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14 October, 2009.

The Hon. Peter R.A. Garrett,
Minister for the Environment, Heritage and the Arts,
P.O. Box 6022, House of Representatives,
Parliament House,,
Canberra, ACT 2600.

Subject: Substantial flaw identified in the Co-ordinator General's Evaluation Report,
Traveston Crossing Dam Stage 1, October, 2009, (EPBC Reference No. 2006/315)

Dear Sir,

Further to my correspondence of the 14.9.08, I would like to draw your specific attention to a number of serious flaws in the Co-ordinator General's Evaluation Report, Traveston Crossing Dam Stage 1, October, 2009 (EPBC Reference 2006/315). These flaws relate to a number of issues which make much of the Evaluation Report questionable and reliance on any decision based upon its consideration should be drawn with caution.

To summarise, there are two points which make a significant proportion of the offset strategy as presented, impossible to implement with regard to Protected Riparian Habitat.

1, Inundation by a 100 year AEP inundation event for an extended period with the downstream flood mitigation strategies.

2, Impacts of backwater effects with a major flood event and the dam at or near FSL.

1. The most substantial flaw in the Evaluation Report relates to the establishment of substantial sections of protected riparian habitat between the Stage 1 FSL and the boundary of the Stage 2 Land Purchase Area, (FSL),. This is demonstrated in Schedule F of the report, "Habitat Areas", Drawing 101173 (see attached).

It is noted that Recommendation 6, page 240 (see attached), effectively states that there would be significant adverse impacts on many of the mitigation measures which the Co-ordinator General has imposed, making Stage 2 much more difficult. This has led to a recommendation that the Government "reflect" on the suitability of the potential Stage 2 project.

However, on page 54 of this same Evaluation Report, (highlighted portion attached), there is what appears to be a very close approximation to the FSL of Stage 2 (Table 4-11 of the EIS , attached, shows the peak reservoir at 78,5 m AHD for a 1 in 100 AEP inundation event). This is then further qualified by the Co-ordinator General "requiring" that the "inundation buffer be greater than the 1 in 100 AEP inundation event or 100 m from FSL.

This is of extreme concern to me, given the extent to which this, or even smaller flood events with the operation of the flood gates for flood mitigation purposes will have on these

protected riparian areas and all flora and fauna species present. Figure 4-29 of the EIS, Drawing No. 100571 (attached), highlights the extent of the Stage 2 FSL and land purchase area. It must be self evident, the extent of damage which the potential inundation will have on this protected riparian habitat. This is also the reason why, in recommendation 6, the Co-ordinator General recommends a "reflection" on the suitability of the Stage 2 project.

The bottom line is that, with the way the project is configured, environmental offsets (VMO's), cannot be secured and protected for the life of the project when there are obvious and foreseeable consequences of substantial damage and modification of habitat values by the placement of protected riparian habitat areas proposed by the Co-ordinator General and highlighted in Schedule F "Habitat Areas", Drawing No. 101173 (attached).

2. There is also another aspect which has been overlooked by the Proponent, QWI, and has not been identified by the Co-ordinator General, which would exclude the use of these areas (protected Riparian Areas), as part of an environmental offsets package for State (QGEOP) or under the provisions of matters protected by the EPBC Act. Page 60 of the Evaluation Report, (highlighted section attached), acknowledges that there will be a Transition Zone in the vicinity of the FSL along the Mary River and flooded tributaries where incoming flows will slow down as a result of backwater effects when the reservoir is at or above FSL.

Sediment deposition will occur in this zone, both within the channels and on the flood plains. Why is the connection between the establishment of "Protected Riparian Areas" in these locations and the destructive effect not identified by either the Proponent, QWI or, more disturbingly, the Co-ordinator General, in, effectively, 'requiring, through a number of conditions of this approval, that these "Protected Riparian Areas" be established there' ?

It is stated that the inundation zone will act as a sediment trap, retaining the coarse sediment entering the reservoir and a portion of the suspended sediment. Further, there is an acknowledgment that, over time, existing stream channels below or just above FSL may become blocked and a series of deltas can form. The impacts upon these protected riparian areas (which are legally secured for the life of the project), would be catastrophic.

A number of other serious potential (effects) for which no Mitigation strategy has been identified could also occur here, which are identified in the same paragraph on page 60 of the Evaluation Report. Specifically, "The increased deposition of sediment in this zone may lead to pool infilling, smothering of riffle habitat with finer sediment, a reduction in the extent of riffle habitat with finer sediment, a reduction in the extent of current riffle habitat, sand bar build up and channel construction and associated concomitant vegetation.

The consequences of these two issues, effectively, mean that the Co-ordinator General's Evaluation Report has failed to adequately address what is a major issue in both the State and Federal (EPBC Act) levels.

It must also be noted that there is not a single acknowledgment anywhere in the Co-ordinator General's Evaluation Report, TCD Stage 1 that I could find which actually acknowledges that it is actually people who are impacted directly by these habitat restoration initiatives. Not even sections 3.10 and 3.11 of this report, which deal with the social and economic impacts of this project. This is totally absurd, given that, without securing the necessary environmental offsets areas to address the residual impacts, after supposedly addressing all mitigation and avoidance measures have been implemented, there would

be no project..

This, similarly, occurs in Section 4.9, Social and Economic considerations, page 236 (attached), there is absolutely no acknowledgment of the requirement for any properties outside the project area not owned or controlled by QWI.

I find it particularly disturbing that the Co-ordinator General, in the Evaluation Report, makes absolutely no reference to the costing of these "Habitat Rehabilitation" measures.

Further, it should be disturbingly obvious that the cost of this project will now have all the costs incurred in bringing forward all the Stage 2 lands, (Figure 4-29 of the EIS). This is an issue which has been cautiously denied, that Stage 2 lands would be required before 2035 (if at all) in the Supplementary Report at page 8-15 (highlighted section attached).

I quote:

"The Queensland Government and QWI have consistently confirmed that landowners leasing back Stage 2 lands from QWI may remain in possession of these lands until at least 2035".

The reason appears to be and I quote:

"The cost of terminating Stage 2 land leases, to enable operation at Stage 2 FSL earlier than 2035 would be prohibitive as Stage 2 leases extend until 2035 and none of these Stage 2 leases allow QWI an early right of termination".

There is an obvious contradiction here which is totally unprofessional and will result in a number of impacts on all parties, which has not been identified and addressed by the Co-ordinator General's Evaluation Report.

In conclusion, given the serious flaws identified here - and they are no means isolated instances, it is vital that a public consultation period be seriously considered in relation to the project, as is allowed under the EPBC Act.

It is my strongest concern that a large number of flaws in this Evaluation Report have not been adequately addressed. The use of this document may, if not rigorously examined, lead to erroneous conclusions.

Your appraisal of the issues raised in this letter are sought at your earliest convenience. I look forward to your reply with interest and thank you for your time.

Yours sincerely,

David Bade.

