tasmanian conservation trust inc

5 May 2025

Mr Scott Hennessy
The Secretary
Public Works Committee
Parliament of Tasmania
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**Submission to inquiry 'Tasman Highway: Duplication of Midway Point Causeway including McGees Bridge'**

Mr Hennessy,

Please find attached a copy of a submission made by the TCT to the Australian Government titled 'Duplication of Midway Point and Sorell Causeways, EPBC Number: 2024/10059' and I ask that it be accepted as a submission to the Public Works Committee of inquiry into this development.

I would very much appreciate an opportunity to present to the committee at the hearing proposed for 13 May 2025 from 2.00pm. Any time that day suits me.

I have read the relevant Parliament of Tasmania web page regarding the inquiry and note there are no specific terms of reference. However, I note the functions of the committee as set down in the Public Works Committee Act and I believe that my submission would be a valuable contribution to the work of the committee.

In summary, I would like to draw the Committee's attention to concerns regarding the impact of the proposed development on the Tasmanian live bearing sea star (Parvulastra vivipara), in particular the inadequate efforts made to avoid impacts and limitations of the proposed mitigation actions. A critical part of my submission (which relates to the impact on the sea star but should be considered more broadly) are the limitations of the attempts to identify alternatives to the proposed

development and the failure to provide any evidence to substantiate the need for the project.

Regarding the Committee's responsibilities, there are serious questions regarding whether the proposed causeway and bridge duplication are a good use of public funds, whether a need has been identified and whether the proposed works are the best solution.

Yours sincerely

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16 January 2025

**Comments on 'Duplication of Midway Point and Sorell Causeways'. EPBC Number: 2024/10059**

The Tasmanian Conservation Trust's comments on the above project are focused on the Tasmanian live bearing sea star (*Parvulastra vivipara*), in particular the impacts of the proposed development and the responses to those impacts.

Additional comments are made regarding:

- the limitations of the efforts to identify alternatives to the proposed development; and
- concerns that the Pittwater-Orielton Lagoon (PWOL) Ramsar site will be effectively reduced in size with part (approximately 10 hectares) being destroyed to make way for the duplicated cause ways and bridge.

**Tasmanian live bearing sea star (*Parvulastra vivipara*)**

While the proponent has made considerable investment into studies and assessments of *P. vivipara*, to determine potential impacts and guide management responses, and the responses are generally positive, key details are not provided which put into doubt the true value of committed actions.

In the referral document (00-2024-10059 Referral) at section 4.1.4.10 avoidance and mitigation measures are described for *P. vivipara*.

**Avoidance measures**

The avoidance measures are of primary importance to protect *P. vivipara* habitat and every effort needs to be made to make the commitments clear and explicit.

At 4.1.4.10 the following statement appears under the heading 'Avoidance measures':

> 'Avoid re-alignment of the causeway sides supporting the largest seastar populations, and avoid direct physical disturbance of these areas of habitat'

The proposed avoidance action is unclear in that it does not include a detailed description or map showing the area of 'causeway sides' (habitat) that will not be impacted by re-alignment and/or direct disturbance. It is unclear from this statement, but we understand it to refer to the northern side of the Midway Point causeway and the southern side of the Sorell Causeway west of a certain point defined by the location of a culvert.

The meaning of avoiding 're-alignment of the causeway sides' in terms of retention of habitat is unclear. The clarity is not helped by the proposed avoidance action being expressed as it was by the consultant, as a recommendation, rather than as a commitment. The avoidance measure should be stated in terms of 'the area of causeway sides (habitat) that will not be impacted by re-alignment'. A detailed diagram showing habitat before and after the new causeway construction would be beneficial to demonstrate the commitment and to assist with its delivery.

Whether there is a commitment is called into question by the statement at 1.2.1 that 'Removal of the existing causeways upon completion of the new causeways'. This statement could mean that 'the causeway sides supporting the largest seastar populations' are to be removed, thus contradicting the apparent commitment at 1.4 4.10. This ambiguity needs to be addressed.

At 4.1.4.10 the following statement appears under the heading 'Avoidance measures':

> 'Avoid construction of structures offshore from seastar habitat'

As with the comments above, this is expressed as a recommendation and not a commitment. It should be reworded to state that 'Construction of structures offshore from seastar habitat will be avoided'. It would also assist in demonstrating this commitment to include a map showing exclusion areas where construction of structures is being avoided.

At 4.1.4.10 the following statement appears under the heading 'Avoidance measures':

> 'Where needed, new seawalls will be constructed inshore of the habitat supporting the largest seastar populations, with a buffer zone and bund created to isolate construction works and associated potential impacts.'

As with comments above, this avoidance action is expressed in terms of where sea walls may and may not be constructed and not what sea star habitat is to be avoided, and this needs to be corrected. Again, a map showing the areas of habitat that will be avoided (protected) would assist in clarifying the avoidance action.

**Mitigation measures**

At 4.1.4.10 the following two statements appear under the heading 'Mitigation measures' (both actions are related and comments relate to both):

> 'On the Midway Point Causeway, works will be undertaken to extend (upshore) and future proof the primary area of habitat adjacent to the existing sandstone wall'
> 'Works will be undertaken to remove or stabilise unstable exposed soils and fragmented artificial structures adjacent to seastar habitat'

The Consultant's report 'Live-bearing Seastar Parvulastra vivipara Investigations: Summary Report Sorell Causeways Duplication Project South East Traffic Solution (SETS)' (Attachment L) details the impact and potential benefit of these actions. A minor concern is that, as with the above points, the commitment needs to be better expressed, so it is clear what it means.

A much more important concern is whether the proposed mitigation measure is feasible and beneficial and whether the consultant's expert advice has been contradicted. At pages 33-34 of the Attachment L, Ecomarine presents three options in response to the 'Assessment of significant residual impact', including for the Midway Point causeway:

> 'Option A: If proposed habitat extension and future proofing works on the Midway Point Causeway are deemed feasible and are not identified as a risk to the viability of existing habitat,…'
> 'Option B: Should the above habitat extension and future proofing works be deemed infeasible and not pursued, a small but significant impact would occur, …'
> Option C: If the above works were pursued but were identified as carrying a risk of failure and impacts on the viability of existing habitat, a significant impact may need to be assumed that would not be addressed by on-site mitigation measures.

This was the last report from the Ecomarine and it seems that additional work to determine feasibility and potential impact on the sea star habitat has not been done. The mitigation measures need to be amended to response to Ecomarine's concerns.

At 4.1.4.5, in response to Ecomarine's recommendations, it seems to be asserted that these actions are feasible - 'Avoidance of a significant residual impact as a result of the Project is considered feasible upon implementation of the full range of measures identified'. However, it seems from reading the Ecomarine report that this work has not been done.

At 4.1.4.10 the following statements appear under the heading 'Mitigation measures':

> Construction designs and methodologies will be determined in consultation with engineering and construction firms to identify anticipated levels of disturbance, and hence areas where seastars will require temporary or permanent translocation prior to initiation of works
>
> Any translocations and associated monitoring will be guided by an appropriately detailed translocation plan approved by NRE Tas.

The first commitment fails to state that if translocation is required that it will be done. The second commitment just refers to developing a plan. The mitigation statement needs to state that if translocation is required (presumably, as advised by expert consultants) that the proponent commits to delivering it and it will be delivered as advised in the translocation plan.

**Recommendation omitted**

The Ecomarine report (referred to as Appendix L) and titled 'Live-bearing Seastar Parvulastra vivipara Investigations: Summary Report, Sorell Causeways Duplication Project South East Traffic Solution (SETS)' includes the following recommendation at page 32:

> Consultation with land and waste managers in Pitt Water should be conducted to communicate the impacts of current anthropogenic inputs on P. vivipara habitat, and the urgent need to improve management practices.

This recommendation has been omitted from the avoidance and mitigation measures listed at 4.1.4.10 of the referral document and there is no apparent alternative which might address the issue of broader water quality changes. All other Ecomarine recommendations are accepted but not this one. This recommendation is presented by Ecomarine as a response to the apparent dire decline of *P. vivipara* in Pittwater Lagoon and the subsequent increase in risk status (the species was uplisted in 2023 to endangered under the Tasmanian Threatened Species Protection Act and has been nominated for uplisting to endangered on the EPBC Act).

The decline of *P. vivipara* in Pittwater is summarized in the Stantec report (Attachement D), 'Duplication of Midway Point and Sorell Causeways – Option 4B* (*Preferred option from the options report) Matters of National Environmental Significance Significant Impact Assessment', 19/08/2024, at page 52:

> It is important to note that the Combined data for causeways and natural shores indicate a population decline of 96% for the Tasmanian live-bearing seastar in Pitt Water between 2000 and 2023, reflecting environmental degradation and increasing anthropogenic inputs from a range of diffuse and point sources (Parsons, 2023).

While no explanation is provided for not adopting this recommendation, it is assumed it is because the Tasmanian Government does not see broader water quality issues as its responsibility or not a responsibility to be actioned as part of the causeway and bridge duplication project. The counter to this argument is that without addressing the apparent cataclysmic population decline the proponent is committing to a range of actions (at some considerable cost and risk to the species) that are probably doomed to failure.

Reinstating the Ecomarine action as a mitigation measure is strongly encouraged.

**Limitations of the attempt to identify alternatives**

At 4.3 of the referrals document the proponent deems the project to have no 'possible alternatives' and sites an options analysis 'Duplication of Midway Point and Sorell Causeways Project Options Analysis Report' (Attachment M) to support this finding.

The alternatives analysis does not provide sufficient evidence to support the conclusion that other options are not possible, merely that some options (it is not made clear why only these were chosen) were less preferable (which is based on criteria that could be challenged). The analysis omits key alternatives that relate to demand management (see below) and relies on road construction as the sole solution.

**The need for the project is not addressed**

The alternatives analysis is limited by the failure to provide any evidence to substantiate the need for the project. The nature of the problem is largely implied but is expressed as:

> 'Major improvements and/or the development of an alternative route are required to address the deteriorating seawalls and to accommodate future predicted traffic volumes due to growth in Sorell and the Southern Beaches' (Background, page 6).

The analysis assumes that the project goal is to:

- 'improving travel time reliability through a more efficient and safer road network' (Executive summary, page i)
- 'maintain the liveability of Sorell and the Southern Beaches by improving travel time reliability through a more efficient and safer road network' (introduction, page 3)

While the need to 'address the deteriorating seawalls' is accepted this does not require duplication and could be addressed entirely separately to the claimed travel time issue.

The alternatives analysis does not provide data to establish that travel times between Sorell, Midway Point and Southern Beaches and key destinations such as Hobart CBD are too long (based on any standard such as driving at or close to the legal speed limits).

Whether there are travel time issues, that are significant in the past, currently or projected to be in the future, remains questionable and the alternatives analysis provides no relevant evidence. Repeating a previous comment, the analysis is entirely qualitative and does not include data relevant to past, current and projected travel times.

Reference to data sources under 'Road infrastructure function constraints', page 13, Attachment M, relates only to the apparent use of 'online traffic data' and other information sources in the comparison of options (although the actual data is not provided or summarised) and is not used to substantiate the claimed travel time problem.

In response to option 1 it is claimed that:

> The Midway Point Causeway carries over 21,000 vehicles per day and the Sorell Causeway carries over 17,000 vehicles per day. During the morning and afternoon peak periods, with only a single lane in each direction, the existing causeway traffic lanes approach capacity causing queuing and delays. Option 1 would not provide any additional traffic capacity and queues and delays could be expected to increase over time to significantly increase travel times and reduce travel time reliability.

This generalized comment appears to be the only description in the alternative's analysis of the apparent travel time problem. There is no attempt to describe or quantify the severity and regularity of the claimed 'queuing and delays'. How often this happens, how many people it effects and for how long, are questions that are not answered.

As a peak hour commuter between the South Beaches and Hobart, Monday to Friday each working week, I can attest to the fact that some delays occur but it is a very rare instance and hardly noticeable in terms of any extension to overall travel times.

If hundreds of millions of dollars are to be expended and important natural values impacted then we ought to have some evidence presented that demonstrates there is a problem sufficiently severe and regular to justify the impacts and costs.

**Addressing demand**

If we accept that there is a problem requiring attention, why is the only response a roads response? The Tasmanian Government has not acknowledged the potential to address the demand for travel (through land use planning policies and influencing driver choices e.g. avoiding peak hours and use of alternative travel methods e.g. public transport). The government's approach seems to be entirely addressing supplyside issues i.e. roads. The alternatives analysis does not address any of the demand options.

The population of the Sorell municipality is growing but it is not growing as fast as is often claimed and it is important to distinguish between absolute and percentage change. The referral document reinforces the common misunderstanding regarding Sorell's population growth. At 1.2.1. it is stated that:

> With Sorell experiencing the fastest population growth in southern Tasmania—nearly triple the state average—the demand on road infrastructure is intensifying, causing congestion and delays, especially during peak hours. Additionally, Sorell's location at the junction of major tourist routes further strains the local network.

The Department of Treasury and Finance report 'Tasmanian and Local Government Area Population Projections – 2023 to 2053 Final Report and Results', page 14, includes the following statements regarding Sorell and Clarence municipalities:

> Clarence is projected to experience the largest increase in absolute numbers of persons, with a projected population increase of 12 218 persons over the period to 2053. This projection result is driven by the high level of internal in-migration.
> Sorell is projected to be the fastest-growing LGA in percentage terms from 2023 to 2053, with a projected average growth rate of 1.09 per cent per year under the medium series. The average growth projected in Sorell is driven by the assumption that its net migration inflow will continue to be strong.

Chart 9 in the Treasury and Finance report shows that Sorell is not projected to be the fastest growing municipality in southern Tasmania in absolute numbers but is projected have about half that of Clarence. It is, as stated above, predicted to be the fastest in percentage terms.

These figures are projections of future change but it is understood that recent change in south municipalities demonstrates a similar relative increase.

It seems that the alternatives analysis is an attempt at reverse engineering to support a predetermined outcome (a government policy of support for the duplication project). Indeed it is stated in the Executive summary, page i, that the Tasmanian and Australian governments have already committed $349.5 million for a range of projects including the causeway and bridge duplication project (the state government making a commitment to the duplication project at the 2018 state election). Given that the state government committed to the duplication project six years ago and funding was committed some years ago, why would any fair-minded reader believe that the alternatives analysis done in 2023 is anything other than an attempt to justify a predetermined outcome?

It is strongly recommended that the proponent be required to undertake another alternatives analysis to consider demand management options as well as the road developments and that it be predicated on a detailed quantitative analysis to determine the nature and severity of the claimed travel time problems. A key consideration of this revised work is to determine whether the current causeways and bridge can be rehabilitated and provide sufficient travel outcomes while the duplication is abandoned.

**Traffic problems may continue despite the duplication**
Assuming there is a problem with reduced travel times and that this may continue, the Tasmanian Government has not, to our knowledge, published any reports that demonstrate the projected impact of the duplication project on travel times. The alternative options report does not refer to any such report. Is it possible that the duplicated road system and faster travel times, if they eventuate, could spur even more rapid residential growth and that this combined with existing constraints of the road system quickly negate any improvement and lead to travel times being roughly the same?

**Benefits of not duplicating the causeways and bridge**
While the need to 'address the deteriorating seawalls' is accepted, this does not require duplication of the causeways and the bridge and could be addressed entirely separately to the claimed travel time issue. The benefits for the *P. vivipara* sea star can be delivered through the rehabilitation of the causeways while abandoning the duplication. Abandoning the duplication will also avoid the need to destroy smaller populations of the sea star and therefore deliver a superior outcome for this natural value.

There would be very significant financial savings from not proceeding with the duplication project.

**Concern that the PWOL Ramsar site will be effectively reduced in size**

The TCT is also greatly concerned that the Pittwater-Orielton Lagoon Ramsar site will be effectively reduced in size with part (approximately 10 hectares) being destroyed to make way for the expanded cause ways and new bridge. It is assumed that the Australian Government, as a contracting Party to the Ramsar Convention on Wetlands, will need to notify the International Ramsar Convention of a potential contravention of its obligations under the treaty to protect the PWOL Ramsar site and potentially that the boundaries of the PWOL site will need to be amended. It also appears that 'Australia's Ramsar CEPA National Action Plan' will contravened if the proposed project proceeds.

Yours sincerely,

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