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3 April 2007

COMMITTEE SECRETARY  
SENATE RURAL AND REGIONAL AFFAIRS AND TRANSPORT  
COMMITTEE  
DEPARTMENT OF THE SENATE  
PO BOX 6100  
PARLIAMENT HOUSE  
CANBERRA ACT 2600  
AUSTRALIA

Dear Sir/Madam,

**Re: SUBMISSION – FEDERAL SENATE INQUIRY –  
PROPOSED TRAVESTON CROSSING DAM**

### **Background**

Noosa Council is a vital stakeholder in the numerous issues that emanate from the Queensland State Government's proposal to construct a dam at Traveston Crossing on the Mary River; not only from the viewpoint of water supply, but in relation to the quite extraordinary and life changing impacts this project will have on the residents and families of the region.

Council strongly contends that the rationale, study methodologies and governance processes underpinning this decision are either inadequate or flawed and inequitable and as such leaves Council with no alternative than to vehemently oppose the construction of the dam.

For a major infrastructure project, with the potential for such enormous impact across a diverse range of the community, normal good governance and decision-making processes would require at least a detailed analysis of need and demand, alternative supply models, pricing management issues, analysis of options from an economic, social and environmental perspective and certainly public consultation and debate on the relative merits of each. Council has seen no evidence to suggest this has occurred.

The Council contends that better water supply and economic, social and environmental outcomes could be available through the investment of the money in water efficiency, retrofitting water tanks and requiring future Greenfield subdivisions to have a no net impact on existing water supplies. Council's submission deals with the following key areas:

- Water Supply Demand and Yield
- Water Emergency Legislation
- The Mary Basin Water Resource Plan
- The Referral under the EPBC Act
- The Impact of Climate Change
- The University of Technology Sydney Study

### **Water Supply Demand and Yield**

With a designated completion date of 2012 and a time to fill of at least 2 years (ie. the proposed dam will not provide any water until 2014 at the earliest), the proposed dam on the Mary River will not redress the existing water supply dilemma impacted by the current drought. Further, Stage 1 of the proposed dam will only provide 70,000 megalitres of water per year, when the unconstrained demand for water in the year 2050 is 930,000 megalitres. The proposed dam will therefore provide less than 10% of the demand in the year 2050; it could hardly be viewed as being the saviour for future water supply security in South East Queensland.

Stage 2 of the proposed Traveston Crossing Dam at 110,000 megalitres per year is only a marginal improvement. The 150,000 megalitres the State Government refers to is only made possible by the raising of the existing Borumba Dam. In effect, the State Government's proposed Traveston Crossing Scheme is actually two dams; one at Traveston Crossing and the other at Borumba.

The apparent urgency surrounding the proposed dam at Traveston Crossing seems to act as justification for abrogating the need for recognised and appropriate good planning and decision-making practices for essential infrastructure. However, the proposed dam cannot provide any relief during the current drought, and has questionable long-term benefit in terms of meeting the demand for an exploding South East Queensland population. The apparent urgency of the issue is therefore a complete fabrication.

Prior to the announcement of the proposed dam, the SEQWater organisation (a body owned by the State Government and SEQ local government) had already devised a program of infrastructure developments and improved productivity and efficiency that would obviate the need for a large dam. Their June 2006 report refers to 13 short term projects involving a mix of recycling, desalination, restrictions and minor infrastructure that will see Brisbane through the current drought and beyond. A copy of that plan is attached.

### **Water Emergency Legislation**

There can be no justification for the inclusion of the proposed dam in the State Government's Water Emergency Legislation (Water Amendment Regulation Number 6), which states: "The current drought in South East Queensland is the worst on record. To respond to the drought, powers under the Water Act 2000 are being used to secure the essential water supply needs of the region". It seems that the primary aim of the inclusion of the proposed dam in the Emergency Legislation is to shortcut normal regulatory and environmental processes.

It is of particular concern to Council that the Queensland State Government, in November 2006, legislated specific powers that will effectively make it easier for the State Government (through the Coordinator General, Queensland's most senior public servant) to progress the proposed dam without normal checks and balances.

Under this legislation, decisions by the Coordinator General will not be subject to any review process. The President of the Queensland Local Government Association (also President of the Australian Local Government Association) has publicly stated: "*The amendments are totally over the top. They will give enormous and unprecedented powers to a senior public servant without any of the normal checks and balances the Westminster parliamentary systems provide.*" Further, lawyers acting on behalf of the Queensland Local Government Association have advised that the powers proposed are unprecedented in Australia and that no other state jurisdiction goes so far.

### **Mary Water Resource Plan**

Council is particularly concerned with the process involved in the adoption of the Mary Basin Water Resource Plan. A draft Mary Basin Water Resource Plan (WRP) was released for public comment in November 2005. The final Mary Basin Water Resource Plan was legislated in September 2006. There were significant changes made between the draft and final versions of the plan. Notably, the inclusion of words "to minimise the extent" in lieu of "must be adhered to" will have a profound effect on the Mary River and the Great Sandy Strait. This is akin to simply indicating what should happen, but "if we can't do it, we don't have to".

The Government's own dam operator, "Sunwater", in January 2006, seriously questioned the ability to achieve Environmental Flow Objectives (EFO's) contained in the draft WRP and questioned the impact of the "strategic reserve" (which we now know to be the dam) as further undermining EFO's in the draft WRP. A copy of that correspondence is attached. The final WRP was even more restrictive.

By analysing historical river flows the extent of 'change from natural' can be determined. It is then a question of how much change from natural condition is allowable before ecosystems cease to function properly. In particular how much freshwater flow does the estuary need for fish spawning? The attached table shows the dramatic effect Final WRP & the Traveston Dam will have on river flows. It is evident that the government can severely curtail flows of the Mary River below the Traveston Dam in the years ahead.

The draft WRP completed its public notification stage in February 2006. The intention of the dam was not part of the publicly notified Water Resource Plan. As the dam represents a major departure from the policy intent of the draft Plan, the final Plan is open to the criticism that it unfairly represented the government's ultimate intentions. Generally denial of the opportunity for the community to comment on the proposed dam as a part of the draft Water Resource Plan is a denial of the rights intended by the legislation to accrue to the community and the final Plan ought to be seen as substantially flawed in its process.

The Community Reference Panel, appointed by the State Government to provide input into the Water Resource Plan has publicly advised that it had been profoundly deceived by the State Government in relation to the proposed dam at Traveston Crossing. The plan for Water Infrastructure on the Mary River as late as March 2006 is detailed in the attached State Government Fact Sheet W93. A conference in Noosa on 24 April regarding water resource planning in the Mary Basin failed to highlight the proposal for a major dam on the Mary River. Any reasonable person would consider this type of conduct to be highly deceptive and grossly misleading.

Given the significant and unacceptable changes between the draft and final Water Resource Plans, Noosa Council has formally requested that the State Government undertake further consultation on the plan. The State Government has declined. Council subsequently requested a Statement of Reasons under the Judicial Review Act regarding the changes and has been provided with a less than satisfactory response. Council has requested a proper response prior to considering its options.

### **The EPBC Act**

Council has significant concerns regarding the referral process under the Federal Environment Protection and Biodiversity Conservation Act. Amendments to the EPBC Act in 2003 were specifically designed to avoid the situation where proponents referred projects for assessment in stages, however this is exactly what has occurred in this instance. At this time, Queensland Water Infrastructure is only required to assess Stage 1 of the proposed Traveston Crossing Dam. However, the proponent is intending to construct the dam to full height as part of Stage 1 and acquire all the properties for Stages 1 and 2 now, ahead of obtaining the necessary approvals.

The Queensland Water Infrastructure Referral Notice under the EPBC Act states: "*At this stage it is not considered prudent to seek full approval for Stage 2 as the current planning horizon does not envisage construction for another 28 years. With rapid changes in technology, population projections, climate change and assessment requirements, a different course of action may be considered more appropriate at the time.*"

However, recent public statements by the Premier are in direct conflict with the QWI Referral Notice. In February 2007, the Premier of Queensland publicly apologised for wrongly saying during the election Campaign that Stage 2 of Traveston Dam would not be needed if recycled water was given the go ahead. The Premier has stated, "*We have to build the dam as it is (ie. Stage 2). I said what I said, but the reality is that the drought is worse and I'm sorry but what I said then was wrong.*"

In accordance with Section 78 of the Act, any new information that comes to light about a staged development following a decision provides grounds for reconsideration of the original controlled action decision. Further, if QWI are found to have provided false or misleading information about a staged development in a referred action, they may be subject to the offence provisions contained in Section 489 of the Act.

### **The Impact of Climate Change**

In a time of decreasing and highly variable rainfall patterns, Council questions the efficacy of building large dams. The Wentworth Group, the most authoritative group of scientists on water resources in Australia noted in its November 2006 statement on Climate Change that "integrated solutions, purposefully designed for each city must become the norm. Every city is different and it will require innovation, creativity and discipline through economic and environmental analyses is to find the most effective and efficient solutions. Desalination, potable reuse, stormwater capture and recycling, all need to be recognised as viable economic options to be costed properly. Often they are better options than building more dams and damaging more coastal rivers".

### **The University of Technology Sydney Study**

Noosa Council, as a member of the Mary River Council of Mayors, contributed to a very detailed study of the water supply demand balance in SEQ. The study, undertaken by the University of Technology Sydney in conjunction with engineering firm Cardno, concludes that the current range of demand and supply options which the Queensland Government has in place as part of the drought response (not including the proposed dam on the Mary River) will provide water for SEQ through until 2030. The report recommends a range of additional demand management options including improved efficiency of water use and increasing recycling and rainwater capture in new developments, which will provide water through until 2050.

In the event of a deep and prolonged drought worse than the current drought, the report recommends 'readiness' options which are not rainfall dependent as offering a much lower risk and lower unit cost alternative to the Traveston Crossing Scheme. Suitable 'readiness' candidates are indirect potable reuse and a scaleable desalination capacity at Bribie Island. Readiness options are planned and designed in detail, but are not actually implemented until they are needed. At present, water recycling is only planned as part of the western corridor recycling pipeline, but there are many other smaller schemes available throughout SEQ. The strategy proposed in the report will reduce greenhouse gas emissions relative to the Traveston Crossing Scheme by more than 1,000,000 tonnes per year (equivalent to removing 15% of the vehicles in Queensland from the road network).

The report finds that the increase in supply from the proposed dam at Traveston Crossing on the Mary River will not assist in the short-term, during the current drought, and is not needed for meeting supply in the longer term. It assesses the proposed dam as a high total cost, high unit cost, high environmental and social impact option and concludes that the scheme should not be considered for implementation.

In compiling this report, Noosa Council, on behalf of the Mary Council of Mayors, requested a range of documents to assist with the study (a copy of this request attached). We are aware of many similar requests from members of the community and Cooloola Shire Council. Regrettably, nothing was provided.

### **Conclusion**

Council remains strongly opposed to the proposed dam at Traveston Crossing on the Mary River. The proposal does not stack up to any degree of scrutiny and has been shrouded in a web of misinformation, secrecy and deception since day one. Council would welcome the opportunity to appear before the inquiry to address any of the matters outlined in this submission.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Bruce Davidson', written over a large, stylized circular scribble.

Bruce Davidson  
CHIEF EXECUTIVE OFFICER

**Attachments:**

1. SEQ Regional Drought Strategy – Contingency Supply Plan
2. SunWater letter regarding Environmental Flows dated 25 January 2006
3. Impact of the Water Resource Plan on Flows in the Mary River
4. Fact Sheet W93 re: Water Infrastructure Development in the Mary Basin
5. Request for access to Government documentation