



260 Franklin Street,
Adelaide SA 5000

Phone: (08) 7127 4630
Fax: (08) 8231 9773

Email: ncssa@ncssa.asn.au
Website: www.ncssa.asn.au

ABN: 40 538 422 811
GST registered

Referrals Gateway
Environment Assessment Branch
Department of the Environment
GPO Box 787
Canberra ACT 2601

Email: epbc.referrals@environment.gov.au

February 6, 2015

Re-EPBC Referral Reference Number: 2015/7418

Ridley Land Corporation Ltd/ Commercial development/ Dry Creek/ SA / Dry Creek Salt Field Closure

The Nature Conservation Society of South Australia (NCSSA) appreciates the opportunity to provide comments on this EPBC Referral and the extension that was granted to enable us to do this. As South Australia's primary nature conservation advocacy organisation, the NCSSA has an active interest in the protection and conservation of South Australia's natural resources with particular attention being paid to nationally and state listed threatened plants, animals and ecological communities.

Previous submissions by NCSSA have strongly support the commitment that the Australian Government has made towards protection of Australia's migratory shorebirds under various international agreements, the Environment Protection & Biodiversity Conservation (EPBC) Act and the draft Wildlife Conservation Plan for Migratory Shorebirds. We are also strong supporters for the establishment of an International Bird Sanctuary at the Dry Creek Salt Field. This area is listed as a wetland of national significance, attracting over 20,000 shorebirds each year, and is the single most important shorebird site in the Gulf St Vincent.

We have serious concerns about a number of issues associated with this referral including:

- the reduction in shorebird habitat that would result from the proposed closure of the Dry Creek Salt Field if it is fully implemented;
- the degradation of internationally significant shorebird habitat at the Dry Creek Salt Field, leading to a long term decline in the migratory shorebird population in the Gulf St Vincent; and
- the apparent disregard to the precautionary principle as required under the EPBC Act in implementing the transition from production to management based on an agreement that the "holding pattern" was unlikely to result in a significant impact on Matters of National Environmental Significance (MNES).

Based on available data we believe that the proposed closure is highly likely to have a significant impact on MNES and we strongly recommend the Federal Government adhere to the precautionary principle as defined under the EPBC Act in assessing this referral.

Please refer to the following pages for our comments on the EPBC Referral and supporting Attachments. If you would like to clarify or discuss any of the points raised please contact me on (08) 7127 4633 or via email at nicki.depreu@ncssa.asn.au

Yours sincerely,

A handwritten signature in black ink that reads "Nicki de Preu". The signature is written in a cursive, flowing style.

Nicki de Preu
Conservation Ecologist
Nature Conservation Society of South Australia

NCSSA Comments on EPBC Referral Reference Number: 2015/7418

Ridley Land Corporation Ltd/ Commercial development/ Dry Creek/ SA / Dry Creek Salt Field Closure

Significant impact on matters protected by the EPBC Act

We have reviewed the information provided in Attachment 4 of the Referral documents that addresses Matters of National Environmental Significance (MNES). We strongly recommend the following areas are given additional consideration in assessing this referral:

- Further emphasis on both the national and international importance of the Dry Creek Salt Field to shorebird conservation is essential. This area is widely recognised as containing sites of international, as well as national, significance to shorebirds (Bamford, 2008 & Watkins, 1993). The area regularly supports 48% of the total shorebird population including internationally significant populations (>1% of the East Asian–Australasian Flyway population) of Red-necked Stint and Sharp-tailed Sandpiper. The proposed action, if fully implemented, will impact these populations through a reduction in the area and condition of suitable habitat and availability of food resources.
- The reduction in ponds used by shorebirds by between 1,061ha and 2,148 ha as proposed in the referral will not provide adequate habitat to continue to support the migratory shorebird population recorded in recent years. We strongly recommend that a minimum area of 1,804 ha (i.e. area estimated to support 95% of the migratory shorebirds) is required to maintain the long-term ecological function of the site for migratory shorebirds. Anything lower than this would result in a significant impact on MNES.
- The timeframe for investigation of the impacts of recent changes in the hydrology of the saltfields on migratory shorebirds should be extended by at least another 12 months before any further alterations are made to the current “holding pattern”. The current monitoring period is too short to enable a reliable estimate of shorebird numbers and, therefore, whether the proposed action has had a significant impact on MNES.
- More detailed information provided on the impact of future management on the Beaded Glasswort *Tecticornia flabelliformis* population and Subtropical and Temperate Coastal Saltmarsh ecological community (both listed as Vulnerable under the EPBC Act) is required. Although this species and ecological community do not occur in the ponds that are proposed to be drained they may be affected by future management works at the site so need to be given further due consideration.

Accuracy of information in the referral

We submit that there are a number of key areas where misleading or incorrect information is provided in the referral including the following:

The use of the term “holding pattern” in the referral is **misleading**.

The Oxford Dictionary definition of this term is: “A course of action designed to maintain the status quo under difficult circumstances”.

Although we acknowledge the difficult financial circumstances the Ridley Land Corporation are placed in due to the cessation of soda ash production at the Osborn Processing Plant we do not consider that the current management has maintained the status quo given the changes to the hydrology of the salt ponds since the pumping regime for salt production ceased in April 2013 (Referral Fig. 4 pg 27, Referral Attachments 5-7 and Figs. 4 & 5). These changes have not been referred and, based on ongoing monitoring and long-term observations at the site by both Birdlife Australia and representatives from Delta Environmental, continue to disrupt the patterns of shorebird distribution and behaviour in the area (Coleman & Cooke 2013, Purnell 2011 & 2012).

Section 2 of the referral states that “The self assessment has shown that the draining of the ponds for the ‘holding pattern’ identified above (the Drained Ponds) has not affected MNES, and it is unlikely that progressing them further to closure will do so.” We consider this statement to be both **misleading** and **incorrect** as it assumes the baseline data is the pond by pond data collection funded by Ridley Corporation that commenced in December 2013 after pumping for salt production had ceased. This data represents an altered ecological state compared with the period when the salt fields were operating and should not be used to provide a benchmark for maintenance of ecological values in any long term management plans for the site. We strongly recommend that bird census data collected by BirdLife Australia with funding through the Adelaide Mount Lofty NRM Board is used as the baseline data for assessing this referral.

Section 5.5. of Attachment 4 outlines some of the limitations of the data analysis for the monthly shorebird surveys during the self-assessment period from January to May 2014. However, the referral fails to account for differences in survey methodology (in particular, the survey area) between BirdLife’s Shorebirds 2020 and EBS Ecology data when making comparisons between these two data sets. This is a **misleading** and **incorrect** interpretation of the data, and gives the impression that alterations in pond hydrology have not resulted in deterioration in habitat values or shorebird usage of the area. We strongly recommend that any analysis of this data and subsequent interpretation is restricted to comparable datasets from the Shorebirds 2020 and EBS surveys.

The assessment of the physical state of the ponds in the salt field closure EPBC self assessment as the “existing condition” is both **misleading** and **incorrect**. The use of the current state of the ponds in the self-assessment minimises the area being assessed and referred under this proposal and we strongly recommend that data from the state of the site when it was operational is used. Published information indicates that nearly one third of the ponds had been dried out during the time from when Ridley took over ownership and December 2013 (Coleman, 2013).

Additional issues to be considered

We strongly recommend that the referral is assessed with due reference to the Wildlife Conservation Plan for Migratory Shorebirds (DEH 2006) that has been developed as a requirement under the EPBC Act for MNES. This plan, which is currently under review, provides guidelines for 36 species of shorebird, 32 of which are recorded as occurring in the Dry Creek Salt Field. The plan contains clear objectives for the long-term conservation of migratory shorebirds including an objective to identify and protect significant habitat.

Section 2.4 (Page 16) of the referral outlines the organisational structure the SA Government has established to oversee closure planning for the salt field to ensure all regulatory requirements are met. We strongly recommend that the Conservation Planning Group include representatives from BirdLife Australia and Birds SA in addition to DEWNR and SA Water representatives.

The salt field closure EPBC self assessment assesses only one closure scenario namely one where the ponds remain inundated on a permanently managed basis, and seawater is pumped through the ponds and discharged after re-dilution. We strongly recommend that further options for closure are investigated as outlined in a NRM board funded Risks and Opportunities paper (Coleman 2013) that is not referenced in the referral. Further clarification is also needed in terms of how the ongoing management costs will be funded in perpetuity to ensure so that the ecological function of the site for MNES is protected and conserved.

Section 3.1 of the referral states that “Investigations are underway to ascertain a feasible way of providing for the requirements of shorebirds” and that “until a rigorous assessment is done, the significance of the impacts isn’t known for certain.” It also recommends that more work is needed “as a precaution” to assess the impact of the proposed action. We strongly recommend that such investigations are undertaken prior to any further changes to management at the site.

References

- Bamford M, D Watkins, W Bancroft, G Tischler and J Wahl (2008) Migratory Shorebirds of the East Asian - Australasian Flyway; Population Estimates and Internationally Important Sites, Wetlands International – Oceania, Canberra, Australia.
- Coleman, P. and Cook, F. (2009) Shorebird Management and Conservation, Report prepared for Adelaide and Mount Lofty Ranges Natural Resources Management Board, by Delta Environmental Consulting, South Australia.
- Coleman, P. (2013) Risk and opportunities: A briefing paper on coastal habitat and shorebird conservation in the light of potential closure of the Ridley Dry Creek salt Fields Prepared for: AMLR NRM Board, by Delta Environmental Consulting, South Australia.
- Department of the Environment & Heritage (2006) Wildlife Conservation Plan for Migratory Shorebirds. Australian Government, Canberra.
- Purnell, C., Clemens, R. and Peter, J. (2011) Shorebird Population Monitoring within the Gulf of St Vincent: July 2010 to June 2011 Annual Report. Birds Australia report for the Adelaide and Mount Lofty Range Natural Resources Management Board and the Department of the Environment, Water, Heritage and the Arts.
- Purnell, C., Clemens, R. and Peter, J. (2012) Shorebird Population Monitoring within the Gulf of St Vincent: July 2011 to June 2012 Annual Report. Birds Australia report for the Adelaide and Mount Lofty Range Natural Resources Management Board and the Department of the Environment, Water, Heritage and the Arts.
- Watkins D (1993) A National Plan for Shorebird Conservation in Australia, RAOU Report 90, Royal Australasian Ornithologists Union, Moonee Ponds, Victoria.