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Dear Doctors Jeremijenko, Connors and Kirby

Thank you for your letter dated 8 October 2012 expressing your concern regarding developments in Gladstone Harbour and the broader Great Barrier Reef World Heritage Area.

As you have stated, approvals granted for these developments in Gladstone Harbour are the responsibility of the Queensland Government's Department of Environment and Heritage Protection and the Australian Government's Department of Sustainability, Environment, Water, Population and Communities. The Great Barrier Reef Marine Park Authority does not have any regulatory responsibility for the management and enforcement of approval conditions within Gladstone Harbour.

The trigger levels which relate to the identified exceedances are a requirement of a Queensland Government permit. In these instances, the Commonwealth does not have a role in regulating the compliance of proponents with state approval conditions.

The exceedance of Commonwealth regulated turbidity trigger levels are required to be reported to the Department of Sustainability, Environment, Water, Population and Communities as per the approved Water Quality Management Plan which is required under the *Environment Protection and Biodiversity Conservation Act 1999* approval conditions. Additionally, an independently chaired Dredge Technical Reference Panel, consisting of a variety of scientific and technical experts, is another requirement under *Environment Protection and Biodiversity Conservation Act 1999* approval conditions. In response to the October 2011 exceedance of trigger levels, this advisory panel met to advise the Gladstone Ports Corporation Limited on various management measures that could be implemented to reduce turbidity concentrations in Gladstone Harbour. We understand that a number of actions have been taken as a result of this meeting.

The raising of Queensland's turbidity trigger levels is not a matter that the Commonwealth regulates. The Department of Sustainability, Environment, Water, Population and Communities was, however, consulted on the changes by the Queensland Department of Environment and Heritage Protection. To date, I understand that the Department of Sustainability, Environment, Water, Population and Communities has not raised the turbidity trigger levels.

On 17 October 2012, the Department of Sustainability, Environment, Water, Population and Communities received an amended Water Quality Management Plan incorporating, among other things, trigger levels consistent with Queensland levels and a move toward light based trigger levels from the Gladstone Ports Corporation Limited for consideration. The Department of Sustainability, Environment, Water, Population and Communities will consider the revised plan carefully before making a decision on whether to approve the plan.

The requirement to implement a move from turbidity based trigger levels to light based trigger levels is a requirement of condition 19 (b) of the *Environment Protection and Biodiversity Conservation Act 1999* conditions of approval. The Dredge Technical Reference Panel contains members whose expertise includes tropical seagrass. The seagrass experts have assisted in the development of light based triggers that provide protection for the growth of seagrass in Gladstone Harbour.

In line with the approved Water Quality Management Plan required under *Environment Protection and Biodiversity Conservation Act 1999* approval conditions, the wet season for Commonwealth approved trigger levels has always been interpreted to be from 1 October to 31 March.

The Great Barrier Reef Marine Park Authority has been concerned about the potential impact of dredge spoil disposal at the East Banks Sea Disposal Area on the Great Barrier Reef Marine Park. Physical and chemical testing for contaminants in the sediment to be disposed of to this site has been determined to be below any concentration likely to pose a significant risk to Great Barrier Reef ecosystems. Ongoing independent monitoring of the benthic, coral and seagrass communities within the Great Barrier Reef Marine Park is required as part of the *Environment Protection and Biodiversity Conservation Act 1999* approval conditions. The Great Barrier Reef Marine Park Authority is also investigating establishing its own monitoring program to further verify the level of impact on the Great Barrier Reef Marine Park that may result from the disposal of dredge spoil at the East Banks Sea Disposal area.

I thank you again for raising your concerns regarding the potential impacts of further development on Gladstone Harbour and the Great Barrier Reef World Heritage Area. I wish to reassure you that should the Great Barrier Reef Marine Park Authority hold any concerns regarding potential impact on the Outstanding Universal Value of the Great Barrier Reef World Heritage Area that we would raise them immediately with the Minister for Sustainability, Environment, Water, Population and Communities and his department.

Yours sincerely



Russell Reichelt
Chairman

09 NOV 2012

cc: James van Meurs
Department of Sustainability, Environment, Water, Population and Communities