

## **Appendix 10. PPRWS – Response to Public Comments**

The PPRWS was advertised to invite Public comment between August 2 and 15 2018.

During that period 24 people and or organisations made comment. Sixteen provided very brief emails, two substantive emails and six others attached more expansive letters.

The organisations that commented were Tasmanian Environment Associations, The Tasmanian Wilderness Society, Tasmanian Wilderness Experiences and Environment Tasmania.

Most of the topics raised in individual responses were common to many; a few were unique to a respondent. Although each stated in their own words their particular concerns, the commonality has been summarised and grouped by the topic raised. The response to each topic addresses all particular points raised by all of the respondents

The only comment that has resulted in a change to the documentation relates to the assessment of Hobbs Lagoon which was raised by TEA (Andrew Ricketts). The change is on page 15 Section 2.4. The original statement read as “One existing water storage within the catchment is being investigated as a supplementary source for this scheme but it is not sufficient on its own to sustainably meet the two major customers annual water demand.” This statement now says “One existing water storage system able to be diverted into the Prosser catchment, known as Hobbs Lagoons, has been secured as an interim, supplementary water source for this Scheme. However it is not sufficient on its own to sustainably and reliably meet the scheme’s annual water demand.””

The issues raised in the 24 commentaries are listed below in Table 1.

Table 2 provides the response to each comment.

All comments are provided in Appendix 10 b.

Table 1: The topic and commentator, summary of commentaries and the number of comments on each topic from 24 respondents.

Topic/respondent	Summary of Commentary	Number of comments
<b>Alternatives</b>	Inadequate consideration of alternative water sources	5
<i>Gary Whisson</i>		
<i>Andrew Ricketts for TEA</i>		
<i>Peggy James</i>		
<i>Graham McLean TWExperiences</i>		
<i>Ben Waining</i>		
<b>Costing</b>	Inadequate reporting of costing	2
<i>Gary Whisson</i>		
<i>Andrew Ricketts for TEA</i>		
<b>Council as proponent</b>	Inappropriate role, governance and probity – noted.	1
<i>Andrew Ricketts for TEA</i>		
<b>Cultural heritage</b>	Unacceptable impact	1
<i>Vica Bayley TWS</i>		
<b>Cumulative Impacts</b>	Important consideration	2
<i>Bec Donaldson</i>		
<i>Andrew Ricketts for TEA</i>		
<b>Facilitated Impacts</b>	Impact of fish farming on giant kelp and seagrass as a result of provision of water.	1
<i>Amanda Thompson</i>		
JANIS reservation targets	DVG and DOV under reserved	2
<i>Gary Whisson</i>		
<b>Mitigation</b>	EPBC avoidance hierarchy not applied.	2
<i>Gary Whisson</i>		
<i>Andrew Ricketts for TEA</i>		
<b>MNES</b>	MNES other than swift parrot - General and specific species commentary on the unacceptability of the impact.	4
<i>Mark Johnston</i>		
<i>Andrew Ricketts for TEA</i>		
<i>Karen Rowell</i>		
<i>Gary Whisson</i>		
<b>Offsets</b>	Includes detailed objections to application of offsets in general and specifically in regard to swift parrot and DOV.	5
<i>Andrew Ricketts for TEA</i>		
<i>Bec Donaldson</i>		
<i>Vica Bayley TWS</i>		
<i>Gary Whisson</i>		
<i>Peggy James</i>		
<b>Social licence</b>	Commentary claims a lack of community support	6
<i>Anne Watson</i>		
<i>Josephine Murray</i>		
<i>Karen Rowell</i>		
<i>Kaylyn Sutherland</i>		
<i>Vica Bayley TWS</i>		
<i>Ben Waining</i>		

<b>Swift parrot</b>	Commentary emphasise the critically endangered conservation status and in general questions how the destruction of habitat can be justified. The commentaries generally reiterate the findings of the significant impact assessment provided in the documentation.	23
<i>Peggy James</i>		
<i>Andrew Ricketts for TEA</i>		
<i>Ben Waining</i>		
<i>Cathy Doe</i>		
<i>Graham McLean</i>		
<i>TWExperiences</i>		
<i>Jen and Rob Churchill</i>		
<i>Josephine Murray</i>		
<i>Karen Rowell</i>		
<i>Katherine Denny</i>		
<i>Maria Demange</i>		
<i>Mark Johnston</i>		
<i>Paul www</i>		
<i>Peggy James</i>		
<i>Rowiina Howard</i>		
<i>Vica Bayley TWS</i>		
<i>A Stark</i>		
<i>Philip Cocker Env Tasmania</i>		
<i>Kaylyn Sutherland</i>		
<i>Bec Donaldson</i>		
<i>Amanda Thompson</i>		
<i>Anne Watson</i>		
<i>Mike Buky</i>		
<i>Allegra Biggs</i>		
<b>Threatened vegetation/ecological communities</b>	Comments emphasise the conservation status Eucalyptus ovata forest and woodland and Poa grassland.	5
<i>Amanda Thompson</i>		
<i>Andrew Ricketts for TEA</i>		
<i>Jen and Rob Churchill</i>		
<i>Vica Bayley TWS</i>		
<b>Water management and use</b>	Commentary generally claims that the application of the water to a golf course and a fish farm does not justify the impacts.	9
<i>Steve Wilson</i>		
<i>Cathy Doe</i>		
<i>Mike Buky</i>		
<i>Josephine Murray</i>		
<i>Anne Watson</i>		
<i>Kaylyn Sutherland</i>		
<i>Vica Bayley TWS</i>		
<i>Mark Johnston</i>		
<i>Andrew Ricketts for TEA</i>		
<b>Wide ranging refutations (using various policy statements) including process, political &amp; discrepancies</b>	Broad commentary and opinions; pertinent issues address in relevant group response.	1
<i>Andrew Ricketts for TEA</i>		

Table 2. The commentary topic, commentator and response to the issue raised.

Summary of comments	Person	Response to comment
Alternatives	Gary Whisson	<p>Each respondent has indicated inadequate analysis of possible alternative options from which to source water.</p> <p>The following summarises the alternative site analysis:</p> <ol style="list-style-type: none"> <li>1. West and East of Triabunna – too dry and rainfall too intermittent for larger dams. No reliable bore water;</li> <li>2. The Prosser catchment was the most reliable and good quality water available to the target area; The DPIPWE Water Assessment Tool was used to locate water sources within the Prosser River catchment that could potentially satisfy the projects volume and reliability criteria. This tool indicated that there were only three potential sources (Sand River, Tea Tree Rivulet and Prosser River) where availability with sufficiently reliable yields may exist. (B. Shackcloth, Water Assessment Branch, DPIPWE, various communications, 2016 -18).</li> <li>3. The higher domestic use priority allocation to TasWater precludes the majority of dam sites on the mid to lower Prosser River itself.</li> <li>4. Dam sites well upstream of TasWater’s Upper Prosser Dam – too small, require multiple dams, some threatened species issues. Increasing transmission losses;</li> <li>5. The Tea Tree Rivulet met all the PPRWS project criteria with its proximity to Prosser and flood capture ability – no other dam site was identified with better characteristics.</li> </ol> <p>It was concluded that the Tea Tree Rivulet source was the most suitable for this project's objectives compared to the alternatives.</p> <p>To clarify a statement in the documentation on page 15 Section 2.4 a change has been made The original statement read “One existing water storage within the catchment is being investigated as a supplementary source for this scheme but it is not sufficient on its own to sustainably meet the two major customers annual water demand.” This statement now says “One existing water storage system able to be diverted into the Prosser catchment, known as Hobbs Lagoons, has been secured as an interim, supplementary water source for this Scheme. However it is not sufficient on its own to</p>
Alternatives	Andrew Ricketts for TEA	
Alternatives	Peggy James	
Alternatives	Graham McLean TWExperiences	
Alternatives	Ben Waining	

		sustainably meet the largest customer's annual water demand.”
Costing	Gary Whisson	<i>Costing not revealed and comment that council funds should not be used.</i>
Costing	Andrew Ricketts for TEA	A Federal Grant of \$2,337,500 has been awarded to cover much of the project’s budgeted capital cost. The Scheme water is to be sold on a cost recovery basis minimising risk to the GSBC and the rate payers
Cultural heritage	Vica Bayley TWS	<i>Unacceptable impact on cultural heritage values</i>  The documentation reports the results and impact on cultural heritage values. Two isolated artefacts (chert flakes between 45-65 mm long with evidence of use wear) occur within the inundation area. A permit to relocate or inundate will be applied for. The GSBC is complying with the DWPP and CEMP in this regard but lacks authority to make an inform judgement regarding the acceptability or otherwise of such an application.
Cumulative impacts	Bec Donaldson Andrew Ricketts for TEA	<i>Existing legislation and Referrals/assessment processes often do not adequately or effectively address the critical issue of cumulative impacts of many small (often non-referred) land modification actions on threatened species populations.</i>  It is acknowledged that cumulative impacts on the forage and breeding habitat have contributed to the conservation status of threatened species and are likely to continue to do so. It is difficult to identify the scale and rate of the accumulation of impacts and to predict what further impacts may occur to a particular species. However, the Tasmanian RFA baseline (1996) for the extent of relevant forest types is presented in the documentation. The rates of legal clearance known to have occurred since then (through the Forest Practices System) are also reported. The demand for further clearance for agriculture, including dam sites, is acknowledged but is unknown. The Tasmanian Permanent Forest Estate Policy 2017 limits broad scale forest conversion (> 40 ha for agriculture pa and 20 ha over 5 years for other purposes) but does not forbid it. The PFEP limits small scale clearance from accumulating over a 5 year period. This limit is not applied outside of the Forest Practices System. This policy and the EPBC assessment process weigh up the benefits and disbenefits of the cumulative loss of threatened species habitats before approving large scale clearance.
Facilitated impacts	Amanda Thompson	Concern for impacts on giant kelp and seagrass beds facilitated by supply of water to a fish farm. Giant kelp forest is a MNES listed as endangered. The single most threatening process is increasing sea temperature due to the southerly progression of the East Australian Current and the associated low nutrient waters. Kelp cannot grow in water exceeding 20 ° C.

		<p>Aquaculture is listed as another threat but no evidence is described in the EPBC Listing Advice.</p> <p>Fishing pressure that has reduced large predator species (rock lobster) of the sea urchin has resulted on over grazing of kelp by the invasive sea urchin <i>Centrostephanus rodgersii</i>. This invasion has been facilitated by warming waters allowing the poleward migration of this large urchin and reduced predation due to removal of rock lobster large enough to prey on it.</p>
JANIS poor reservation of DVG and DOV	Gary Whisson	<p>Eucalyptus viminalis grassy forest (DVG) is not an MNES and is not recognised as an important swift parrot forage resource although it is acknowledged that the swift parrot does utilise the trees for foraging. The swift parrot also uses many other species for foraging.</p> <p>DVG is an extensive forest type that is under reserved according to the JANIS criteria. There are about 250 000 ha mapped in Tasmania and 15 000 ha reserved. The ability to reserve more DVG is limited due to its occurrence largely on private land. A number of Commonwealth funded programs have attempted to improve the reservation of DVG on private land with considerable success.</p> <p>It is acknowledged that the official (DPIPWE) reporting of reservation data as a percentage of the area that is extant today is misleading. The percentage of current extent reserved is 12.2% and the percentage of the original extent (1750) is 6.5%. As a result the percentage of extant area reserved increases as land is converted. This is not a useful statistic.</p>
	Andrew Ricketts for TEA	
Mitigation	Gary Whisson	<p>The EPBC avoidance hierarchy lists avoidance, mitigation and offsets for residual impacts. This is acknowledged and is addressed in the assessment process. However, once a dam site has been selected it is not possible to avoid the direct impacts of inundation. Nevertheless, the construction phase includes mitigation against any further or unnecessary disturbance of MNES.</p> <p>The residual impacts are to be offset in accordance with the justification of the content, area, condition and risk of loss that is required to comply with the EPBC offset calculations.</p>
MNES	Gary Whisson	<p>GSBC acknowledges that the construction of the dam will result in the loss of habitats of MNES. Each MNES dealt with in the documentation was listed under the EPBC following consideration of the conservation status. The Listing Advice and Conservation Advice provided to the Minister indicate the reasons for listing and means of recovery and threat abatement.</p> <p>Where any Action is likely to cause a significant impact on any MNES the Action must be referred to the Commonwealth Minister to determine if the Action requires further assessment before being approved or not approved to proceed.</p> <p>The documentation provided through the referral process must provide sufficient information to</p>
	Andrew Ricketts for TEA	
	Karen Rowell Mark Johnston	

		<p>satisfy the Commonwealth Minister that the information is comprehensive and that there is confidence in its currency and accuracy.</p> <p>If the Action is approved to proceed it is likely to be required to fulfil any number of conditions or else be undertaken in the manner specified in the documentation that was assessed by the Minister.</p> <p>The provision of offsets is a standard condition that is required where a residual impact is anticipated. That is an impact that remains after efforts to avoid or mitigate are exhausted.</p> <p>In relation to the PPRWS, the GSBC have followed due process with regard to all MNES and the EPBC Act 1999.</p> <p>Specific treatments within the documentation, of each of the MNES captured in the Protected Matters Search Tool, include reviews of the quality and context of the habitat and the likely importance of the habitat and an estimate of the quantum of the impact.</p> <p>For a number of the MNES, including the spotted tailed quoll and the eastern barred bandicoot it was reported that the impact would not be significant. These data have been provided for scrutiny by DoE and in the public comment period and no inaccuracies or omissions have been reported.</p>
<p>Offsets</p>	<p>Andrew Ricketts for TEA</p> <p>Bec Donaldson</p> <p>Vica Bayley TWS</p> <p>Gary Whisson</p> <p>Peggy James</p>	<p><i>All of the respondents reject the notion that offsets are an acceptable mitigation strategy. They point out that offsets allow development to cause a net loss.</i></p> <p>It is acknowledged that the widely applied residual impact mitigation mechanism referred to as “offsets” results in the net loss of habitat.</p> <p>All governments that have jurisdiction in Tasmania and their agencies employ “offsets” as a means of compensating for the loss of habitat. The main area of compensation is in the form of enhancing the level of protection of the habitat elsewhere.</p> <p>Non government organisations also participate in the application of offsets; in this case the Tasmanian Land Conservancy was approached for suitable land. The Forest Practices Authority/DPIPWE may also direct monetary offsets to the TLC to secure conservation values.</p> <p>The adoption of offsets as a compensation measure has evolved over recent decades. The assessment of offsets now usually employ some form of analysis to identify the quality and quantity of habitat required to satisfactorily offset a loss. Satisfactory being an offset that meets the criteria of a relevant</p>

		<p>policy and or guidelines.</p> <p>With respect to this Action the relevant policy is the EPBC offsets Policy. The details of the policy can be found on the DOE website here <a href="http://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy">http://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy</a></p> <p>An offset strategy requires that each potentially suitable offset measure be assessed according to the “offsets assessment guide”. This is a “calculator” which requires a range of input data dealing with the existing and future quality and security of land proposed as an offset. The inputs can be viewed on the same link above.</p> <p>Once an offset is proposed in an offset strategy EPBC officers scrutinise the source and justification for the input data before the offset is deemed to comply with the policy.</p> <p>The documentation provided by GSBC has been deemed to comply with the EPBC offsets policy.</p> <p>A senate enquiry recommended that offsets and the attendant principals be written into the EPBC Act. It is acknowledged that a Senate Committee found the application of offsets wanting in some respects. Amongst other things the committee recommended that there is a need for greater guidance on when offsets are unacceptable. The committee recommended that offsets should be the last measure of a mitigation hierarchy. It also recommended that there should be a public register of offsets.</p>
Social licence	Anne Watson Josephine Murray Karen Rowell Kaylyn Sutherland Vica Bayley TWS Ben Waining	Not at issue not MNES. GSBC as representative body approved the development Application.
Swift parrot	Bec Donaldson Peggy James	<p><i>The comments suggest that the Action will interfere with the Recovery of the species. And that despite three Recovery Plans the decline of the swift parrot continues.</i></p> <p>The documentation provided for assessment refers to the Listing Advice, Conservation Advice and the Recovery Plan where relevant. It is acknowledged in the document that habitat clearance is a threat identified in the Recovery Plan.</p>
Swift parrot	Andrew Ricketts for TEA Ben Waining Cathy Doe	<i>Comments are broadly very similar in their claim that the loss of swift parrot habitat is unacceptable due to the critically endangered status and the continuing decline in its habitat.</i>



	<p>Graham McLean TWEperiences</p> <p>Jen and Rob Churchill</p> <p>Josephine Murray</p> <p>Karen Rowell</p> <p>Katherine Denny</p> <p>Maria Demange</p> <p>Mark Johnston</p> <p>Paul www</p> <p>Peggy James</p> <p>Rowiina Howard</p> <p>Vica Bayley TWS</p> <p>A Stark</p> <p>Philip Cocker Env Tasmania</p> <p>Kaylyn Sutherland</p> <p>Bec Donaldson</p> <p>Amanda Thompson</p> <p>Anne Watson Mike Buky</p>	<p>It is acknowledge that the swift parrot is a critically endangered bird. It is also acknowledged that people justifiably have concern for its plight.</p> <p>The swift parrot is listed as critically endangered on the EPBC, the Listing Advice indicates the reasons for listing. Because the swift parrot is listed under the EPBC Act 1999 it is a Matter of National Environmental Significance (MNES). Where any Action is likely to cause a significant impact on any MNES the Action must be referred to the Commonwealth Minister to determine if the Action requires further assessment before being approved or not approved to proceed.</p> <p>The documentation provided for the assessment processes must provide sufficient information to satisfy the Commonwealth Minister that the information is comprehensive and that there is a high degree of confidence in its accuracy and justification of the interpretation of the data.</p> <p>The process requires the Minister to consider the documentation provided as well as public comment and then to make a decision.</p> <p>If the Action is approved to proceed it is likely to be required to fulfil any number of conditions. The provision of offsets is a condition that is required where a residual impact is anticipated. That is an impact that remains after efforts to avoid or mitigate are exhausted.</p> <p>In relation to the PPRWS, the GSBC have followed due process with regard to the swift parrot and the EPBC Act 1999.</p>
<p>Threatened Vegetation/ecological communities</p>	<p>Amanda Thompson</p> <p>Andrew Ricketts for TEA</p> <p>Jen and Rob Churchill</p>	<p><i>Representors have made comment that the DOV is threatened community listed in Tasmania and nominated for listing on the EPBC and should be protected. Comments are generally made in the context of habitat of the swift parrot.</i></p> <p>DOV is a threatened community listed under the Nature Conservation Act 2002. It is not listed under the EPBC but has been nominated for listing in a dual nomination with Eucalyptus brookeriana forest as critically endangered.</p> <p>DOV was assessed against JANIS criteria in 1996 during the Tasmanian CRA attendant to the RFA. The RFA lists DOV as endangered with a reservation target of 100%. There are no regulations banning the conversion of DOV. However the Forest Practices System does limit the conversion. The Forest Practices Act exempts developments that have Dam Permits from the FPS. The DAM Assessment Process requires offsets for threatened communities. The offset strategy detailed in the documentation complies with the DAP requirements.</p>

<p>Threatened Vegetation/ecological communities</p>	<p>Andrew Ricketts for TEA Vica Bayley TWS</p>	<p><i>Representors indicate that offsets to mitigate the loss of lowland Poa are not likely to be successful and the precautionary principle should apply.</i></p> <p>Lowland poa grassland is threatened ecological community listed under the EPBC 1999.</p> <p>The documentation proposes the enhancement of an existing area of lowland poa grassland to offset the loss of 1.25 ha. Given that the existing area to be enhanced does not meet EPBC condition criteria, its enhancement will result in a net gain of poa.</p> <p>The successful enhancement of poa grassland is entirely possible. The site was selected because the probability of successful enhancement was judge to be relatively high. The enhancement will be supported by management prescriptions and monitoring.</p>
<p>Threatened Vegetation/ecological communities</p>	<p>Andrew Ricketts for TEA</p>	<p>General response to concern for the conservation of the swift parrot is as above.</p> <p><i>TEA Page 5. This is an unsatisfactory form of offset where the critically endangered Eucalyptus ovata forest is destroyed and instead of reserving other Eucalyptus ovata, the proposition of an alternate surrogate is to reserve Blue Gum Forest, because it is argued that this too is Swift Parrot habitat. This is a very simplistic view of the critical role, which E ovata plays in the survival of the Swift Parrot</i></p> <p>The offset candidates do include E. ovata forest. TEA is correct is indicating that E. ovata is a rare forest type. GSBC undertook searches for E. ovata forest but could not find enough owners of E. ovata to commit their land as offsets.</p> <p>The primary and most important forage resource for the swift parrot is E. globulus. The role of E. ovata is also important but is supportive as an early season source or less productive alternative in years when E. globulus is not productive.</p> <p>The continuing clearance and conversion rate of E. globulus forest was demonstrated in the documentation. Consequently DOE agreed that securing E. globulus forest for the swift parrot is an important contribution to the conservation of the swift parrot. Note that a considerable area of the E. globulus forest proposed to be used as an offset is currently being considered for clearance for agriculture.</p>
<p>Water management and use</p>	<p>Andrew Ricketts for TEA Steve Wilson Cathy Doe</p>	<p><i>These comments all make the point that at the cost of habitat loss the end use of the water cannot be justified. Variously they make the comments that the use of water on a golf course and a fish farm cannot be justified and so the impact is unacceptable, other demand for the water is not apparent and</i></p>

	<p>Mike Buky</p> <p>Josephine Murray</p> <p>Anne Watson</p> <p>Kaylyn Sutherland</p> <p>Vica Bayley TWS</p> <p>Mark Johnston</p>	<p><i>the impact on flows below the lower Prosser Dam have not been properly investigated.</i></p> <p>The documentation indicates on page 82 Section 8.2 and Quoted from Oct 2017 Funding Application by GSBC "Capturing and distributing this region's heavy yet irregular rainfalls will deliver water surety to unlock \$97 million of capital investment, includes over \$80 million of private investment, plus create between 85 to 100 direct jobs when completed across the three key sectors of tourism, aquaculture and agri-business. The PPRWS will also provide additional water capacity and contingency for the region's strategic potable water needs to service now increased growth expected in residential and commercial development in response to PPRWS coming online."</p> <p>The end use of the water is clearly indicated in the documentation. Like all capital intensive projects the development of the dam must be a commercially viable proposal and if not then show public benefit. Whether the end use be for potable water, hydroelectricity, flood mitigation, agriculture or aquaculture is relevant to the extent that the proposal meets the information requirements sufficient to be assessed under the EPBC Act 1999.</p> <p>Flows downstream of the proposed Twamley Dam are modelled/predicted in the Entura reports attached to the documentation as Appendix 6 – there will be more flow evenly spread over all seasons. The Entura hydrology studies in indicate that the high flow peaks into the Upper Prosser Dam will be reduced by the capture capacity of the proposed Twamley Dam. In the winter “take” period both the Upper &amp; Lower Prosser Dams are usually full and cresting so in a high rainfall event, when combined with the other unaltered catchment water sources, a marginal reduction in peak flow rate at the Prosser River mouth is likely.</p>
<p>Wide ranging refutations (using various policy statements) including process, political &amp; discrepancies</p>	<p>Andrew Ricketts for TEA</p>	<p>Specific listed vegetation -See Ovata above.</p> <p><i>Critically endangered Tasmanian forests ..... See TEA: Page 3. We have been reliably informed by Dr Phil Barker of North Barker Ecosystem Services that most of the E. Ovata forest is in excellent condition with a significant amount of old growth ovata trees in the forest proposed to be removed for inundation.</i></p> <p>This is a misquote, no oldgrowth E. ovata exists in the dam footprint.</p> <p><i>Specific listed species – See MNES above</i></p> <p><i>Discussion regarding use of water for private commercial use. - noted</i></p> <p><i>Discussion of catchment issues – noted.</i></p> <p><i>The proponent GSBC planning issues</i></p>

		<p><i>GSBC – Probity Issue</i> - noted</p> <p><i>Taswater Planning Process.</i> Comments regarding the planning process with regard to Taswater considerations. – noted</p> <p>GSBC governance and performance issues - noted</p> <p><i>Alternative Solutions Not Pursued by Proponent:</i> See above</p> <p><i>Referral information misleading</i> – Minor issues acknowledged to be correct – corrected.</p>
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