

The project submission is accompanied by multiple documents that contain information on both operational and construction noise and vibration assessments.

### **2 Documents considered**

The following documents have been considered during the peer review of the *Background Noise Monitoring Report*:

- Smith Bay Wharf - Draft Environmental Impact Statement Executive Summary, January 2019
- Smith Bay Wharf - Draft Environmental Impact Statement Main Report, January 2019
- Smith Bay Wharf - Draft Environmental Impact Statement Appendix N- Noise and Vibration: Environmental Noise Impact Assessment, Resonate 17 Dec. 2018

- SA Environment Protection (Noise) Policy 2007
- SA Guidelines for the Use of the Environment Protection (Noise) Policy 2007
- SA DPTI Underwater Piling Noise Guidelines 2012
- SA DPTI Road Traffic Noise Guidelines 2016

Other documents and results of research pertaining to the assessment of airborne underwater noise and vibration are also taken into account.

### **3 Methodology**

In undertaking this review, consideration has been given to:

- The expected character of the noise and vibration impacts during operational and construction phases of the project.
- The relevant regulatory and technical/scientific documents referenced in the previous section.
- Australian and international practices in assessing onshore and offshore noise and vibration.

The review has taken a risk-based approach and has sought to identify the more important issues where problems might arise. A summary of the key findings from the peer review is provided in section 4. The acoustic terminology used in this letter is consistent with the terminology used in the acoustic report reviewed and relevant standards.

### **4 Key findings**

The key findings of the review are:

- The SA Environment Protection (Noise) Policy 2007 (SA Noise EPP) contains procedures to derive permissible noise levels for operational noise from developments and during construction. Applicable noise limits for the development have been derived correctly and the approach used in the main report and other documents is in line with the SA Noise EPP and other relevant regulatory documents.

Formally there are no noise limits for construction activities during the day time period. The report appears to have based its conclusion on meeting construction noise limits on the assumption that there will only be day time construction activities carried out. There has been no actual assessment of construction noise undertaken. If the proponent intends to carry out construction during the night period, a more in-depth assessment should be performed and included into the submitted documents.

- The main report contains a shorter version of the findings of the noise assessment report (Appendix N) and does not contain an assessment of the efficiency of noise mitigation measures. Information in the main report does not align with the acoustic report and the information in the main report does not reflect the recommendations found in the acoustic report around what noise mitigation measures should be implemented to meet the relevant noise criteria at the nearest residential receivers.

- Operational noise from the development is not expected to meet the applicable criteria at the abalone farm. The SA Noise EPP contains provisions for situations where a development is not expected to comply with limits in the policy, as is the case with the proposed development. Therefore, it is desirable to expand the acoustic report to show that meeting applicable noise limits at the receivers R1 and R3 is not reasonable and practicable providing a better explanation as to why a reduction of the noise levels down to the applicable limits is not reasonable and practicable. Such analysis does not form a part of the current report.
- SA Noise EPP and Guidelines contain procedures for noise acquisition that require removal of erroneous data from noise estimates acquired during adverse environmental conditions. There is no clarity on how it was done and whether local wind speed was monitored during the background. A separate section on the weather data used in the assessment should be included in the report and further clarification on the data filtering that has been undertaken should be included. It should be noted that under SA Noise EPP the criteria does not depend on the pre-existing background level but rather on the zoning of the noise source and the relevant receivers.

Consideration should be given to the adverse environmental conditions that were present during the noise monitoring period. The reported data should be corrected to take into account periods of rain and high wind speeds. The acoustic report should have a weather analysis section for this.

- A traffic noise assessment is a relatively complex task. Summaries of the study are included in the main report and the executive summary. However there are no details of the assessment in the acoustic report or any of the other available documents. Findings of the assessment in the main report and executive summary consider traffic noise associated with the development. They state that it complies with requirements in the DPTI Road Traffic Noise Guidelines. Details of the traffic inputs relevant to predicting noise impact are not provided in the considered documents. Method of the traffic noise predictions, locations of affected receivers, predicted traffic noise levels and other relevant information should be included as a part of the acoustic report or in other submission documents.

Yours sincerely



**Val Lenchine**

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Attachment: Tabulated comments – EIS Tracker Acoutics.xlsx



APPENDIX 9 –

**AUSOCEAN MARINE  
ECOLOGY REPORT**

2019



Australian Ocean Lab  
(AusOcean)

# SMITH BAY MARINE ECOLOGY REPORT

2019



# SMITH BAY

# MARINE ECOLOGY REPORT



A report prepared for  
AusOcean

by

Ms Catherine Larkin

Marine Biologist

## Copyright

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## Acknowledgements

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A big thanks to the AusOcean expedition crew for both enjoyable and productive expeditions. It was valuable to have a multidisciplinary team of engineers and scientists that worked so well together. Thanks also to Dave Muirhead from the Marine Life Society of South Australia for joining two expeditions. Your marine expertise, your insight and knowledge of marine species and marine ecology helped immensely.

We would also like to thank molecular biologist and on-board syngnathid expert Graham Short from the California Academy of Sciences for joining our third expedition. Your knowledge and expertise all things syngnathid was invaluable. Finally, thanks also to AusOcean intern Trek Hopton for his wonderful underwater photos.

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## Foreword

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I learned to dive in the cold, clear waters of the Monterey Bay, California, and for that I am very grateful. Had I learned in warmer waters, I might never have donned a 7mm-thick wetsuit. Many divers never experience the wonders of temperate waters, eschewing them for the tropical coral reefs that attract so much media and research attention. Yet temperate waters hold a great diversity of marine life and few more so than the waters of southern Australia, increasingly referred to as the *Great Southern Reef (GSR)*. Unlike tropical reefs in which species are distributed globally, 90% of species found in the Great Southern Reef are endemic to southern Australia, and what marvellous creatures they are; from the colony-forming bryozoans that rival corals in their fantastic shapes and colours, to those masters of camouflage, the stunning seadragons. These are not cosmopolitan species that might just as easily pop up on the Great Barrier Reef (GBR) as a reef in Belize, The Maldives or The Philippines. These are marine species that are native to Australia and geographical isolation has confined them to *our* waters. They are as much a part of the Australia's wonderful natural heritage as our unique terrestrial wildlife.

Kangaroo Island's marine environment is particularly significant as it encompasses semi-protected Gulf waters, unprotected Southern Ocean waters and areas of confluence between the two. While several marine studies have been conducted over the years, generally these have been quite sparse in their geographical coverage. During the summer of 2018-2019 AusOcean therefore embarked upon a series of expeditions to intensively study Smith Bay on the North Coast of Kangaroo Island. This bay was chosen for two reasons. Firstly, it is the location of a proposed port, and it therefore seemed prudent to study a place that might be impacted by development. Secondly, preliminary work suggested that Smith Bay would present a great range of benthic environments, namely sandy seafloor, rocky reef, dense seagrass, kelp and combinations of all of the above.

As such, it would represent a microcosm of the marine environment of Kangaroo Island's North Coast. We anticipated that such a range of habitats would foster good species diversity. We were not disappointed.

A handwritten signature in black ink that reads "Alan Noble".

Prof. Alan Noble

Founder, AusOcean

*B.Eng. (Hons) (Adelaide), M.S. (A.I.) (Stanford), Fellow, Engineers Australia*



## Introduction

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Kangaroo Island (KI) is uniquely situated at the confluence of several oceanographic systems (Kinloch, 2005). This unique positioning and, the effects of the warm waters of the Leeuwin current have a profound influence on marine assemblages (Middleton & Bye 2007). The northern coastline comprises a mixture of macroalgal (“seaweeds” such as kelp) dominated rocky reef systems and dense seagrass communities. These systems form part of the wider Great Southern Reef (GSR) spanning the entire southern coastline of the Australian continent (Bennett *et al.* 2015). In addition to the many significant economic and social benefits, these systems provide key ecological services such as nutrient cycling, sediment stabilisation, enhanced biodiversity, trophic transfers and carbon sequestration (Orth *et al.* 2006; Smale *et al.* 2013).

KI’s marine environment exhibits high species richness and endemism supporting an abundance of emblematic and threatened species with high conservation value such as the Leafy sea dragon (*Phycodurus eques*), the Western blue groper (*Achoerodus gouldii*), Blue devil (*Paraplesiops meleagris*) and Harlequin fish (*Othos dentex*) (McArdle *et al.* 2015, Reinhold *et al.* 2013). KI’s coastline provides unique habitat that is paramount for the existence and longevity of these species, whose numbers have declined significantly elsewhere. Additionally, valuable commercial fisheries such as Yumbah aquaculture- the world’s largest exporter of Greenlip abalone and the Rock lobster industry rely heavily on the local environment for quality production.

Eleven species of fish and one invertebrate are listed as ‘in peril’ by the SA conservation Council (Reef Watch, 2018). These species are known to frequent South Australian waters and have been previously noted on KI (McArdle *et al.* 2015, Reinhold *et al.* 2013, Shepherd *et al.* 2009). The Western blue groper is listed as *Vulnerable* on the IUCN red list of threatened species (Choat *et al.*, 2010) and the giant cuttlefish is listed as *Near threatened* with populations declining drastically since the turn of the century (Prowse *et al.* 2015) (table 1). All members of the Syngnathidae family (seahorses, sea-dragons and pipefish) are listed as protected species under the Australian Commonwealth’s *Environmental Protection and Biodiversity Conservation (EPBC) Act (1999)*.

Table 1: Focal species of Kangaroo Island.

Conservation Value	Commercial Value
Western blue groper	Southern rock lobster
Southern blue devil	Greenlip abalone
Harlequin fish	Blacklip abalone
Queen snapper	
Long-snout boarfish	
Leafy sea dragon	
Weedy sea dragon	
Spotted wobbegong	
Gulf wobbegong	
Cobbler wobbegong	
Black cowrie	
Giant cuttlefish	

Southern Australia’s marine macroalgal flora has the highest levels of species richness and endemism of any regional macroalgal flora in the world (Phillips 2001). However, despite their intrinsic and economic value, temperate reef systems are often overlooked by their tropical reef counterparts. A defining feature of these reef systems is the kelp (*Ecklonia Radiata*), which is largely supported by neighbouring seagrass systems that facilitate both reef interconnectivity (Heck *et al.* 2008; Ricart *et al.* 2015) and provide important ‘nursery’ areas for fishes (Jenkins and Wheatley 1998; McDevitt-Irwin *et al.* 2016). In South Australia, seagrass habitats are protected under the *Native Vegetation Act* (1991).

Current levels of both scientific and public engagement threaten the health and longevity of these significant systems (Bennett *et al.* 2015). As part of AusOcean’s first expedition to KI’s north coast, Smith Bay was selected as an appropriate site for a comprehensive marine life survey due to both its high diversity of flora and fauna and unique variety of habitats. Although a number of both scientific and community-based programs have conducted surveys along the north coast of KI collecting baseline data on fish, invertebrate and algae communities for long term reef health monitoring (McArdle *et al.* 2015, Reinhold *et al.* 2013, Scorseby & Baker 2008), Smith Bay remains relatively lightly studied.

## Methods

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Ten survey locations within Smith Bay on the northern coast of Kangaroo Island were selected for marine life surveys (figure 1). Sites were strategically selected to encompass both the eastern and western sides of the bay and deeper waters located more centrally (table 2). Survey data was collected on two dive trips in December of 2018 and one in February of 2019. All dives were off a boat and undertaken during daylight hours.

Standardised Reef Life Survey (RLS) methods were adapted to gather substrate, fish and invertebrate species composition and abundance data at each site (Reef Life Survey Foundation 2013). The standard RLS method involves laying out 50m long transects along continuous depth contours to assess reef biodiversity. A complete survey consists of the following components:

- Photo quadrats taken at 2.5m intervals along the transect line (20 per 50m transect).
- Fish surveyed in two 5m wide by 5m high bands parallel with the transect line.
- Cryptic fish and large (>2.5cm) macroinvertebrate (mollusc, echinoderm and crustacean) searches in 1m wide by 2m high bands either side of the transect line.

Each survey location was located >200m apart. Multiple transects within a survey location were located within 50m of each other. The only sites in which transects were not undertaken was Smith Bay North (N) and North Central (NC) as they did not adhere to the requirements of the RLS methods. However, location species was noted via an area ‘swim around’. Therefore, these sites have been excluded from the main data analysis but are included in Appendix 1. Species identifications were supported by - Fishes of Australia’s Southern Coast (Gomon *et al.*, 2008).

Table 2: Number of transects at sites.

Smith Bay	No of transects
East Rocks (ER)	1
East (E)	2
East Shore (ES)	2
North Central (NC)	N/A
North (N)	N/A
Creek Channel (C)	1
West Central (WC)	2
West Shore (WS)	2
West (W)	2
West Rocks (WR)	2

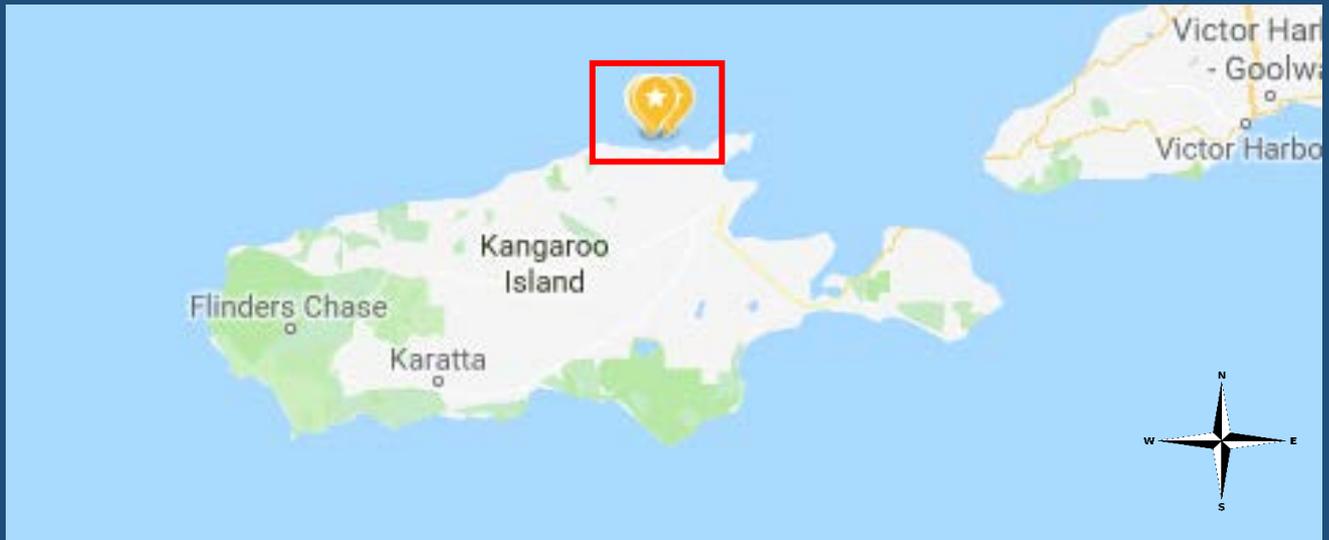


Figure 1: Map of survey locations and image of Smith Bay facing east.



Plate 1: Divers preparing to survey.



Plate 2: Divers conducting reef life surveys.

## Results

Smith Bay is comprised of mixed rocky reef, dense seagrass and sponge habitat. Rocky reefs were dominated by macroalgal assemblages comprising *Cystophora* spp., *Sargassum* spp., and *Ecklonia radiata* with interstitial patches of *Posidonia* spp., *Amphibolis* spp. and *Zostera nigricalis* seagrasses. Rocky reef habitat sites were often covered in the brown alga *Lobophora variegata*. Survey locations have been grouped together in relation to their area ecology (table 3). East Rocks, East shore and West Shore had much higher macroalgal cover in comparison to other sites which consisted of mixed seagrass, rocky reef and sponge with areas of bare sand. The northern sites substrate comprised of bare sand, shell fragments and rhodoliths (*Sporolithon durum*) with interspersed patches of seagrass, rocky reef and sponge. It is worth noting that although the habitat at these deeper-water sites was somewhat fragmented, supporting less dense canopies, a number of macroalgae species including *Scaberia aghardii* and several species of *Cystophora* and *Sargassum* were noted (table 3).

Table 3: Area ecology of each site.

Site	Area Ecology	Image
<b>East Rocks</b> <b>East Shore</b> <b>West Shore</b>	Dense macroalgae covered rocky reef.	
<b>East</b> <b>West Rocks</b>	Mixed macroalgae covered rocky reef and seagrass.	

<b>West Creek Channel West Central</b>	Mixed sponge/seagrass and patches of macroalgae covered rocky reef.	
<b>North North Central</b>	Rubble and shell fragments with mixed seagrass/sponge and patches of rocky reef.	

Across all surveyed sites within Smith Bay, 55 species of fish and 35 species of invertebrates were noted, comprising 1124 individuals (902 fish and 222 invertebrates). Of these, 539 fish and 162 invertebrates were noted within transects. Where multiple transects were undertaken, data has been collated to assess each site. It should be noted that the scallop count from the both North and North Central has been excluded due to their occurrence in large abundances and lack of formal transects.

The Senator wrasse was the most commonly occurring species appearing at all sites followed by the Blue throat wrasse at 7 sites and the Blackspotted wrasse at 6 sites (table 4). The most frequently occurring invertebrates were the Western slatepencil urchin at 6 sites and both the Painted lady mollusc and the Biscuit star noted at 5 sites (table 4).

Table 4: Frequency of Occurrence (FOO) of the most commonly sighted species.

<b>Fish Species (FOO)</b>	<b>Invertebrate Species (FOO)</b>
Senator Wrasse (8)	Western slate pencil urchin (6)
Blue throat Wrasse (7)	Painted lady (5)
Black-spotted Wrasse (6)	Biscuit Star (5)
Castelnau's wrasse (5)	
Dusky Morwong, Pencil weed whiting, Magpie perch, Yellow-headed hula fish, Toadfish (4)	

Almost 50% of fish species were recorded at one site only. Over 80% of invertebrate species occurred in three or less sites (figure 2).

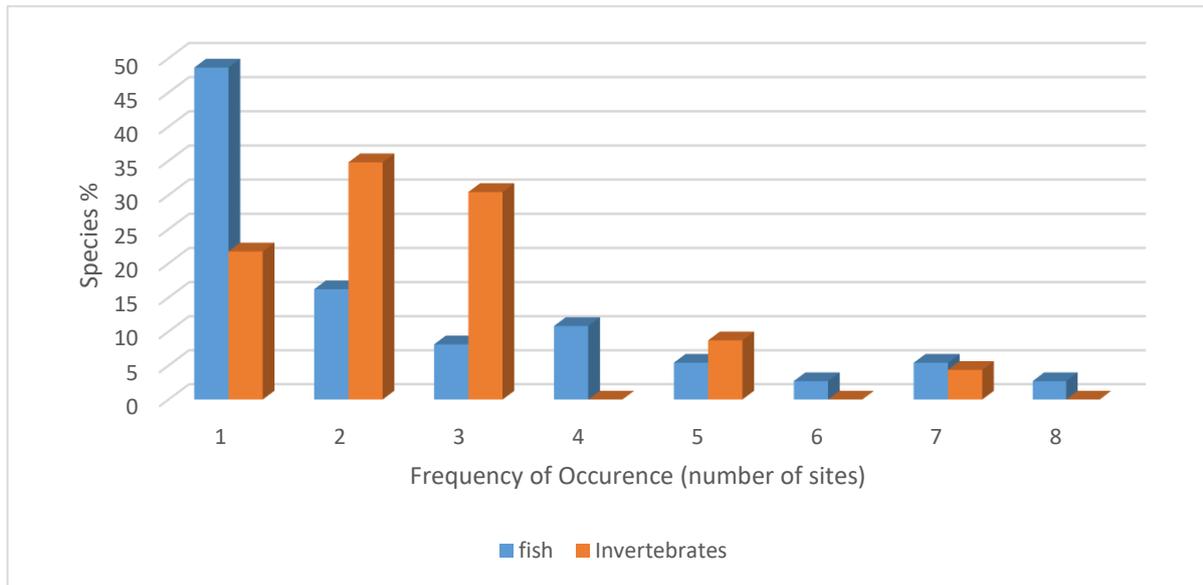


Figure 2: Frequency of Occurrence of fish and invertebrate species.



Plate 3: Senator wrasse (*Pictilabrus laticlavus*).



Plate 4: Western slatepencil urchin (*Phyllacanthus irregularis*).

The site with the highest number of species (both fish and invertebrate) surveyed was West Central, followed by East Shore, and West Shore (figure 3).

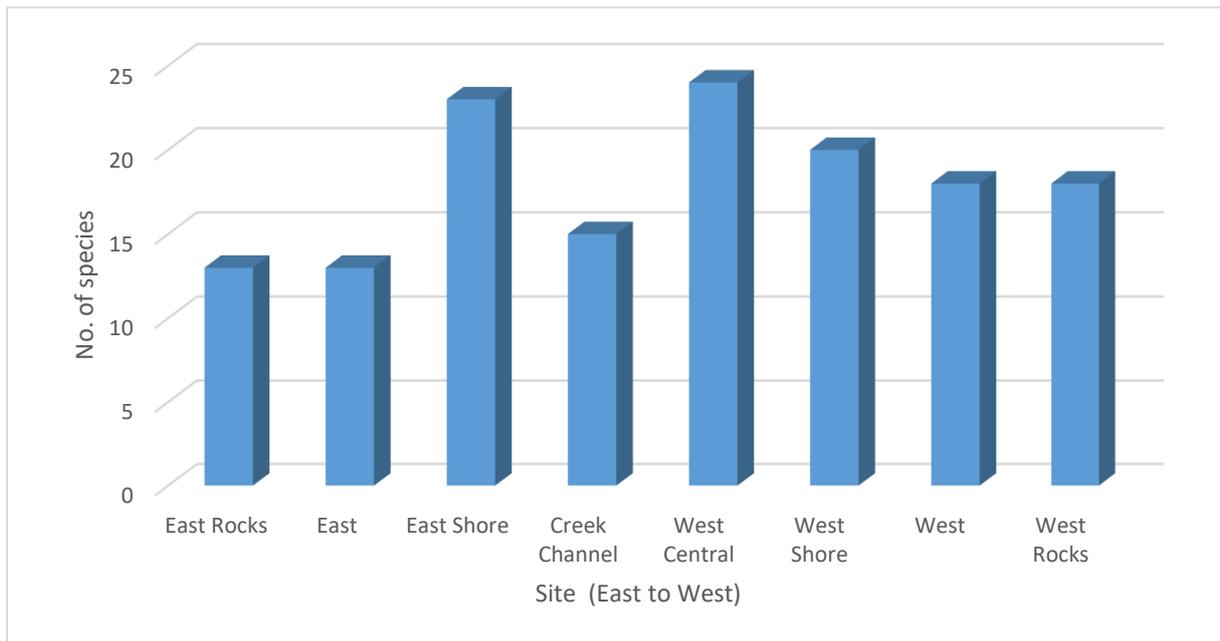


Figure 3: Total species at each site.

Both West and West Rocks exhibited the highest number of invertebrate species and sites East Shore, West Central and West Shore had the highest number of fish species (figure 4). Sites with the highest number of invertebrate species exhibited the lowest number of fish species.

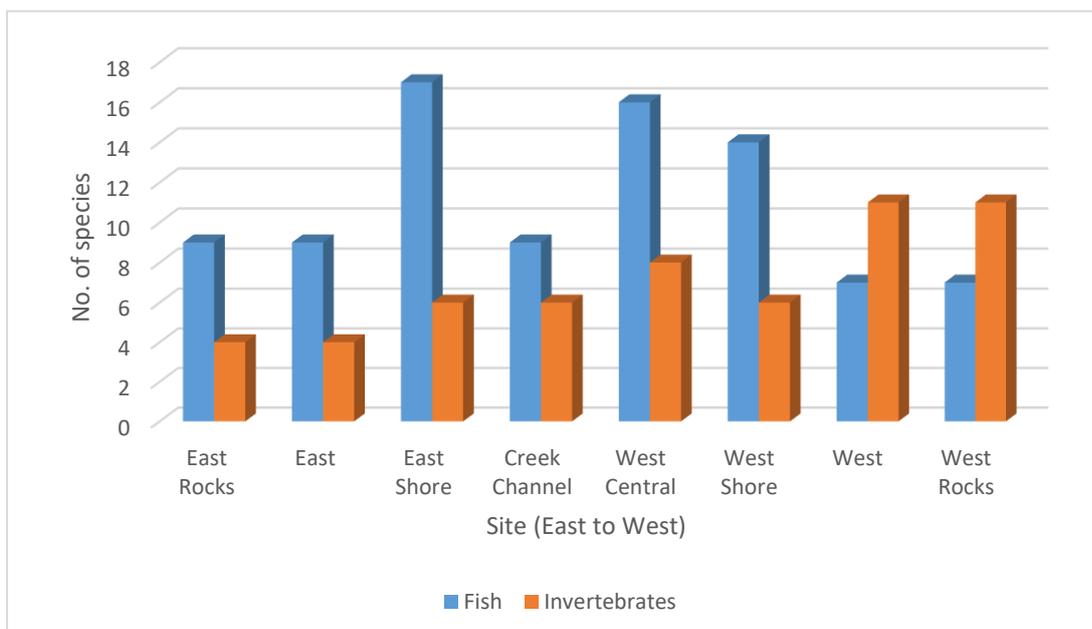


Figure 4: Fish and invertebrate species occurring in each site.

The most abundant fish (highest number of individuals) was the Black-spotted wrasse followed by the Yellow-headed hula fish and the Bluethroat wrasse. The most abundant invertebrate was the Western slate pencil urchin followed by the Painted lady mollusc and the Biscuit star (table 5).

Table 5: Most abundant fish and invertebrate species (\* denotes schooling species).

Fish Species	Invertebrate Species
Black spotted wrasse (108)	Western slate pencil urchin (23)
Yellow-headed hula fish (96)*	Painted lady (17)
Bluethroat wrasse (68)	Biscuit star (14)
Zebrafish (62)*	Vermillion biscuit star (11)
Silverbelly (50)*	Southern rock lobster (11)

Sites East Shore and West Central exhibited the highest number of individuals, comprising mostly fish. These high numbers were due in part to the presence and abundance of schooling species (table 5). East Rocks and Creek Channel exhibited the lowest number of individuals (figure 5). However, this may be in part due to the lack of replicated transects. Sites West and West Rocks on the western side of the bay, were the only locations where more invertebrates than fish were surveyed.

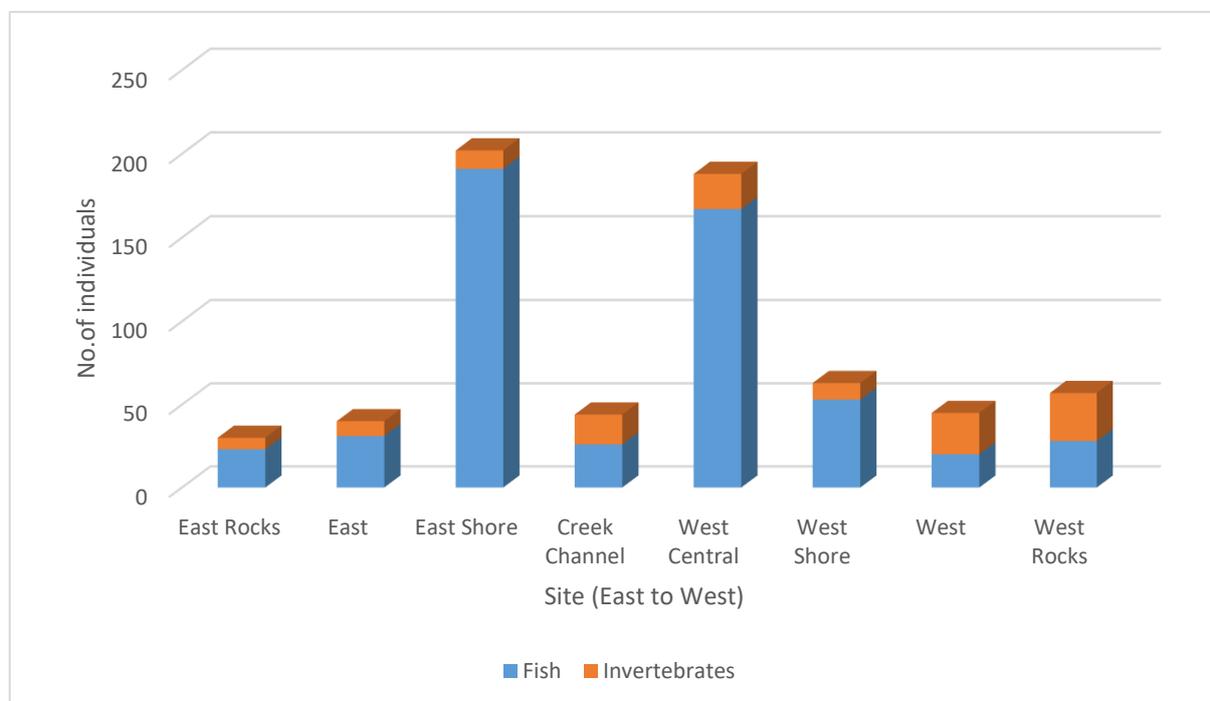


Figure 5: Total number of fish and invertebrates recorded at each site.

## Species of Conservation Significance

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Several species of conservation significance were noted. The Western blue groper was sighted at East Rocks, the Long-snout boarfish was sighted at Creek Channel, West Central and North and both the Southern blue devil and Weedy seadragons at North Central.

### Syngnathids

Three species of Syngnathidae were noted at North Central in the deeper waters of the bay at 16-18m depth comprising two pipefish; *Stigmatopora nigra* and *Vanacampus margaritifer*, and six Weedy seadragons; *Phyllopteryx taeniolatus*.

### Cetaceans

Three bottlenose dolphins were sighted at West rocks outside the surveyed transect. It should be noted, in transit through Smith Bay, Common bottlenose dolphins were present at each site outside surveying hours.

### Coral

Two colony forming corals were sighted; *Plesiastrea versipora* and *Coscinaraea mcneilli*. One large temperate coral of *P.versipora* nearing 2m tall and 6m in circumference and a smaller coral approximately 2m in circumference was located in close proximity to East rocks. Analysis indicated that the larger coral supported at least 14 fish species visible in collected footage. A colony of *C.mcneilli* was sighted at North Central.

### Commercially Valuable Species

Southern rock lobsters were sighted at West Rocks, East Shore and West Shore and Abalone at West.

### Other species of interest

The only octopus sighted was located at Creek Channel outside a transect.



Plate 5: Common Bottlenose dolphin (*Tursiops spp.*) Photographed at West.



Plate 6: Weedy seadragon (*Phyllopteryx taeniolatus*) Photographed at North Central.



Plate 7: Mother of pearl pipefish (*Vanacampus margaritifer*) Photographed at North Central.



Plate 8: Western Blue groper (*Achoerodus gouldii*) photographed at East Rocks.



Plate 9: Long-snout boarfish (*Pentaceropsis recurvirostris*) photographed at Creek Channel.



Plate 10: Southern blue devil (*Paraplesiops meleagris*) photographed at North Central.

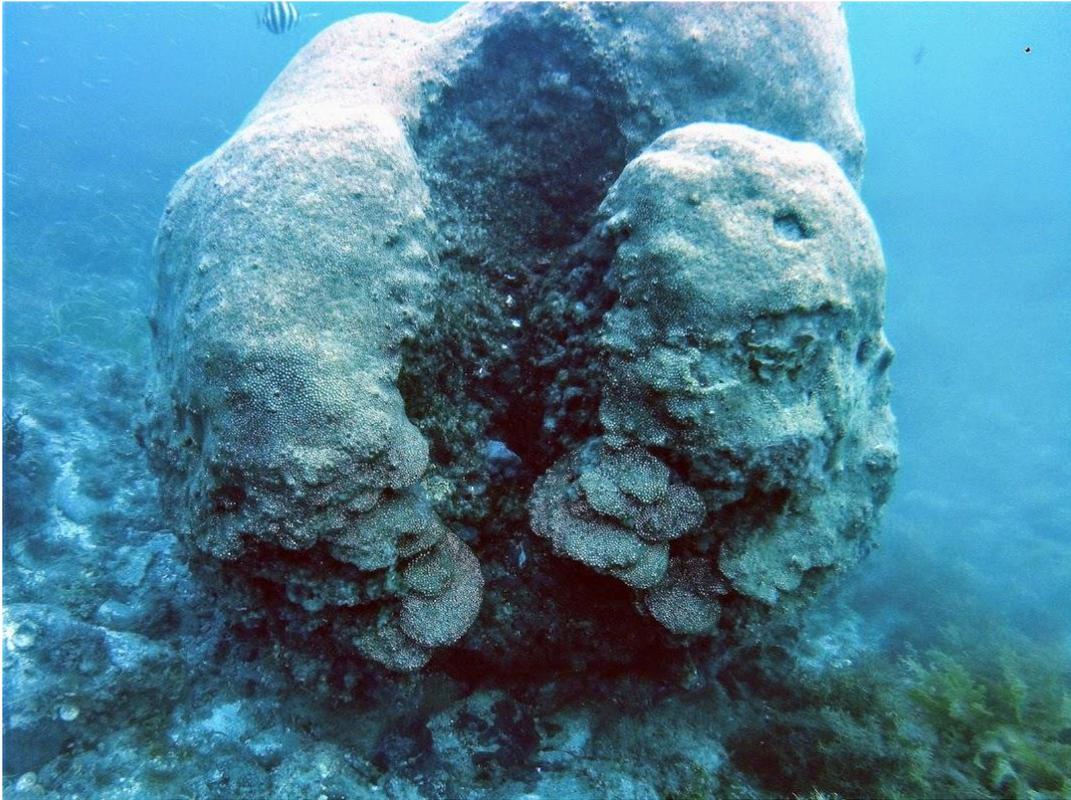


Plate 11: Coral (*Plesiastrea versipora*).



Plate 12: Diver surveying coral.

## Discussion

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The ecology within Smith bay is highly heterogeneous providing complex habitat for a myriad of species including fishes and invertebrates. The abundance of fishes on reefs is influenced by a variety of physical and biotic factors (Scoresby & Baker, 2008). Phillips (2001) indicates that high macroalgal speciation rates in Southern Australia are influenced by fluctuating environmental conditions, abundance of suitable rocky reef substrate, habitat heterogeneity and the warm waters of the Leeuwin current. These features aid in maintaining favourable conditions. The Leeuwin current flows South along the Western Australia coast, bringing warmer water east through the Great Australian Bight (Middleton and Bye 2007) having a profound effect on habitat conditions.

Smith Bay is part of a highly connected marine environment. To the east are Emu Bay and Boxing Bay and to the west is Dashwood Bay. The latter is particularly noteworthy as a location frequented by dolphins, which were observed in great numbers during our second expedition. High dolphin presence on the north coast is supported by new evidence that suggests population connectivity of bottlenose dolphins between Kangaroo Island and South Australian mainland waters (Cribb *et al.* 2018). The bay's diverse assemblage of organisms may be influenced in part, due to its unique location ideally situated between two marine parks. To the east lies the Encounter marine park and the southern Spencer Gulf marine park to the west (Natural Resources Kangaroo Island, 2018). Marine parks are known to influence adjacent marine environments via the 'spillover' effect, involving the movement of individuals across reserve boundaries (Rowley 1994) and exportation of larvae and recruits (McClanahan and Mangi 2000). However, the spatial extent of these effects vary considerably (Harmelin-Vivien *et al.* 2008; da Silva *et al.* 2015).

A total of 55 species of fish and 35 invertebrates were surveyed, including several species listed as 'In peril' by the conservation council (Reef Watch, 2019). The most commonly occurring species comprising the wrasses were also the most abundant appearing at survey locations in both sides of the bay. Fish exhibited strong habitat association with almost 50% recorded as single site associated species, due in part to the unique ecology of sites across Smith Bay. These ecological variations are influenced by physical complexities such as substrate composition and topography and presence and abundance of macroalgal and

seagrass communities. Many species surveyed in this study appear in earlier documents pertaining to fish and invertebrate biodiversity assessments (McArdle *et al.* 2015, Reinhold *et al.* 2013, Scoresby & Baker, 2008).

Sites dominated by dense macroalgae cover, supported species such as the Zebra fish and Silver drummer, which were not noted anywhere else in the Bay. These species frequent high algal biomass areas due to their herbivorous diets consisting of a variety of green, brown and red algae (Clements & Choat, 1997). Environments with high macroalgal cover also provide habitat complexity and protection from predation making them ideal refuges for a variety of fishes (Dayton 1985). East Shore, characterised by dense macroalgae cover supported both the highest abundance of individuals and number of fish species.

Sites consisting of a mixed sponge/seagrass/rocky reef habitat often neighboured patches of high density seagrasses. Species such as the Longtail weed whiting, Sharpnose weed whiting and Slender weed whiting were surveyed only at these sites. Research indicates weed whiting species show strong habitat association to seagrass near reef edges (Shepherd *et al.* 2009). This is consistent with the area ecology exhibited at sites where these species were noted. High numbers of invertebrates were surveyed in the western sites of the bay including West Central, West and West Rocks. This is likely due to the absence of canopy-forming macroalgae, and associated habitat structure and food webs (Grutter & Irving 2007). In support of this, research indicates areas of high density seagrass aid in sustaining large macroinvertebrate communities (Attrill *et al.* 2000). Interstitial seagrass habitats are important ecological components ensuring reef interconnectivity (Heck *et al.* 2008) whilst providing essential 'nursery' habitat for a variety of fishes (Jenkins and Wheatley 1998; McDevitt-Irwin *et al.* 2016).

At surveyed sites North and North Central reef shelves and sponge gardens provide protection and habitat for a diverse range of species. 19 species of fish and 14 species of invertebrates present at these sites were not noted anywhere else in the bay. Although the environment is somewhat fragmented, these unique pockets of varied topography are integral components of the wider marine environment and provide important refuges for fishes. These sites were not included in the main data analysis, however, a number of species of conservation concern such as the Southern blue devil and Weedy seadragon were noted, as well as two species of protected pipefish.

A large temperate coral - *Plesiastrea versipora* was located in close proximity to surveyed site East rocks, with a smaller coral noted less than 100m away. The larger coral was approximately 6m in circumference and supported at least 14 species of fish. The smaller coral was approximately 2m in circumference. Large colonies of this coral were first discovered in South Australia over 100 years ago (Howchin 1909). Hard corals such as these are very slow growing in temperate waters, with varying rates of less than 1cm per year (Burgess *et al.* 2009). Due to the rarity of long-lived specimens in temperate waters, there have been few studies of environmental records (Burgess *et al.* 2009). Growth of these corals is dependent on upon a multitude of environmental factors including temperature, nutrient availability, turbidity, depth and light availability (Burgess *et al.* 2009). Historically, many of these larger colonies were dredged up by trawlers (Edyvane, 1999) and impacted through ecological modifications such as breakwater construction (The Register, 1909).

Species of interest such as the Long snout boarfish, Western blue groper, Southern blue devil and Weedy seadragon were noted in the bay and are listed as species of conservation concern. In Addition, two more species from the Syngnathidae family protected under the EPBC Act 1999 were also noted. Syngnathids exhibit life histories and behaviours which makes them vulnerable to decline (Foster and Vincent 2004) hence their notable protected status. Studies tracking *Phyllopteryx taeniolatus* indicate small home ranges and high site fidelity which has major implications for effective habitat management and conservation of this protected species (Sanchez-Camara and Booth 2004).

## Limitations

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Multiple transects were unable to be surveyed at every site. This reduced our overall data collection affecting species counts and the overall results. This should be taken into consideration when comparing data from East rocks and Creek channel where only one transect was undertaken. Additionally, the more central parts of the bay were not surveyed. This was due to both weather and time restrictions that inhibited further data collection.

All dives were undertaken during the day. As species behaviours vary at night, it would have been valuable to undertake surveys both during the day and at night.

The trips consisted of four divers, three of which were new to the RLS survey method and species identification. It was evident that diver's observational capabilities and species identification skills improved extensively during *in situ* activities. Therefore, it is likely that there are discrepancies between earlier and later conducted surveys. Variability in local conditions such as currents and/or visibility also affected surveying capabilities, which may have influenced the final results.

Utilising the RLS transect method is effective in standardising data collection methods, however many 'skittish' species of fish were likely missed due to divers presence and transect restrictions (i.e. 5m wide band).

## Conclusions and Future Research

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The ecology within Smith bay is highly heterogeneous providing complex habitat for a myriad of species both fishes and invertebrates. The distribution and abundance of species is influenced by a variety of physical and biotic factors including but not limited to, substrate composition and topography and, presence and abundance of macroalgal and seagrass communities. The unique ecology of sites across the bay is reflected in the high number of single site associated species.

Macroalgal covered reefs provide key ecological services, habitat protection and are an important food source for many species. Interstitial seagrass habitats are essential ecological components ensuring reef interconnectivity whilst providing vital 'nursery' habitat for a variety of fishes. These systems are integral components of the wider Great Southern Reef System spanning the entire southern coastline of Australia. Although Southern Australia marine macroalgal flora has the highest levels of species richness and endemism of any regional macroalgal flora in the world, current levels of both scientific and public engagement threaten the health and longevity of these significant systems.

Much like the rest of Kangaroo Island, Smith Bay's marine environment exhibits high species richness and endemism supporting an abundance of emblematic and threatened species with high conservation value. The now documented presence of numerous large temperate corals and a number of protected species, including those from the Syngnathidae family, outlines the importance of ongoing marine life surveys, with much left to be discovered. AusOcean aims to increase public awareness, perception and appreciation of these magnificent temperate ecosystems that are often overlooked by their tropical reef counterparts. These were the first of many Kangaroo Island expeditions highlighting the diversity and richness of Smith Bay and the north coast. Future research will involve additional marine life surveys, substantial footage collection via camera sled and/or ROV and potential analysis of the internal compositions (via coral core drilled sampling) of the coral, which can provide historic climate data of the area.

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## Appendices

### Appendix 1: Inventory of species

\*Total and FOO includes North Central and North which were excluded from the main data analysis.

Species	Common name	East Rocks	East	East Shore	North Central	North	Creek Channel	West Central	West Shore	West	West Rocks	Transect Total	FOO	Total*	FOO*
Fish															
<i>Austrolabrus maculatus</i>	Blackspotted wrasse		10		11	3	15	60	2	6	15	108	6	122	8
<i>Trachinops noarlungae</i>	Yellow-headed hula fish		4	30	100			60			2	96	4	196	5
<i>Notolabrus tetricus</i>	Bluethroat wrasse	5	4	25				4	26	2	2	68	7	68	7
<i>Girella zebra</i>	Zebra fish	2		60	2							62	2	64	3
<i>Parequula melbournensis</i>	Silverbelly			50								50	1	50	1
<i>Pictilabrus laticlavus</i>	Senator wrasse	1	4	3			1	4	5	3	5	26	8	26	8
<i>Parapercis haackei</i>	Wavy grubfish				5		1	11				12	2	17	3
<i>Dotilabrus aurantiacus</i>	Castlenau wrasse	3	1	3		2			3		1	11	5	13	6
<i>Siphonognathus beddomei</i>	Pencil weed whiting					4	1	5		2	2	10	4	14	5
<i>Dactylophora nigricans</i>	Dusky morwong	2		1	2	1		5	1			9	4	12	6
<i>Notolabrus parilus</i>	Brownspotted wrasse	3	1							5		9	3	9	3
<i>Heteroscarus acroptilus</i>	Rainbow cale							5	3			8	2	8	2
<i>Parma victoriae</i>	Scalyfin		2	3					3			8	3	8	3
<i>Scorpis aequipinnis</i>	Sea sweep	4		2				2				8	3	8	3
<i>Upeneichthys vlamingii</i>	Goatfish		2	1	7	4	4					7	3	18	5
<i>Cheilodactylus nigripes</i>	Magpie perch			1	3			3	1		1	6	4	9	5
<i>Omegophora armilla</i>	Toadfish						1	1	1	1		4	4	4	4
<i>Tilodon sexfasciatus</i>	Moonlighter			3						1		4	2	4	2
<i>Kyphosus sydneyanus</i>	Silver drummer	1		2								3	2	3	2

<i>Pempheris klunzingeri</i>	Rough bullseye		3		1						3	1	4	2
<i>Acanthaluteres brownii</i>	Spiny tailed leatherjacket							2			2	1	2	1
<i>Achoerodus gouldii</i>	Western blue groper	2									2	1	2	1
<i>Helcogramma decurrens</i>	Blackthroat threefin			1			1				2	2	2	2
<i>Hypoplectrodes nigroruber</i>	Banded seaperch						2				2	1	2	1
<i>Meuschenia hippocrepis</i>	Horseshoe leatherjacket			2							2	1	2	1
<i>Nesogobius greeni</i>	Twinbar goby							2			2	1	2	1
<i>Pempheris multiradiata</i>	Common bullseye			2							2	1	2	1
<i>Pentaceropsis recurvirostris</i>	Longsnout boarfish					3	1	1			2	2	5	3
<i>Siphonognathus attenuatus</i>	Slender weed whiting				1				2		2	1	3	2
<i>Siphonognathus caninis</i>	Sharp-nosed weed whiting							2			2	1	2	1
<i>Sphyraena novaehollandiae</i>	Snook			2							2	1	2	1
<i>Diodon nichthemerus</i>	Globefish							1			1	1	1	1
<i>Haletta semifasciata</i>	Blue weed whiting								1		1	1	1	1
<i>Heteroclinus perspicillatus</i>	Common weedfish						1				1	1	1	1
<i>Olisthops cyanomelas</i>	Herring cale								1		1	1	1	1
<i>Siphonognathus tanyourus</i>	Longtail weed whiting						1				1	1	1	1
<i>Aracana aurita</i>	Shaws cowfish				1						0	0	1	1
<i>Aracana ornata</i>	Ornate cowfish				2						0	0	2	1
<i>Atule mate</i>	Yellowtail scad				30						0	0	30	1
<i>Caesioperca lepidoptera</i>	Butterfly perch				1						0	0	1	1
<i>Caesioperca rasor</i>	Barber perch				4						0	0	4	1
<i>Centroberyx gerrardi</i>	Bight redfish				2						0	0	2	1
<i>Chelmonops curiosus</i>	Western talma				3	3					0	0	6	2
<i>Cochleoceps bicolor</i>	Western cleaner clingfish				1						0	0	1	1
<i>Dinolestes lewini</i>	Longfin pike				100						0	0	100	1
<i>Enoplosus armatus</i>	Old wife				3						0	0	3	1
<i>Meuschenia freycineti</i>	Sixspine leatherjacket				2						0	0	2	1
<i>Neosebastes pandus</i>	Big head gunard perch					1					0	0	1	1
<i>Paraplesiops meleagris</i>	Southern blue devil				2						0	0	2	1

<i>Parapriacanthus elongatus</i>	Elongate Bullseye				20							0	0	20	1
<i>Paristiopterus gallipavo</i>	Brownspeckled boarfish				1							0	0	1	1
<i>Pempheris ornata</i>	Orangelined bullseye				30							0	0	30	1
<i>Phyllopteryx taeniolatus</i>	Weedy seadragon				6							0	0	6	1
<i>Stigmatopora nigra</i>	Wide-bodied pipefish				1							0	0	1	1
<i>Vanacampus margaritifer</i>	Mother-of-pearl pipefish				1							0	0	1	1
	<b>Total Fish</b>	23	31	191	342	21	26	167	53	20	28	539		<b>902</b>	
	<b>Total Fish Species</b>	9	9	17	27	8	9	16	14	7	7	37		<b>55</b>	
<b>Invertebrates</b>															
<i>Phyllacanthus irregularis</i>	Western slatepencil urchin		6	2	4	3		8	1	2	4	23	6	30	8
<i>Phasianella australis</i>	Painted lady	2	1					2		8	4	17	5	17	5
<i>Tosia australis</i>	Biscuit star	2		1	2		4			1	6	14	5	16	6
<i>Jasus edwardsii</i>	Southern rock lobster			5					4		2	11	3	11	3
<i>Pentagonaster duebeni</i>	Vermillion biscuit star				2		7			3	1	11	3	13	4
<i>Scallop spp.</i>	Unidentified scallop					*	4	6				10	2	10	2
<i>Paguroidea spp.</i>	Unidentified hermit crab								4		4	8	2	8	2
<i>Australostichopus mollis</i>	Southern sea cucumber				2			1		1	2	4	3	6	4
<i>Echinaster glomeratus</i>	Orange reef star		1					1		2		4	3	4	3
<i>Haliotis spp.</i>	Abalone									4		4	1	4	1
<i>Uniophora granifera</i>	Granular seastar								1		3	4	2	4	2
<i>Echinaster arcystatus</i>	Pale mosaic sea star			1					1	1		3	3	3	3
<i>Lunella undulata</i>	Periwinkle	2		1								3	2	3	2
<i>Plectaster decanus</i>	Mosaic sea star						1			1	1	3	3	3	3
<i>Anthaster valvulatus</i>	Mottled seastar					1					2	2	1	3	2
<i>Coscinasterias muricata</i>	Eleven armed seastar			1			1					2	2	2	2
<i>Fusinus australis</i>	Southern spindle							1			1	2	2	2	2
<i>Paguristes frontalis</i>	Southern hermit crab	1						1				2	2	2	2
<i>Pinna bicolor</i>	Pinna				20	17		1		1		2	2	39	4
<i>Pleuroploca australasia</i>	Tulip shell					3	1			1		2	2	5	3
<i>Goniocidaris tubaria</i>	Stumpy pencil urchin				1				1			1	1	2	2

<i>Nectria pedicelligera</i>	Multi spined seastar				1								1	1	1	1
<i>Thylacodes siphon</i>	Worm snail					1							0	0	1	1
<i>Astroboa ernae</i>	Basketstar					5							0	0	5	1
<i>Austrofromia polypora</i>	Many-spotted sea star					1							0	0	1	1
<i>Ceto cuvieria</i>	Curviers sea cucumber					10	2						0	0	12	2
<i>Australostichopus mollis</i>	Australasian brown sea cucumber												0	0	0	0
<i>Conocladus australis</i>	Southern basketstar					3							0	0	3	1
<i>Holothuriid spp.</i>	Sea cucumber					1	2						0	0	3	2
<i>Meridiastra gunnii</i>	Gunn's six armed seastar					2							0	0	2	1
<i>Cassis fimbriata</i>	Snail					1							0	0	1	1
<i>Nectria saoria</i>	Saori's seastar					2							0	0	2	1
<i>Doris chrysoderma</i>	Lemon lolly doris					1							0	0	1	1
<i>Petricia vernicina</i>	Cushion seastar					1							0	0	1	1
<i>Phasianotrochus eximius</i>	Snail					1							0	0	1	1
<i>Smilasterias irregularis</i>	Seastar						1						0	0	1	1
	<b>Total invertebrates</b>	7	9	11	60	29	18	21	12	25	30	162			<b>222</b>	
	<b>Total Invertebrate Species</b>	4	4	6	18	7	6	8	6	11	11	29			<b>35</b>	
	<b>Total Count of fish and invertebrates</b>	30	40	202	402	50	44	188	65	45	58	701			<b>1124</b>	
	<b>Total number of fish and invertebrate species</b>	13	13	23	45	15	15	24	20	18	18	66			<b>90</b>	

## Appendix 2: Expedition images



Plate 13: Reef ledge photographed at North Central.



Plate 14: Old Wives (*Enoplosus armatus*) photographed at West Central.

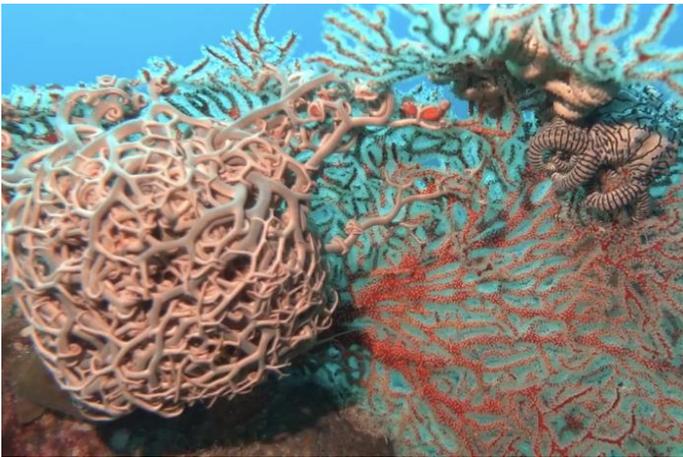


Plate 15: Basket star's (*Astroboa ernae* & *Conocladus australis*) photographed at North Central.



Plate 16: Widebody pipefish (*Stigmatopora nigra*) photographed at North Central.



Plate 17: Shaws cowfish (*Aracana aurita*) photographed at North Central.



Plate 18: Weedy seadragon (*Phyllopteryx taeniolatus*) & Ornat cowfish (*Aracana ornata*) photographed at North Central.



Plate 19: Diver and sponge Photographed at West Central.



Plate 20: Doughby scallops (*Mimachlamys asperima*) photographed at North Central.



Plate 21: Pink lace bryozoan (*Iodictyum phoeniceum*) photographed at North Central.



Plate 22: Coral (*Coscinaraea mcneilli*) photographed at North Central.



Plate 23: Diver and Coral (*Plesiastrea versipora*).



Plate 24: Coral (*Plesiastrea versipora*).