

19 May 2022

Blair Middleton  
Principle, Major Projects  
Townsville City Council

**Re: Ross River Dam to Douglas Water Treatment Plant Pipeline Renewal Project EPBC:  
2021/9002 correspondence 30 March 2022**

Dear Mr Middleton,

We have received your letter of 30 March 2022 in response to North Queensland Conservation Council (NQCC)'s correspondence and feedback on Council's draft EPBC Act Preliminary Documentation for the Ross River Dam to Douglas Water Treatment Plant pipeline project.

NQCC would like to make it clear that we are extremely disappointed with your response to the genuine feedback we provided, in good faith, on 18 February 2022.

We believe that the proposed action by Council, as outlined in your response, demonstrates a clear ignorance and negligence on behalf of your consultant and/or key staff by trivialising the importance of biodiversity and keystone threatened and Endangered species like the Black-throated finch. Such an approach is completely inconsistent with community expectations for the protection of biodiversity and a listed Endangered species.

We have every expectation that Council would comply with all relevant legislation. However, we believe it's important to highlight the fact that the legislation on its own is not intended to address the issues associated with land and habitat management in North Queensland.

What we are most concerned about is the difference between the robust, considered and appropriate response this matter requires, versus the bare-minimum tokenistic response Council seems to believe it can get away with.

Townsville City Council has an opportunity to meet its obligations under the EPBC Act and make real and tangible improvements to Black-throated finch habitat within its jurisdiction, at little or no cost to Council by undertaking BTF-suitable revegetation/restoration works at adjacent locations on Council land.

We believe this represents a real opportunity for Council to demonstrate its environmental credentials by acting in an environmentally responsible and proactive way to make a real, rather than token/contractually obligated effort at preserving/restoring habitat for an Endangered species found within Council's jurisdiction.

For clarity, we have noted the following points:

- We fail to understand the relevance of Council's comments that the requirements of Defence for the ongoing operation of the Mount Stuart Training Area apply to 70% of the area that will be disturbed for the Ross River Dam to Douglas Water Treatment Plant pipeline renewal project.
- Is the Council suggesting that the habitat clearing being undertaken is for purposes other than the pipeline renewal project? If so, does this mean that the full intent of the works has been misrepresented and/or not fully disclosed for the purposes of the EPBC Act referral? If not, surely the EPBC Act applies to all proponents equally?
- Restoration of only 30% of the disturbed habitat by Townsville City Council is inconsistent with key aspects of the joint Commonwealth/NSW/Qld National recovery plan for the Black-throated finch southern subspecies *Poephila cincta cincta*.
- The recovery plan identifies that possible threats to the Black-throated finch include clearing and fragmentation of habitat, and one of the main actions of the recovery plan is to "protect and enhance existing habitat". Disturbing existing habitat, then rehabilitating/restoring only 30% of the area disturbed neither protects nor enhances existing habitat.
- The NQ Dry Tropics' Black-throated finch conservation project rates the threat of habitat loss and fragmentation as High in terms of scope and severity, and Very High in irreversibility. Habitat loss and fragmentation is rated as Very High overall. Yet Townsville City Council is proposing to rehabilitate/restore only 30% of a known Black-throated finch habitat that will be disturbed in this project and make a "financial environmental offset" to compensate for the loss of habitat. In doing so, Council is contributing to a one of the Very High threats to the survival of an Endangered species.
- Committing to rehabilitating 30% of the disturbed area and making a financial environmental offset may well "tick a box" for Council as a bare minimum it is required to do in such a circumstance. However, it is far from best environmental practice, nor is it a morally/ethically appropriate or scientifically defensible position for Townsville City Council to take.
- As one of the last bastions of Black-throated finch habitat, Townsville and its environs is critical for this important keystone species, particularly in the context that (as articulated in the Black-throated finch Recovery Plan) "protecting the Black-throated finch will assist in the protection of other grassland birds that are threatened at the state or national level".

We look forward to your response so we can inform our members that Council will reconsider its position and act as a good corporate citizen by taking appropriate action to protect biodiversity, and in doing so, protect this vulnerable and Endangered species living, for now, on our doorstep.

Yours sincerely,



Crystal Falknau – Coordinator  
North Queensland Conservation Council

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