

24 August 2020

Impact Assessment Unit
Department of Environment, Land, Water and Planning

Dear Sir/ Madam

**Proposed AGL-APA Crib Point Gas Import Jetty and gas pipeline project
–Submission on Environmental Effects Statement**

Thank you for the opportunity to provide formal feedback on the Environmental Effects Statement (EES) prepared for the Crib Point Gas Import Jetty and gas pipeline project.

Council oppose the AGL's proposed Gas Import Jetty project for Crib Point and strongly oppose the development of fossil fuel assets on Western Port. The purpose of the below submission is to outline Council's primary reasons for opposing approval of the Project.

Bass Coast is fortunate to have a unique and precious natural landscape, and we are grateful to the Andrew's Labor Government for declaring Bass Coast a Distinctive Area and Landscape under the Planning and Environment Act 1987. Western Port forms a critical part of our unique environment, supported by the international recognition under the Ramsar Convention on Wetlands of International Importance in 1982. It is also recognised as a UNESCO biosphere reserve, due to the instance of threatened species, ecological communities and migratory species.

For our community, our environment is our economy. Bass Coast has the second most dependent economy on Tourism in Australia after Uluru. Council and the community are passionate about protecting our unique environment.

This is why Council has declared a climate emergency and is currently developing a comprehensive Climate Change Action Plan, pursuing a community target of zero net emissions by 2030.

Council strongly opposes further fossil fuel developments in Victoria and is opposed to the further industrialisation of Western Port to transport them. Council looks forward to elaborating on its submission at the Inquiry and Advisory Committee hearing process.

Yours sincerely

A handwritten signature in black ink, appearing to read "Jodi Kennedy".

Jodi Kennedy
General Manager Resilient Communities

Ref: ED20/84964

Submission

Proposed AGL-APA Crib Point Gas Import Jetty and gas pipeline project –
Environmental Effects Statement

August 2020

This submission has been prepared by Bass Coast Shire Council in response to the invitation to make a submission to the Inquiry and Advisory Committee on the AGL APA gas import jetty and gas pipeline project's Environmental Effects Statement.

The submission has been informed by consultation with Council and in response to a Council Decision at the meeting on 18 March 2020.

For further information about this submission contact:

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August 2020

1 Introduction

- 1.1 This submission responds to the exhibited Environment Effects Statement (**EES**) and supporting documents for the Crib Point Gas Import Jetty and Gas Pipeline Project. This submission does not respond to any additional information or purported amendments.
- 1.2 Bass Coast Shire Council (**Council**) strongly oppose the Crib Point Gas Import Jetty and Gas Pipeline Project (**Project**) the subject of the EES and that the project should not be approved.
- 1.3 The Project is proposed to be developed adjacent to Council's municipality, across the bay of Western Port, an internationally recognised Ramsar wetland. Western Port is a unique ecosystem supporting an extraordinary diversity of habitats, including mangroves, saltmarshes, seagrasses, alongside intertidal mudflats significantly important to shorebirds.
- 1.4 For our community, our environment is our economy. Bass Coast has the second most dependent economy on Tourism in Australia after Uluru. Council and the community are passionate about protecting our unique environment.
- 1.5 Western Port is also valued as a recreational area utilised for water-based activities, including boating, sailing, fishing, diving and numerous community groups associated with recreational and sporting activities.

2 Project Rationale and Climate Change impacts

Council strongly rejects the proposed Project rationale as:

- 2.1 The Project asserts that the Gas Import Jetty is required to assist in Victoria's transition to a low-carbon economy and increase energy efficiency. This is significantly overstated and Council's position is that gas is not a transition fuel. The project rationale has not considered the role of demand reduction measures for management of residential gas use. 50% of Victoria's gas usage is residential use, therefore there are significant opportunities for demand management initiatives.
- 2.2 The claim that the Project 'would assist Victoria's transition to a low-carbon economy and increased energy efficiency (including reduced usage)' is not supported by any evidence or an independent expert assessment within the supporting EES technical reports.
- 2.3 Council has declared a climate emergency and considers any expansion of the gas industry, through new developments not in keeping with the declaration and threatens efforts to urgently reduce greenhouse gas emission to ensure we can keep the global climate at or below 1.5 °C.
- 2.4 Council's draft Climate Change Action Plan 2020 -2030 sets out a target to achieve net zero emissions and was endorsed at Council's August Ordinary Meeting. The draft Climate Change Action Plan 2020 -2030 will provide a pathway for a zero carbon economy, assist in Bass Coast's transition from gas,

provide for a sustainable recovery from the COVID-19 pandemic and build a resilient community in response to climate change impacts.

- 2.5 Council does not support the Project as it does not consider the entirety of the Project's impact to global greenhouse gas emissions. This is inclusive of the emissions generated by the use of gas within the Victorian gas distribution network by end users.
- 2.6 The Project rationale is inconsistent with the Renewable Energy (Investment and Jobs) Act 2017 and the Climate Change Act 2017 and does not align with achieving the State emissions reduction target by 2030 and 2050.

3 Timeframe to consider the EES

Council strongly opposes the proposed Project as:

- 3.1 The published EES is based upon a theoretical project. The actual project impacts will not be fully known until some point in the future, after approval has been given. A post-construction compliance review addressing areas of the assessment be considered.
- 3.2 At the very least, the utility of the process depends upon the veracity and rigour of the analysis of environmental effects. The published EES runs to over 10,000 pages. The public, including the Council have had only 40 business days to review the published EES.

4 Marine and Biodiversity

Council strongly opposes the proposed Project as:

- 4.1 The Project has potential for serious impacts on the marine environment and biodiversity of Western Port, an area that has been internationally recognised, with UNESCO's Man and the Biosphere program designating it as one of just over 500 Biosphere Reserves around the world.
- 4.2 Western Port is a unique large, semi enclosed embayment on an exposed coastline, formed by complex geographical processes. With a complex system of tidal movement and range, extensive mudflats, and two large islands.
- 4.3 The Project does not take a holistic view of the whole of Western Port, or the important interrelationships between ecosystems. The potential impact of the Project's operations or a failure of operational controls on this unique environmental asset, critical ecosystem processes and supporting social and economic values remains unknown.
- 4.4 Existing activities around Western Port already place pressure on its ecosystem, including rising sea levels as a result of climate change posing a serious threat for saltmarsh, mangroves, intertidal rocky reefs, shorebirds and waterbirds. Acidification of oceans, freshwater and saltwater inputs as well as air temperatures are also likely to threaten the health and biodiversity of Western Port.

- 4.5 Increased activity at marine ports present a threat to the water and sediment quality, through resuspension of sediment from anchors, engines and propellers. This also presents a risk of resuspension of sediment containing heavy metals. There is current insufficient detail in the EES to properly inform the impact assessment and understand the potential impact from resuspension of fine sediment on the ecosystems within Western Port.
- 4.6 The gasification process undertaken in the Floating Storage and Regasification Unit (FSRU) will require the intake of seawater and discharge back into Western Port, after use, at a different temperature and with increased concentrations of chlorine. The intake of water also carries the risk of 'entraining' marine biota into the ship's regasification mechanism.
- 4.7 The impact of the Project, specifically the release of chlorinated water, sediment disturbance, wasted discharge or entrainment risks, light, spills and leaks, underwater noise on the Ramsar wetland ecosystem and associated ecological systems and processes has not been adequately addressed in the assessment.
- 4.8 There is insufficient information to assess adequately the multiple potential impacts listed at item 4.6 above, from the Project on ecologically significant systems or species, including:
- mangroves and saltmarsh;
 - seagrasses;
 - intertidal mudflat and benthic subtidal invertebrate fauna;
 - plankton;
 - subtidal reef habitat;
 - accumulation of chlorine discharged on the food chain;
 - penguins and pinnipeds.
- 4.9 Artificial light has the potential to impact marine species and fledgling seabirds, for migratory species the impact of artificial light may compromise the animal's ability to undertake long-distance migrations. Council is therefore concerned with potential effects from light spill from the FSRU impacting fish and invertebrate.
- 4.10 Risk of collision of the LPG gas carriers with migrating humpback or southern right whales has not been adequately addressed in the assessment.

5 Impact to tourism and visitor economy

Council strongly opposes the proposed Project as:

- 5.1 Any potential impact on Western Port would have significant detrimental economic effect on the visitor economy on Philip Island and surrounding areas, the most reliant economy in Victoria on tourism investment. The island's many nature based tourist attractions including the Penguin Parade, are a major drawcard for both domestic and international visitors.

- 5.2 Tourism is an important industry for Phillip Island. The region received approximately 2.7 million domestic (overnight and daytrip) and international overnight visitors combined, spending an estimated \$578 million in the calendar year ending December 2019.
- 5.3 In 2017-2018, tourism was estimated to be worth \$385 million to the region's economy, representing 34.7 per cent of the region's economy. Tourism generates significant employment opportunities in the region, with approximately 4,300 people or 35.0 per cent of the region's employment (direct and indirect jobs).
- 5.4 The Project Business Impact Assessment report only considers the impacts on the Hastings township in Mornington Peninsula and does not consider impacts on business in Bass Coast which rely on the visitor economy which is dependent on the health of the Western Port ecosystem and environment.

6 Planning Scheme

Council strongly opposes the proposed Project as:

- 6.1 It is contrary to the objectives and strategies of the Victorian Planning Provisions including but not limited to the following clauses:
- **Clause 11.03-5S Distinctive areas and landscapes**
Objective: To protect and enhance the valued attributes of identified distinctive areas and landscapes
Strategies
 - Protect the identified key values and activities of these areas.
 - Support use and development where it enhances the valued characteristics of these areas.
 - Avoid use and development that could undermine the long-term natural or non-urban use of land in these areas.
 - **Clause 12.01-IS Protection of Biodiversity**
Objective: To assist the protection and conservation of Victoria's Biodiversity.
Strategies:
 - Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of:
 - Cumulative impacts.
 - Fragmentation of habitat.
 - The spread of pest plants, animals and pathogens into natural ecosystems.
 - Avoid impacts of land use and development on important areas of biodiversity.

- Consider impacts of any change in land use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites; including wetlands and wetland wildlife habitat designated under the Convention on Wetlands of International Importance (the Ramsar Convention) and sites utilised by species listed under the Japan-Australia Migratory Birds Agreement (JAMBA), the China-Australia Migratory Birds Agreement (CAMBA), or the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA).

- **Clause 12.02.1S Protection of coastal areas**

Objective: To recognise the value of coastal areas to the community, conserve and enhance coastal areas and ensure sustainable use of natural coastal resources.

Strategies

- Coordinate land use and planning with the requirements of the Coastal Management Act 1995 to:
 - Provide clear direction for the future sustainable use of the coast, including the marine environment, for recreation, conservation, tourism, commerce and similar uses in appropriate areas.
 - Protect and maintain areas of environmental significance.
- Apply the hierarchy of principles for coastal planning and management: Principle 1: Ensure the protection of significant environmental and cultural values.
- Maintain the natural drainage patterns, water quality and biodiversity in and adjacent to coastal estuaries, wetlands and waterways. Avoid disturbance of coastal acid sulfate soils.

- **Clause 13.01-1s Natural hazards and climate change**

Objective: To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.

Strategies

- Consider the risks associated with climate change in planning and management decision making processes.
- Site and design development to minimise risk to life, property, the natural environment and community infrastructure from natural hazards.

- 6.2 It is contrary to the Bass Coast Local Planning Policy Framework, including clause 21.04 (Environment) which includes a strategy that encourages development close to Western Port to take into account any relevant Ramsar wetland listings and environmental significance. Furthermore that development

should not only minimise impacts on these areas, but enhance the environmental values of these areas.

7 Distinctive Area and Landscape – DAL

Council strongly opposes the proposed Project as:

- 7.1 This proposal is contrary to the objectives of the declaration of the Bass Coast as a Distinctive Area and Landscape in October 2019. The declaration includes the objective to recognize and safeguard Bass Coast’s distinctive Area and Landscapes, via *The Planning and Environment Amendment (Distinctive Areas and Landscapes) Act 2018*.
- 7.2 The Bass Coast contains distinctive rural and coastal landscapes, productive agricultural land, and sensitive environments of significant biodiversity value. The area attracts lifestyle residents, as well as holiday makers and includes the popular tourist destination of Phillip Island.
- 7.3 The declaration applies to the whole Bass Coast Shire and extends 600 meters seaward of the low-water mark.