



15 February 2019

The General Manager
Central Highlands Council
19 Alexander Street, Bothwell 7030

**Representation on DA 2018/50
Visitor Accommodation: Halls Island, Lake Malbena**

Establishing that this proposed development is “in accordance” with the Tasmanian Wilderness World Heritage Area Management Plan 2016 (TWWHAMP) is central to its assessment against the requirements of the Central Highlands Planning Scheme (section 29.3.1).

The Reserve Activity Assessment (RAA) is the process which “assists PWS [Tasmanian Parks and Wildlife Service] to assess and document ... the activity’s compliance with the relevant ... plan” (Reserve Activity Assessment – system overview for external proponents, PWS November 2014). In this case the relevant plan is the TWWHAMP. i.e. the RAA is the document which should clearly demonstrate the proposals’ compliance with the TWWHAMP. However, the RAA cannot possibly have assessed compliance with the TWWHAMP because it is clearly deficient in at least two important respects¹. PWS has signalled its intention to revise the RAA following completion of council’s DA process².

According to the planning assessment prepared for Central Highlands Council (All Urban Planning, 5 January 2019) “PWS advise that the proposed development is allowable under the management plan”. Note that this does not amount to a statement the proposal is “in accordance” with the management plan³ and Central Highlands Council cannot rely on the information contained in the yet-to-be-finalised RAA to determine the key question of “accordance” with the TWWHAMP.

The question of “accordance” with the management plan has not been determined and cannot possibly be determined without the provision of further information⁴. This DA should be rejected or placed “on hold” until the requisite information has been provided, and PWS has properly assessed compliance with the TWWHAMP and provided a finalised RAA to inform the assessment of the DA.

For the above reasons I question whether this assessment complies with the law. It most certainly does not meet community expectations for procedural fairness.

Yours sincerely,

Nicholas Sawyer
President, TNPA

1. Deficiencies of the RAA

The current RAA is lacking in two main areas: assessment of wilderness impacts and failure to confirm the feasibility and implications of the proponent's commitment to the total removal of greywater from Halls Island. Each trip will generate a minimum of 460 kg of greywater which has implications both the risk of pollution and the helicopter operations required to remove it – see below.

1.1 Assessment of wilderness impacts

The TWWHAMP (page 177) requires that “impacts on wilderness values are considered in any assessment of activities in the TWWHA”. Wilderness value is defined on the same page. The assessment of wilderness impacts on page 25 of the RAA has missed the point that the provision of a new access point (the helipad) has major impacts on the wilderness value of the area. This is clearly demonstrated by wilderness mapping commissioned by The Wilderness Society (TWS) using the same criteria as the wilderness value map on page 176 of the TWWHAMP. The PWS General Manager, Jason Jacobi, stated (in the course of a meeting on 23 January 2019) that PWS had intended to undertake such mapping but TWS “got in first”. This implies that PWS intends to include a more considered assessment of wilderness impacts in a revised RAA which amounts to an admission of the deficiency in the current RAA. i.e., the TWWHAMP requirement to consider impacts on wilderness values has not been met by the current RAA.

1.2 Commitment to the total removal of greywater

Clearly this is crucial to the impact on World Heritage values – the proposal is located on a small island in a lake within the TWWHA. Water quality is extremely high and no impact can be tolerated. PWS General Manager Jason Jacobi has confirmed (in the course of a meeting on 23 January 2019) that no proposal for disposal of greywater on the island would be considered.

To be credible the proponent's commitment to the total removal of greywater needs to be supported by information to demonstrate that this is practical and achievable. This could then be verified by the authority (or authorities) responsible for the assessment and permit conditions would require compliance.

The RAA has been signed off as “complete from PWS perspective” without any attempt at verifying that the commitment to the total removal of greywater is achievable. The Central Highlands Council (CHC) appears to have requested some relevant information from the proponent on 20 December 2019 (sic) but the information provided includes detail only of the sewage tank (the size of which appears potentially adequate) and the diagrams of the accommodation pods suggest that the greywater tanks are extremely small (e.g. page 8 of pdf #3). i.e., it appears that the proponent has failed to appreciate the substantial volume of greywater that will be generated by the provision of showers and neither PWS nor CHC have requested this information.

A simple calculation (see Appendix 1) shows that a minimum of 460 litres of greywater (potentially substantially more) will need to be removed following each 4 day – 3 night trip to the island. i.e., a load weighing 500kg minimum (including the weight of the tanks themselves) will need to be removed for each trip.

There are several consequences of this:

- There is a significant risk of pollution from spillage of greywater;
- The design of the accommodation pods is likely to require modification to deal with the anticipated volume of greywater so they may be significantly different to the ones for which approval has been requested in the DA; and
- Most helicopter flights which are not carrying guests will be carrying a sling load of greywater tanks (full tanks being removed or empty tanks being returned to the island). These will substantially reduce the speed of the helicopters and probably require them to fly lower, potentially leading to a greater noise impact over a longer duration. The need to load/unload the tanks is likely to prolong the time the helicopters spend in the vicinity of Lake Malbena on most trips, with corresponding increases in the disturbance to other users of the area. Both of these factors will invalidate the estimates of noise impact provided by the proponent.

2. Revision of RAA

The RAA has been signed off at Step 7 as “At this point the assessment from a PWS perspective is complete and PWS is signalling it plans to approve the Activity Plan ... subject to any further conditions that are imposed by external assessment” but Minister Hodgman has stated in a letter to TNPA dated 19 November 2018 that the PWS “is yet to finalise the Reserve Activity Assessment and will consider what, if any additional measures may be applied”.

The PWS General Manager, Jason Jacobi, noted in a personal communication¹ that the RAA may be amended in light of comments received via the both the EPBC assessment and the Central Highlands Council DA assessment.

The RAA is signed off at several stages of the process (which has the potential to cause confusion with the meaning of terms such as “signed off” and “finalised”) but clear intent of the final stage of the RAA is to include additional conditions required by EPBC assessment or by council, not to allow PWS to revisit its own conclusions which have already informed both the EBPC and council decisions.

3. Accordance with the Tasmanian Wilderness World Heritage Area Management Plan 2016

The statement in the planning assessment prepared for Central Highlands Council (All Urban Planning, 5 January 2019) “PWS advise that the proposed development is allowable under the management plan” appears to be based on the letter from PWS to Council dated 16 November 2018 on pages 1&2 of pdf #8. This states (dot points on page 1) that the proposal is allowable in that it meets the definition of a standing camp². The paragraph below the dot points refers to the RAA as evidence of conditional approval from PWS. This reinforces the role of the RAA as the key PWS assessment and again refers to “final review”, implying an expectation of further changes to the RAA itself (refer to 2 above).

¹ to myself, and I am advised that he made a similar statement to Vica Bayley of TWS

² I question how a proposal comprising cabins with ensuite toilet and shower can be classified as a standing camp but this is not the point at issue here.

4. Additional information required

Additional detail about this proposal is required before it will be possible for any authority (either PWS or Central Highlands Council) to make a full assessment of its impact on the environment and, hence, compliance with the TWWHAMP.

Information required:

- An estimate of the volume of greywater involved and all information relevant to its collection and removal:
 - The size and location of tanks for its capture;
 - The method of removing the greywater (i.e. are the tanks beneath the pods themselves to be flown out or do they drain into other tanks which are flown out?);
 - The facilities (if any) for moving the (potentially heavy) tanks to a point where they can be loaded into the helicopter sling; and
 - Procedures to minimise the possibility of spillage.
- The sewage (black water collection) tanks appear more adequately sized than the greywater tanks but the same concerns apply. The following information is required:
 - The volume of sewage must be estimated;
 - The size of the tanks must be specified;
 - The method of removing them from beneath the pods to a location where they can be sling loaded (including any additional equipment required) must be specified; and
 - Procedures to minimise the possibility of spillage.
- Detail of water supply including tank(s) and pump (see *Water Supply* below).
- Stormwater (see *Water Supply* below).
- Detail of energy supply. It would appear that gas is intended to be used for most purposes and solar electric for lighting. Heating the pods and hot water for the showers will require substantial quantities of gas. This quantity should be estimated so the size and number of gas bottles stored on site can be shown on the plans. If a generator is part of the proposal, its location and fuel supply should be clarified.
- Plans of the proposed development which include all of the above would assist all concerned to understand exactly what is proposed.

I consider it extraordinary that the assessment of this proposal has been allowed to progress this far without either PWS or Central Highlands Council requiring this basic information, most of which has significant implications for the impact of the development.

Appendix 1 – Estimate of water consumption

The proposal is to accommodate a total of six guests in three accommodation pods, each with a shower. The proposed duration of visit is 3 nights (RAA page 6).

An efficient shower head has a flow rate of 7 or 8 litres per minute. A very short shower is 3 minutes. Hence each shower will generate a minimum of 20 litres of grey water (probably substantially more). If each guest showers once daily, there will be 18 showers during a single visit. This will generate a minimum 360 litres of grey water. Showers do not appear to be provided for the two guides but they will require some water for basic hygiene, and food preparation for eight people for three nights will generate additional grey water (say, 100 litres). Hence the total grey water generated

per visit is likely to be a minimum of 360 plus 100: total 460 litres of grey water. i.e. a minimum of 460 kg of water (possibly substantially more) plus the weight of the tanks, to be removed for each visit. This is approaching the weight of the load on the flights transporting guests (6 guests plus 2 guides = 8 adults including their personal kit and group food supplies: $8 \times 90 = 720$ kg).

The proponent states that greywater will be removed by backloading *as required* (the RAA states 'with each trip'). It is apparent from the above considerations that most helicopter flights which are not carrying guests will be carrying a sling load of greywater tanks (full tanks being removed or empty tanks being returned to the island). i.e. most flights to the island will need to pick up or drop off a sling load of greywater tanks before/after depositing/collecting guests and guides.

Appendix 2 – Water supply

It appears that the water supply is intended to be rainwater but the underfloor tanks shown on page 8 of pdf #3 appear far too small to provide an adequate supply. The above estimation of water consumption suggests that rainwater alone is unlikely to be sufficient to supply multiple visits during a dry spell unless there is a storage tank of several thousand litres to permit rainwater harvesting all year round, or water is pumped from the lake (there does not appear to be any alternative water source on the island).

Potential consequences:

- A rainwater tank with capacity of several thousand litres is a significant increase in the footprint of the development and will make the classification of this development as a 'standing camp' even more dubious.
- Stormwater runoff once the storage is full – this must be specified to allow consideration of its impacts.
- The location and power source for any pump must be specified to allow consideration of its impacts.