



Submission

Response to Draft Terms of Reference for an Environmental Impacts Statement for the North Queensland Country Club Resort and Equestrian Centre Proposed by Landmark Projects Pty Ltd.

12/7/2019

This is a joint submission from North Queensland Conservation Society and WPSQ Townsville Branch Inc. It is in response to the draft terms of reference (Draft TOR) for the environmental impact statement (EIS) for the North Queensland Country Club Resort and Equestrian Centre (the Project) proposed by Landmark Projects Pty Ltd. The recommendations below are followed with more detail in the 'Reasoning' section below.

Recommendations

1. To require a full and transparent overview within the EIS of the proponent's environmental track record including the track record of associated companies both in Australia and overseas
2. Any changes to environmental values caused by the September 2018 fires should not be used as a new baseline within the EIS for the environmental values of the project site
3. The project site is predominantly covered in Regional Ecosystem 7.3.8 (253 ha) and should require careful consideration within the EIS as an endangered ecosystem that will be significantly degraded by direct clearing and overland tracks and trails
4. The proponent should give details how they will mitigate impacts at the beach access point that they propose on the north of the site and how they will prevent beach access to the rest of the site to protect the Matters of State Environmental Significance (MSES) including the estuarine wetlands on the south-east of the project site
5. The proponent should be required to provide more detail about the keeping of horses on the site and to ensure horses won't be ridden on beaches
6. The site should be assessed with consideration of cumulative impacts particularly in relation to the proponent's future plans to develop the surrounding land parcels that they own that share borders with the project site and other land they own in the wider region
7. Flora and fauna surveys need to be undertaken during different seasons, different times of the day, and conducting additional surveys that focus on migratory shorebirds, turtles and dugongs

8. Any proposed offsets of the Broad-leaf tea-tree Woodlands (Initial Advice Statement or IAS, pg. 46) should be agreed upon with the Qld Government and Department of Environment and Science prior to the project being approved to be sure that suitable offsets can be found
9. That careful consideration be given within the EIS for the project's impacts on the Great Barrier Reef in terms of reduced water quality of runoff and any impact to the world heritage values including requiring detailed mapping of the MSES

Reasoning

Further information is provided below against each of the recommendations with the recommendation number in brackets after each heading.

To require a full and transparent overview within the EIS of the proponent's environmental track record including the track record of associated companies both in Australia and overseas (1)

Further detail can be provided on this matter as required however the table below lists some of the other company names that are linked to the proponent.

Table below: List of company names related to the proponent Landmark Projects Pty Ltd.

Rimbanun Hijau	<ul style="list-style-type: none"> - Subject of a Greenpeace report from January 2004, "The Untouchables - Rimbanun Hijau's World of Forest Crime and Political Patronage" - Company started in 1989 by Kiu King Tiong and wife Ho Lay Puay of Hong Kong (or Madam Tiong Ho Lay Puay) - Further information is available in 'Bulldozing Progress: Human Rights Abuses and Corruption in Papua New Guinea's Large Scale Logging Industry; report produced by the Australian Conservation Foundation
TLB Timber	<ul style="list-style-type: none"> - Connection to RH listed in the Greenpeace report on pg. 17 of the Greenpeace Report - TLB Timber operates in Australia (Brisbane)
Burlington Corp. CAN: 054 529 494	<ul style="list-style-type: none"> - A member is listed as Lay Puay Ho from Hong Kong and Thai King Tiong (Victoria, Australia)
Kina Securities and Kina Bank (in PNG)	<ul style="list-style-type: none"> - PNG has four commercial banks – Bank South Pacific (BSP), Westpac, ANZ and Kina (formerly Maybank) – which is owned by Rimbanun Hijau¹

¹ <https://pngexposed.wordpress.com/tag/kina-securities/?fbclid=IwAR2k7FnyALWS7yNaWgSiXIMW4YWZ7HTYyHlGx11iaS58CTGaxFzJZKTDByM>

Any changes to environmental values caused by the September 2018 fires should not be used as a new baseline within the EIS for the environmental values of the project site (2)

There is considerable concern in the community about the September 2018 fires. If the 'developable area' increases or development approvals are easier to progress due to fire damage caused to the site's natural values, this then unintentionally motivates irresponsible burning by vested interests. Our recommendation is that any fire damaged areas be re-assessed as suggested by the Initial Advice Statement (IAS) on pg.31 but the EIS process should be based on the condition of sites prior to fire damage. In other words, any fire damage should not be able to downgrade the values and ecosystems that existed prior to the fires within the EIS.

The EIS should require that these sites be subject to rehabilitation by the proponent to have the original ecosystem values restored over time. As information becomes available about the September 2018 fires, we can provide this to the department. If the proponent were to initiate burning other than as recommended for the Regional Ecosystem 7.3.8, as below, then it can be assumed they are not taking necessary actions to appropriately manage the natural values of the site.

The Ecological Assessment Report noted that evidence of bushfire was noted during the 2014 fauna and flora survey (notably in the eucalypt open forest and Tea Tree woodlands, the RE 7.3.8) but "there was no indication that this created a significant negative impact on the vegetation" (EAR Section 4.1.2 or pg.159 of the IAS) Areas which have experienced fire should be allowed, and actively encouraged, to recover as the Australian bush does naturally.

Fire Management Guidelines: Mid- to late dry season. b, c: Early to mid-dry season in normal season (March-May). Early to late season in wet year (March-Sep). INTENSITY: Low to moderate²

The project site is predominantly covered in Regional Ecosystem 7.3.8 (253 ha) and should require careful consideration within the EIS as an endangered ecosystem that will be significantly degraded by direct clearing and overland tracks and trails (3)

The IAS on page 30 omits that the biodiversity status of RE 7.3.8 is listed as Endangered. The biodiversity status category in Regional Ecosystems (RE) means that:

- less than 10% of its pre-clearing extent remains unaffected by severe degradation and/or biodiversity loss; or
- 10–30% of its pre-clearing extent remains unaffected by severe degradation and/or biodiversity loss and the remnant vegetation is less than 10,000ha; or
- it is a rare regional ecosystem subject to a threatening process

This ecosystem will deteriorate and be affected by weeds by the proposed activities of the project (from direct clearing for resort and equestrian centre to continual disturbance and the opening up of the habitat to extensive tracks and trails that will be compacted by horses).

²Queensland Department of Environment and Science: <https://apps.des.qld.gov.au/regional-ecosystems/details/?re=7.3.8>

The IAS on page 46 suggests that horse riding is a low impact activity but this is not the information that we have. If the department would like more information on the impacts of horses on native vegetation, this can be provided.

According to the Queensland Government website about this regional ecosystem:

The greatest threat to this ecosystem now lies in gradual fragmentation (and resulting weed invasion) via clearing of fence, road and housing infrastructure, and the introduction of cattle grazing, on hobby farms³ RE Ion page 30 of the Initial Advice Statement that the RE 7.3.8

It is also worth noting that on page 159 of the IAS within the Ecological Assessment Report, it states (in contradiction to the IAS on page 50), that:

All communities were found to be in good condition with weed intrusion concentrated on the edges of tracks and other disturbed areas such as cattle holding pens and beach shacks. Although cattle grazing has taken place over a number of years, the intensity of grazing has not been detrimental to the vegetation

The proponent should give details how they will mitigate impacts at the beach access point that they propose on the north of the site and how they will prevent beach access to the rest of the site to protect the Matters of State Environmental Significance including the estuarine wetlands on the south-east of the project site (4)

Further detail can be provided on this matter as required.

The proponent should be required to provide more detail about the keeping of horses on the site and to ensure horses won't be ridden on beaches (5)

The proponent should be required to provide more detail about the keeping of horses including how many horses will be kept on site, and where they will be ridden (outside of exercise paddocks) - eg will they follow marked trails? Will riders be allowed to take them off track into the bush? (Inevitably some riders will want to do this regardless of whether it is 'allowed' or encouraged). The proponent should also address what measures will be used to control spread of weeds (from seeds contained in horse dung) and prevent damage to native herbs, grasses and other understorey vegetation, off the tracks. Since the Ecological Assessment Report (as mentioned above) found the area to be particularly weed-free, it is very important to maintain this good condition in what natural bush remains after clearing for resort buildings, stables, paddocks and other infrastructure.

The proponent should also be required to keep their horses on the project site to minimise impacts on shore birds, including the vulnerable beach stone-curlew, *Esacus magnirostris* (which was sighted on beach adjacent to property on 10/7/19), marine turtles and other species.

³Queensland Department of Environment and Science: <https://apps.des.qld.gov.au/regional-ecosystems/details/?re=7.3.8>

The Terms of Reference for the EIS should be asking for an assessment of likely impacts of horse-riding on the beach, for recreation or exercise, and the swimming of horses off the beach, for example:

- * erosion of dunes and damage to dune vegetation from horses accessing beach
- * disturbance to nesting birds and turtles above high-water mark
- * disturbance to waders in the intertidal zone
- * damage/death of intertidal biota below the sand surface (an important food source for wader bird species)
- * conflict with other (human) beach users

The Queensland Government has little experience in managing equestrian resorts of this nature, so it requires careful consideration by the Department of State Development, Manufacturing, Infrastructure and Planning.

The site should be assessed with consideration of cumulative impacts particularly in relation to the proponent's future plans to develop the surrounding land parcels that they own that share borders with the project site and other land they own in the wider region (6)

The map below shows the surrounding properties owned by the same proponents of the project site. The property to the north-west of the project site ownership should be checked as it has earlier had aquaculture ponds constructed as mentioned by the IAS on page 149 and aquaculture is one of the interest areas of the proponent (IAS, pg.12). There are properties owned by the proponent in the region beyond this map and this information can be provided as required.

Image below: Shows surrounding properties of the project site that are owned by Landmark Pty Ltd.



Flora and fauna surveys need to be undertaken during different seasons, different times of the day, and conducting additional surveys that focus on migratory shorebirds, turtles and dugongs (7)

The *Phaius australis* is a native orchid species mentioned on page 31 of the IAS as Endangered under the EPBC Act. This species flowers in the middle of the wet season during challenging conditions for researchers however outside of these times, the plant will be virtually impossible to detect its presence on site. This is just one example showing that the input of local knowledge is important in how these surveys conducted and other input into the EIS. Further information can be provided on these matters as required by the department.

Any proposed offsets of the Broad-leaf tea-tree Woodlands (IAS, pg. 46) should be agreed upon with the Qld Government and Department of Environment and Science prior to the project being approved to be sure that suitable offsets can be found (8)

There have been cases of development approvals being granted while details of offsets having not yet been finalised. This means that if an offset cannot be achieved, this will be too late for resolution after approvals have been granted.

In the case of Regional Ecosystem 7.3.8 as mentioned previously in this submission, finding suitable offsets may be difficult. The Queensland Government website on RE 7.3.8 suggests that there is substantial local variation within this ecosystem, thus making a worthy offset very difficult. It states that:

The enormous variation displayed by this regional ecosystem across the bioregion suggests that it could be further divided into several regional ecosystems given further examination of soil, drainage and ground layer species differences⁴

That careful consideration be given within the EIS for the project's impacts on the Great Barrier Reef in terms of reduced water quality of runoff and any impact to the world heritage values including requiring detailed mapping of the MSES (9)

The project site is a low-lying property and is within the Great Barrier Reef World Heritage Area (GBRWHA). There is potential for the project to cause significant impacts to the GBRWHA. The EAR notes that '*the Site contains minor mapping of Wetlands of General Ecological Significance*' (GES (pg.157 of IAS). This needs to be improved to better understand the palustrine, estuarine and lacustrine values of the project site. In addition, the project brochure on page 62 of IAS has omitted one of the MSES riverine wetlands from their 'masterplan vision' which needs to be rectified. If further detail is required, this can be provided.

⁴ Queensland Department of Environment and Science: <https://apps.des.qld.gov.au/regional-ecosystems/details/?re=7.3.8>

In conclusion, we would like to thank the department for the opportunity to comment on the Terms of Reference for the EIS for the North Queensland Country Club Resort and Equestrian Centre Proposed by Landmark Projects Pty Ltd. Our organisations represent a wealth of local knowledge and experience that is important input into this process. Please contact us if you would like further information on our submission.

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