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THE PARLIAMENTARY COMMITTEE ON PUBLIC WORKS MET IN COMMITTEE ROOM 2, PARLIAMENT HOUSE, HOBART ON MONDAY 27 OCTOBER 2014.

SOUTH ARM HIGHWAY EXTENSION/ROKEBY MAIN ROAD - UPGRADE FROM OCEANA DRIVE TO BUCKINGHAM DRIVE

Mr SHANE GREGORY, GENERAL MANAGER, TRANSPORT INFRASTRUCTURE SERVICES; AND **Mr ADRIAN PAINE**, MANAGER PLANNING AND DEVELOPMENT, TRANSPORT INFRASTRUCTURE SERVICES, DEPARTMENT OF STATE GROWTH, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR (Mr Brooks) - Welcome, gentlemen. We are here to consider the upgrade from Oceana Drive to Buckingham Drive on the South Arm Highway extension. I remind everyone this is a public hearing. There may be questions from the committee to get the information; it is subject to scrutiny for the expenditure of taxpayers' money. The public works hearing cannot amend the proposed plans from the Government. We only have the authority to recommend or not recommend this project proceed. If we were to not recommend this project proceed, the Government would consider whether they withdraw the project, table legislation for the expenditure of the amount, or resubmit amended plans, which is their prerogative.

Those appearing will be covered by parliamentary privilege because the committee hearing is a proceeding of Parliament. It is an important legal protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without the fear of being sued or questioned in any court or place out of Parliament. It applies to ensure Parliament receives the very best information when conducting its inquiries. It is important to be aware that this protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the confines of the parliamentary proceedings. This is a public hearing and members of the public and journalists may be present. This means your evidence may be reported.

Would you now like to make an opening statement? Previously it has been a general overview of the project, a brief history of it, where it's at and what it will deliver.

Mr GREGORY - Instead of talking about the project in general overview it would perhaps pay to take a broader view initially. We have some plans that we are tabling into evidence. The first plan is giving an overview of the broader development of the Clarendon Vale Road, Rokeby-Howrah Road, Droughty Point area. We table this to highlight the importance of this corridor. The corridor essentially starts at the Tasman Highway and heads all the way to South Arm.

The plan we have here shows the key development areas that are coming in the future. We have a large development along Pass Road; we have a lot of development coming out of Droughty Point, there are 1 500 lots there on the eastern side and there are another 700 lots on the western side; and there is development going on out through the Pass Road area. This corridor feeds into a very significant area of urban development. There are currently

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some restrictions on that development, certainly in the Droughty Point area because of limitations with the road.

Mrs RYLAH - Where is Droughty Point?

Mr GREGORY - Droughty Point is this area. The importance of this corridor has been recognised for quite some time, as far back as the 1960s. There is an area immediately on our project adjacent to the garden centre and to the west where back in 1962 widening strips were taken on properties and the owners were compensated for loss of future access to the highway. It has been evident for quite some time that this is a key corridor. It is an urban arterial and its function is to pick up traffic out of urban developments and commercial developments at key points, often urban collector roads, and carry that traffic through to the Tasman Highway. That is its key function.

It was recognised a long time ago. There have been progressive upgrades. In 1994 the importance of this particular section was recognised and there was a line of road proclaimed under the Roads and Jetties Act and that was annotated on various land titles at the time.

Subsequent to that there was the Clarence Plains Outline Development Plan, which happened in the early 2000s and that looked at this broader picture, and this is where this diagram comes from, to identify key development areas and what is happening and how to best deal with that. That Outline Development Plan identified that the best way to deal with this was to upgrade on the existing corridor. It did look at a range of options, including a bypass of Rokeby, but it determined that this was the appropriate way to proceed.

That is a bit of scene-setting in the context of what this road is about. It is an urban arterial. Its job is to collect traffic and move it as efficiently and safely as possible. Urban arterials are characterised by a minimal number of accesses and the most efficient movement of traffic. That is what they are there to do. Coming off the urban arterials you have urban collectors and then off those you have local roads, and the standards change as you go through. You would expect a lot more accesses on local roads as they are picking up from individual houses and you would expect fewer accesses than that on urban collectors, and by the time you get to urban arterials you would expect contemporary design standards to have a minimal number of accesses.

That plan, in our view, shows the importance of this corridor in carrying traffic through. It currently -

Mrs TAYLOR - Just for my own comparison, what are the other arterial roads you are talking about? Are we talking about the Brooker Highway?

Mr GREGORY - Yes, we are. They are major roads.

Mrs TAYLOR - You are talking about urban arterial roads.

Mr GREGORY - We are talking about the major roads. We are talking about the Tasman Highway, the Brooker Highway, the Southern Outlet down to Kingston, Kingston Bypass.

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Mrs TAYLOR - So is this the same sort of thing as the Tasman Highway?

Mr GREGORY - Yes, the same sort of thing. A slightly lower scale - obviously, the traffic volumes on the Tasman Highway are compounded. You can have 17 000 vehicles a day coming off this road, but also everything coming out of Sorell and by the time you get to the Tasman Bridge you are talking about 65 000 vehicles a day, so the scale is different, but it is a similar principle.

Mrs TAYLOR - The same principle?

Mr GREGORY - East Derwent Highway and those sorts of roads. This has touched on an important point there. This corridor carries 17 000 vehicles a day now, and that will increase as we get these urban areas developed. We know that there are several that are slated for development now. We have Glebe Hill, which is hitting its maximum development in terms of urban areas on the city side of Pass Road. There are approved subdivisions on the other side of Pass Road and we know that the Catholic Church, Malwood and Tranmere currently have subdivisions occurring between Buckingham Drive and Tollard Drive so there is significant development happening. There is a cap on development at the moment in Droughty Point and that has been placed by the Planning Commission on the basis that Tollard Drive currently does not connect and any traffic generating off there would end up feeding through residential streets and that is not good urban planning. The construction of Tollard Drive will open up that area as well for future development.

Mrs TAYLOR - But this does not include the construction of Tollard Drive?

Mr GREGORY - No. Tollard Drive was part of stage 1 and we are just starting that connection. It was always subject to funding being available and at the time we understood that the Clarence Council was going to make a contribution to Tollard Drive. That did not occur so Tollard Drive was put on hold on stage 1 but recognising its importance in connecting Droughty Point, and also taking pressure off Diosma Street and Burtonia Street, we found a way to fund that connection so we are getting that put in.

CHAIR - Does the committee have any questions? Where would you like to start?

Mrs TAYLOR - Are we going to the next stage of the overview?

Mr GREGORY - If we now talk about the concept of the project then that will open the position to questions. The plan we have currently tabled is the design but picking up those key urban development areas. On this plan, the areas in purple are the urban development areas immediately adjacent to the project and this plan shows stage 1 and stage 2. This is the complete project.

The work on this started in late 2009 or early 2010 and in the lead-up to that period the state had completed the stage from Shoreline Drive to Oceana Drive. The plan was always to continue on and continue this standard of development through. The completion of Shoreline Drive to Oceana Drive meant that essentially we had a high standard dual carriageway that had intersections at Mornington, then really no significant intersections until the Shoreline roundabout and then from the Shoreline roundabout, nothing significant until you get to Oceana Drive and Merindah Street. The intention of this design was to

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continue on in that manner so we would have a minimal number of intersections picking up at key points.

The design was developed through 2010. What we are proposing to build now as stage 2 is in line with the original design from 2010 and, prior to putting that together, we looked at the whole section from Oceana Drive around the back of the Rokeby industrial/commercial area right through to Oakdowns. That was just to confirm that everything would fit in the bigger picture and we weren't building ourselves into a corner. Having done that, we then stepped back and looked at the section from Oceana Drive through to Diosma Street and because of funding constraints we had to cut that into two sections. The first section, stage 1, is nearing completion and will be finished in the next couple of months. It currently transitions into the old road and then we have stage 2.

This design will deliver a minimal number of intersections from Shoreline then Oceana Drive then Pass Road and Tollard Drive. Ultimately we would go down and the next major intersection would be Droughty Point Road and we would look at tidying up some access arrangements through Diosma Street and Burtonia Street in the next phase. We see that as being probably a longer-term proposition at the moment, the major developments coming out of these areas off Pass Road and Tollard Drive. We don't see that we would need to go into that next section down to Droughty Point any time in the near future unless we get significant development further out. Based on the plans the key developments are going to be off Pass Road and Tollard Drive, and this project will cater for those. Are there any questions on that?

CHAIR - You have mentioned previously that this was the original plan and there were several amendments. Part of the representations to the committee is consultation and community engagement. Could you give some firmer time frames or date ranges around when this was first proposed, when amendments were then proposed, what consultation went through the community and where that led to?

Mr GREGORY - We have compiled a consultation report which we will table, and if you are happy with it I will refer to that as we go through.

The project kicked off in 2010 with the commitment from the then government as part of the election to fund the next section. We started working on what it looked like. We always had the intention to have a single section with no intersections between Oceana Drive and Pass Road. During that period we had a number of public consultation exercises.

CHAIR - To clarify, was that stage 1 and stage 2?

Mr GREGORY - We looked at both of them together and we have always shown them on plans as being together and all our public displays have indicated that this is the project but this is the bit we would be building. We had some articles in the *Eastern Shore Sun* and we did some letterboxing. We ran a couple of information sessions by invitation to come and discuss with various groups, and we had two open days on 4 May and 6 May 2011. They were at the Rokeby Hall and the Rokeby Community Centre and that during the scoping phase of the project. They were advertised and they were an open invitation; you did not need a specific invitation to come along. We invited people to come and give us feedback.

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On the scale of this consultative process, you can do everything from informing people to what you are doing through about five different steps, to actually having people involved in the decision-making. Typically, informing people is what you do towards the end of a process when you have sought submissions. The far end of the scale of involving people is something you might do, say, for Macquarie Point, where you are open to ideas about how you might proceed. Transport infrastructure projects generally sit in the middle in what we call the consultative phase. The process is: you go out and inform; you put on the table what you are thinking of doing; you ask people for their input, do they have issues, are there things you need to consider as a design team and you take those on board.

A clear distinction between that part of the process and the full-blown value management process is that the team takes that information away and balances it and makes decisions, taking into account all the facts, what is the appropriate way of doing things. That is the process we are in and we are asking people for their thoughts on how this would proceed, what were the issues we needed to factor in as a team in planning and designing the project.

Prior to that very public process, we had had some discussions with the owners of the property where the garden centre and what is now the bottle shop and the other businesses were sited. We started discussions with them a little bit earlier because they put a development application in to the Clarence City Council and they were proposing the bottle shop development and other developments at that stage. We met with the owners and advised them that we thought it was probably premature to proceed with that development on the basis that the access to their property would be changing. That was late 2009, early 2010. As part of their development application they had to submit a traffic impact assessment to us. We made some comments on some issues with the projected traffic and the impact it would have, and at that time we advised their representatives that we thought they should hold and rethink their proposal, particularly given there were some access restrictions and background issues related to the property.

CHAIR - That was the landowners?

Mr GREGORY - Yes. At the time, the landowners operated most of the facilities on the site with the exception of the nursery, but they were certainly operating the fruit and vegetable market at the time.

CHAIR - Was that in 2009?

Mr GREGORY - Early 2010, before we had a funding commitment to the project and before we had started the real scoping. It was really prompted by their submission to the Clarence City Council for a development application and we were advising them at the time to hold before they would proceed.

Mrs TAYLOR - Did you advise them of that in writing?

Mr GREGORY - Yes, to their traffic engineer. We also met on site and told them we thought they should hold off. We advised them at the time that anything they would need to do to manage the traffic getting into their property would be wasted. We felt it was probably about a million-dollar investment to manage the traffic problem, and that would be basically wasted when we proceeded with the project.

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Mrs RYLAH - Did they accept that?

Mr GREGORY - No, they were not particularly happy with that but the reality is they have purchased parcels of land that had annotations on the title that indicated to them they had restricted access. One of the properties, the large property that is a residential property with a house on it, was one of the properties that was compensated for loss of access in 1962. All this is noted on titles so the information was available to them. You would expect purchasing a property, if you undertook due diligence and had proper conveyancing, you would be aware of those issues. They are not difficult to find on a title.

That is the process we went through. We received a number of submissions. The project received strong support from the Clarence City Council and a number of developers who saw this as opening up development opportunities.

The key objections to the project came from the garden centre and the residents of Howrah Gardens. The issues were subtly different for the garden centre and the residents. The garden centre was concerned about impact on business and their investment. It was for that reason that at this time we would advise them to proceed carefully with their investment because this is going to change. The investment happened after all this was in the public domain.

CHAIR - It is important the committee understands the time frames we are discussing. That discussion was had when?

Mr GREGORY - It would have been around about February 2010. We have had ongoing discussions with the Lambrakis family who owned the property since that time. That culminated in September 2011 with what we understood was an agreement about an alternative compromise position. We might come back to that.

The issues as we understand them coming out of the Howrah Gardens residents are that it will take longer for them to get to their properties. They are concerned about response times for emergency services and the costs of taxis and petrol. A small number have indicated they are concerned about being connected to Rokeby and believe changed access arrangements will devalue their properties, that they will see a reduction in the value of their properties. We have looked at the property value issue. The access arrangements we currently have here for Howrah Gardens are mirrored by the access arrangements to Glebe Hill. We did a comparison of median property values and sale process. We also looked at the same sort of issue, the median sale prices, in the areas off Oceana Drive and Merindah Street. We discovered there is nothing to suggest those change access arrangements would affect property values. In fact, the median value in both those other areas is higher than it is in Howrah Gardens at the moment. So there are other factors that influence what people are prepared to pay for properties.

There is no argument that it will take longer to access Howrah Gardens for the residents coming in and out. We have estimated it is less than one minute. It is an inconvenience, yes. Taxi fares might be slightly more expensive, yes, and over a period of time there will be a cumulative increase in the use of petrol. But, this is a very broad issue in serving a very large community and we need to look at the best way to deal with that. Those are the issues, as we understand them, coming out of Howrah Gardens.

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The design we are planning to build, and have tabled here, is the design as it was put on public display in 2011. During the course of 2010 and the middle to latter part of 2011 we were asked by the then minister to look at alternative ways of providing access, particularly to the garden centre, and what other alternatives could be provided to provide that access. We looked at things such as seagull treatments, slip lanes, left in left out, and a number of those were rejected by the owners of the centre. They wanted full movement access at their current location. It could not be achieved at Buckingham Drive or at the entrance to the garden centre simply because that was too close to Tollard Drive-Pass Road to be efficient in terms of transport.

We did come up with an option that would put a set of traffic signals effectively at the city end or the western end of Buckingham Drive and a set of signals there coming out and that would also provide an access into Glebe Hill as well, into the commercial area that is going to be developed in Glebe Hill. Interestingly, the proponent at Glebe Hill said that he did not think it was necessary. Lynmore felt that they did not think it was necessary and did not think it was a key part of their development. If they were able to have access that was good, but it wasn't something that they were asking for. They actually suggested that they felt in the bigger picture it was not the right outcome, even though it did benefit them.

In September 2000, we understood we had an agreement with Mr Lambrakis that that is what we were going to do even though it was never our preferred option to go down that path as we felt it compromised transport efficiency. We notified Mr Lambrakis and we notified the residents of Howrah Gardens, and we notified the council and a couple of other adjoined developers. It was a concept that never went beyond that in terms of consultation. It never went to open days. It was never advertised. It was simply 'here is what we are thinking about doing'. As I say, as a department we did not favour it. We felt it was certainly a compromise and a compromise that we did not really want to make on this corridor, given the level of traffic it is going to take.

CHAIR - Was that the main reason that you did not favour it, or was there other aspects?

Mr GREGORY – Essentially, to put it in and to make it all work, we would have to take some property away from Lynmore. It basically wiped out what is currently the residential property owned by the Lambrakis family with a house on it to fit in the geometry. Effectively that whole lot disappears. So we did not think that was a necessary thing to do. In terms of cost it was much of a muchness between what we are now proposing and that concept, but the key issue was for gaining a small benefit to a smaller number of people we imposed a dis-benefit on 17 000 vehicles a day. That is what we didn't think was worth doing. We felt that was a compromise. Recognising that the plan as we have it now does have an impact on the residents of Howrah Gardens. In a transport plan you need to take into account the big picture and you need to look at the maximum benefit for the maximum number of people.

Mrs TAYLOR - What would the distance have been between those two sets of proposed traffic lights then?

Mr GREGORY – Essentially, it sits about halfway between Tollard Drive and Oceana Drive. I think it is about 600 metres.

Mrs TAYLOR - It would have been two sets of traffic lights within 600 metres?

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Mr GREGORY - Yes.

Mrs RYLAH - Is it correct that it would have been on a downhill slope too?

Mr GREGORY - It would have been, but that is not a significant issue. Downhill slopes are more an issue for roundabouts - you try to avoid that. But traffic signals are fine; you just extend your deceleration lines a bit because you have to allow for the braking effect. No, it was not a major consideration. Our view was it is an urban arterial and we need to make it as efficient as we possibly can and that will have the greater benefit in the long run. That was our view. The residents, the business owners and the adjacent developers, and the council were advised here it is and yes, we will do this.

We subsequently went back to touch base with the owners of the garden centre, the Lambrakis family. There had been a passing of the baton from the father to the sons and they withdrew support for the compromise concept that we had. On that basis we said if we do not have support for that - and they wanted to keep moving it down and tried a whole range of different things, and we spent quite a deal of money looking at alternatives - we got to the point where we said if they no longer support it let us go back to the original plan, which provides the greater transport efficiency. We advised the minister, Mr Hidding, to that effect that we felt that was the best approach. We then advised the owners of the commercial property and the owners of the residences and council by the same means that we did in 2011 when we had the compromise. We went back and said, 'We are actually not going to do this, we are now going to do this'.

We didn't do a full consultation on the change in September 2011 or the change back. We informed people that this is what we are doing. To be honest, if we went back and ran a display and a consultation and said, 'Here's what we are doing. What do you think?', we believe we would have got the same response as we got in early 2011 - the same issues would have come up.

In the context of consultation in that spectrum, we don't believe it is appropriate to give people the impression they can have whatever they want; we need to make decisions. Going back and running another set of consultations may merely raise the expectation that we might change our minds again.

Mrs TAYLOR – I am looking for where it said in the submission they were talking about a 2013 decision, not a 2011 decision. It says: 'From the time we received the first plan in 2013'. That was from Mr Wally Short.

Mr GREGORY - In the middle of 2013 we sent a letter to adjacent residents - Nicholls, who own the quarry; Nigel Innes, advising this is what it's going to look like. Then we sent letters to adjacent residents in Tennent Court, Vivienne Drive and Rokeby Main Road, Howrah, advising the survey investigations we needed to undertake. We kicked off construction stage 1 in late 2013 and then in December 2013 we sent a letter directly to adjacent property owners requesting a meeting in January to discuss the final detail design and how this would affect their property. These meetings were undertaken by our consultants, Pitt&Sherry.

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The change back to this concept occurred this year. We had this concept in September 2011 and we reached an agreement, as we understood, with Mr Lambrakis about a compromise position. Then we did various other things and in early 2013 we went back and said, 'We want to confirm this is what we're doing'. The sons were now running the business and they said, 'We're not interested in that,' and on that basis we brought the whole thing back into discussion. We went through it and in 2014 the minister, Mr Hidding, announced this is what we were doing, to go back to the original plan.

CHAIR - For clarification, in the department's opinion that compromised plan wasn't the best plan?

Mr GREGORY - No.

Ms OGILVIE - In relation to the compromised plan, specifically the annotations in the title, you are confident it properly showed the position and was searchable?

Mr GREGORY - Most definitely, 100 per cent.

Ms OGILVIE - When the support was withdrawn, was that done in writing? When you say the Lambrakis family changed its position with the transition to the next generation, is there something on the record around that?

Mr GREGORY - There are various pieces of correspondence where they have written and asked us to move the traffic signals and essentially we revisited the whole discussion we had through 2011. There is a whole series of correspondence back and forth.

Ms OGILVIE - I wonder if we are heading to some sort of dispute, whether your confidence levels are there on all of this.

Mr GREGORY - I am confident we are not heading to a dispute. Prior to and since the minister's announcement about stage 2 we have been in a lot of discussions with the Lambrakis family. They have put a proposal to us that we are considering at the moment and we will be providing advice to the minister on that.

Mr FARRELL - What options were discussed with the family other than access? Were there other options put to the family?

Mr GREEN - Starting with access, we talked about left-in and left-out option into the property. That was a compromise but one we felt would not have too large an impact on efficiency of the road. We talked about assisting them to relocate but they declined that offer. As part of our acquisition of the land for the connection at Buckingham Drive through to Tollard Drive, we talked about acquiring a portion of land to supplement some land we already have in that corner and do a land swap with them but they did not want to do that.

We have talked about a range of opportunities. The project doesn't trigger a compulsory acquisition, nor does it trigger any compensation under the Land Acquisition Act. The things we are talking to them about are assistance, essentially, and we are having discussions with one of the tenants. Mr Belbin is here today to give evidence, about how we can assist those businesses through. But there is no trigger for mandatory compensation under any act.

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We have talked about a range of different options and at those times they felt they weren't suitable. At the moment they are talking to us about how they might be able to move on and go into different facilities somewhere else.

CHAIR - We might go into design, safety features and recommendations, and issues around the requirement, traffic flows and also why it has been designed the way it has.

Mr GREEN - For the corridor in that zone of requiring duplication we would normally look at duplication in the range of 15 000 vehicles a day, and this is nearly 17 000. It is in those terms of capacity it needs to be looked at. There are also ongoing concerns around the access into the garden centre and also the Buckingham Drive access. They are not in particularly good locations and we had, tragically, a fatality of a customer coming out of the garden centre in the last few months. The alignment is quite poor as you come up past the church and head past the garden centre, you have a crest and it is difficult to see, so we needed to address those issues.

We are addressing the capacity issue and we are also addressing a growing safety issue, and the safety issue is compounded as you get more and more traffic and people find it more difficult to get out. As they are having to wait in side streets and commercial property accesses longer, people will start to do things that are risky and they will make poor judgements. When you don't have great sight distance, that is compounded and people will make a decision, thinking they are okay but they are not. There are not a lot of opportunities for gaps and when you are trying to look in two directions to get out of the commercial centre and you are dealing with very high numbers of cars, you will start to get problems. You have conflict points built in and people have to make those judgements. It is difficult to make those judgements in perfect conditions, but when you have less than perfect geometry, you have high traffic volumes and you have other things happening around you, that becomes very difficult.

This had to deliver a safety outcome as well as an efficiency outcome. That is reflected in the design. In terms of efficiency, we get two lanes in each direction. In terms of safety, we have controlled intersections at the key points, we have auxiliary lanes, where if you are turning you can get out of the flow of traffic. If you are turning right, you get out of the flow of traffic and if you are turning left, you get out of the flow of traffic. The two carriageways are separated by a median, there are wire rope safety barriers up the middle, there will be barriers on the edges and there will be barriers and fences to control pedestrian movements as well.

As part of the design, we are building in bus stops that allow the buses to fully get out of the traffic flow, whereas at the moment they cannot do that. We are going from what is a narrow road with poor geometry into one that is of a much higher standard, and we will get a consistent standard from here right through to Mornington. It varies slightly because they were built at different times, but essentially it is about separation and it is about controlling pedestrian movements and making sure there is adequate width for people and for vehicles to move.

Mrs TAYLOR - Are we talking about traffic yet?

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CHAIR - I think so. It goes into the design and the requirement. I will clarify, and I normally clarify it at the start but the committee consideration needs to look at the stated purpose thereof - does the design and does the spending of public funds meet the stated purpose; the necessity or advisability of carrying it out and where the work purports to be of a productive or revenue position character, which it is not with the amount of revenue it may reasonably be expected to produce but this will be guided by the act, whether it is necessary, and also whether it adds present and perspective public value for the work, so is it worthwhile for the taxpayers' money.

As previously even when I was on this committee when we considered stage 1, we are very keen to understand not only is it the best option and is it suitable but does it meet the current demand, does it meet the future demand that we perceive, and also does it take into account future demand or needs? Now is probably in the right area and then we will get to the costs.

Mrs TAYLOR - Does it meet the current demand of 17 000 vehicles a day? Will this meet current demand?

Mr GREGORY - Yes - 15 000 vehicles a day is the trigger point where you look at duplication so that is really the bottom end. We have a few roads around the place that are running at 10 000 vehicles a day - the Evandale Main Road; out to the airport - and that is quite comfortable. With 15 000 we would say that we would need to start looking at this and we need to do something to it. We are within the envelope of needing to do duplication but this road will take a lot more than 17 000 vehicles a day.

Mrs TAYLOR - What are you predicting future growth will be? Do you have any idea because all those purple areas and also Droughty Point perhaps and all the future development, how many people do you expect, say - what do you plan out for - 20 years?

Mr GREGORY - We look at 20 years and anything beyond 20 years is really a bit crystal-ball gazing.

Mrs TAYLOR - What is your prediction for the growth?

Mr GREGORY - We will have to get that number to you. We have done traffic modelling that looks at a range of options, but we will dig that out and we are happy to table that report.

Mr FARRELL - With the building in the immediate area where it looks like there will be subdivisions from Howrah Gardens right through to Rokeby - I don't how advanced the planning is - are they all quarter-acre block standard allotments, or are they larger lots of land that are going to go through that area?

Mr GREGORY - No, they will tend to be smaller lots. Developers now want to get as many blocks as they possibly can in so they don't tend to have the larger lots now so what you would see as the development at Glebe Hill and Howrah Gardens is what will be reflected through this area.

Mr FARRELL - For example, where the Roman Catholic Church allotment is and is it Mallwood?

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Mr GREGORY - Yes.

Mr FARRELL - Will they then access back through Howrah Gardens or back out through the road on to Rokeby when the division is done through?

Mr GREGORY - In the big picture - and we will start there because there are some complications with the development approvals - there will be connections coming off the Buckingham Drive extension. So essentially, most of this will go out this way which is why council put development conditions on these areas that they could not proceed past a certain number of lots until Tollard Drive was connected. So all the layout plans show that this is all feeding down this way. In the short term they can't build more than a certain number of lots until Tollard Drive is connected and some of those are happening which means initially they will feed out through Buckingham Drive. But, in the bigger picture, when they are developed and certainly when Tranmere put a couple of roads in and the Catholic Church has put its connector road in so, for example, there is a connector road that comes up through here and drags all this down out this way -

Mr FARRELL - Right, out towards Rokeby. On the other side of the road there is some commercial development going on. What is the size of scope of that development?

Mr GREGORY - We do not have all the detail. We know that a section of the land has been rezoned from residential to commercial. So we know in the corner of Pass Road and Rokeby Road there will be a supermarket going in there so that will be a Coles- or Woolworths-style development. We understand that that parcel of land may actually have in fact been sold off to another developer to put that in place, and then heading back from there heading back towards the Shoreline there will be commercial developments in there. We don't know what they are, obviously, but something that is complementary to things that you might do when you go the supermarket. So it could be bottle shops although they are likely to be in the supermarket, but it could be things like car service centres or a service station, all those sort of things being in there.

Mr FARRELL - But they will not access off the highway, they will access off the route through?

Mr GREGORY - The major access will be off Pass Road and there will be a new roundabout built by the developer halfway between this current roundabout access and Rokeby Road. We have always allowed a slip lane off. That has always been part of our process that we could accommodate that and did not compromise any other efficiency of the network.

Mrs TAYLOR - Because it is left only.

Mr GREGORY - It is just left off. Our position was always that we would permit a left off, but we would not permit anything coming back on. Obviously that changed when we were looking at the traffic signals, but ultimately we don't want to have those traffic signals there.

Mrs TAYLOR - The entire purple area was zoned residential development or not?

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Mr GREGORY - It is developable area. With the exception of this section here, which is commercial, the rest of it is zoned residential.

CHAIR - I have a couple of questions around the design and given the estimated growth within the purple sections and then Howrah Gardens and some of the concerns that have been raised have been regarding public transport and access. What is in place for public transport, such as buses, bus bays and pedestrian access, and bike access?

Mr GREGORY - We are building in bus bays on the exit side of the signals at Pass Road and Tollard Drive. If you are heading out you will go through the lights and the bus will pull off to the left. The reason we put them on the exit side is that buses can use the red light to their advantage to get away. If you put them before you will always be caught up in the traffic. If the bus bay is on the exit side there will always be a period where the lights go red and the traffic coming through stops and they can get out. They are on the exit side of both approaches. The reason we put them there is to get that advantage, but also when you look at where the development areas are going to be this is a key focal point of those development areas. It also provides the opportunity for connector buses to come in and various things that Metro want to do in the future.

CHAIR – Aren't there already two bus stops on what would be the southern side of the end? Are there going to be two, or is there only going to be one?

Mr GREGORY - There is an existing bus stop outside the garden centre and we are retaining that. That will be a higher standard bus stop than currently exists.

CHAIR - That will be kept there?

Mr GREGORY - We will be keeping that, yes. At the moment we have a situation where residents are coming out of Glebe Hill and walking across this commercial land, which is currently vacant, and then as we saw on the site -

CHAIR - We saw that and that is why I know there is a bus stop there.

Mr GREGORY - That is very problematic. To see it done in the middle of the day is one thing, but to see it done in peak hour traffic would be something quite interesting. We certainly do not want to promote that. We have looked at underpasses, overpasses and various things, but again we come back to where the key development areas are going to be and an underpass or an overpass is just not actually quite in the right place to connect people through. The commercial development will cut off the movement that we saw on site today, people crossing that vacant land. You will not be able to do that. People coming out of Glebe Hill will have to go to Pass Road to cross anyway and that is why we have centred the bus stops around there.

Mrs TAYLOR - It is a fair way to walk, isn't it, for those people if coming out of town your bus stop is on the exit side? If you lived back at Glebe Hill it is -

CHAIR - I suppose we are talking about the other side, the Glebe Hill side, that is all part of the private commercial property.

Mr GREGORY - Yes, that's right.

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CHAIR - There is nothing, certainly from this committee anyway, we cannot amend it, and the Government cannot force access through there because it is separately owned, is that correct?

Mr GREGORY - That is correct. We are aware that the developer is in preliminary discussions with Metro to look at whether they are interested in having bus drop-offs within that facility. If you go to other states that is quite common for shopping centres to have bus malls attached to them. We are aware that they are in some level of discussion there.

Mrs TAYLOR - So it could just come off the slip-off lane?

Mr GREGORY - Yes. Obviously, as these developments occur, Metro will be considering whether to have feeder buses or run buses down at Tollard Drive to pick up Droughty Point patrons as well.

In some discussions we have had with the University of Tasmania and their Sense-T team, we are aware of work that has been done in the ACT around changing how buses work, and to have express buses along key corridors and then feeder systems going out. So you get the benefit, once you get onto the key corridor, of getting to where you need to get to as quickly as possible, but having the feeder systems to get you as close to your house as possible. That is the compromise with bus systems. If you want to be picked up at the door, it compromises the operation.

Mrs TAYLOR - I have another public transport question. You are looking at a lot of traffic on this road, now and in the future. The buses are going to be part of the normal traffic flow, so what is the advantage of catching the bus, rather than taking your own car if the bus is going to take just as long because it is going to get caught in the traffic? We know that all these are going to feed onto the Mornington roundabout, where there is already concentration of traffic. I am all in favour of making traffic flow more smoothly, as you are planning to do here, but it seems to me that what you are actually doing is gathering more at the Mornington roundabout and Rosny Hill, potentially slowing down even more. What capacity is there for buses to be useful public transport?

Mr GREGORY - As we look forward, there are a range of things we can do in the future to make things work better. We can put transformers in buses so that they get priority at lights. We can build lanes for them to get past.

Mrs TAYLOR - Why wouldn't you be doing that now?

Mr GREGORY - At the moment there is an issue of investment in the right place and at the right time. We can always build an ultimate thing but it costs money, so you build what you need to build. Right at the moment, this is not going to be a significant issue but if we get to the point where we have very heavy congestion - and I should point out that we don't in Tasmania; our peak hour is about 15 minutes - there are a range of other things we can do to make things run more smoothly. In reality the constraint is not going to be here, it is going to be at Mornington and from Rosny Hill, across the bridge. That is really the constraint issue. We already have Adrian Paine looking at how we can move traffic better across the bridge and off the Tasman Highway. It is about how we run that. We have seen

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some benefit from the variable speed limit system, smoothing out travel speeds and regulating travel time reliability.

One of the key factors is people planning a trip - they need to know they can get to the airport in time to catch their plane. Generally speaking, people do not mind if that is an extra few minutes. What they mind is if that extra 10 minutes means they miss their plane.

Ms OGILVIE - The ability to plan.

Mr GREGORY - Yes, the ability to plan.

There are a lot of things that can be done in Tasmania to smooth out traffic without any great expense. When we had the bus strike, the buses all stopped, and a person went on radio asking people to plan their trip, think about what they were going to do because the traffic would be heavier. The feedback from everyone in the office was, 'Everyone must have stayed home today because traffic was very good'. We had the foresight to take traffic figures before and after and we found that there were many more cars on the road but people planned and stretched their time out.

We are not suggesting we should get rid of buses by any means, but there are things that can be done to smooth traffic flow out. This will take a lot more than 17 000 vehicles a day.

Mrs TAYLOR - So you are saying that you do not need to do anything to give buses priority on this road at this point?

Mr PAINE - It would be a wasted investment, our investment is much better focused at Mornington or at the bridge, so we have kicked off a project to look at the broader eastern shore transport problems, because there are a lot of hold-ups for traffic from Sorell that comes through those areas as well. That is where we would like to look.

Mrs TAYLOR - I am talking in terms of trying to encourage commuters to catch public transport, and that is why I ask the question, but if it doesn't relate here at the moment -

Mr GREGORY - The other point we need to make is that when you are looking at roads of this standard, the congestion problems occur at the points where you ask people to stop - at the intersections. Generally speaking, in the mid-block sections traffic flows very smoothly and you don't have an issue, you aren't held up. It all relates to squeeze points or hold points. As you are coming along the Tasman Highway and getting to the bridge, it is the bridge that causes the backup to Rosny. If you get past Rosny Hill, on most days, from Rosny back to the airport, it is very free flowing and is not a major issue. Similarly, the Holyman Avenue roundabout causes a problem, as do the Midway Point causeways. That is another reason you don't want too many intersections in because they are the points that slow the traffic down.

Sorry, we didn't get to your question around bikes.

CHAIR - One was the pedestrian access at the intersection. Historically, bike access has been a much-debated issue at these Public Works hearings.

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Mr GREGORY - On the previous project from Oceana Drive to Shoreline there is a dual-use path. There is an old path that then runs from Oceana Drive through to Buckingham Drive and we are replacing that with a new shared path on this stage. Stage 1 has a new path and so there will be a connection all the way through from Shoreline, where it ducks off the highway before that. There will be a new off-road, shared path all the way through to Grange Road.

Mrs TAYLOR - Two metres wide?

Mr GREGORY - Three metres wide. There is an existing path that nestles down the bottom of the batter right next to the property between the garden centre and Oceana Drive but the feedback we've had from council and the community is that no-one likes using it much because it is tucked away and they are a bit concerned about security. The new path will be at road level where it is well-lit. Fundamentally we're providing a path to try to get bikes off the road. In this sort of environment of high volumes and higher speed, having bikes and cars mixing is a recipe for disaster.

Mrs TAYLOR - Is there a barrier between the road and the bike path?

Mr GREGORY - Yes.

Ms OGILVIE - I travel on the Brooker Highway a lot and see people with a disability in wheelchairs and children and prams trying to get across at certain sections. They can't get over the overpass because it has stairs. Every time I see that, I think we have to be able to do better. I understand what you've said about the bike paths but there are other sets of users with wheels. Have you given any thoughts to those access points and, if there is to be an overpass, I am a bit confused about if there was going to be one on that side how that would work.

Mr GREGORY - We are not planning to put one in. We believe it is best dealt with at the lights. These lights will have pedestrian and cyclist push buttons and lights to let people through.

Ms OGILVIE - So that will be separate lanes?

Mr GREGORY - No, a three-metre-wide lane is quite wide. That is nearly a standard vehicle lane. You can have someone on a mobility device, a bike and walking and they will fit reasonably comfortably in that space. We are also making sure all the ramps are DVA compliant. We have all the tactile plates so that people who are vision-impaired can know when they are getting to the lights.

Mrs RYLAH - Is that what the yellow bits are?

Mr GREGORY - Yes, the bits that look like Lego blocks are for vision-impaired people and lines them up for crossing. Generally now all the push buttons on our pedestrian facilities are audio-tactile as well, so you get the 'beep-beep-beep'. If you put your hand on them, they vibrate as well. If you are hearing-impaired and vision-impaired, you can feel that. We have factored all those things in. The new path we are putting in is concrete.

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CHAIR - I ask Mr Gregory and Mr Paine to remove themselves from the table and we will require you to reappear once we have heard from the community members who wish to provide evidence to the committee.

THE WITNESSES WITHDREW.

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Mr WALLY SHORT; Mr GREG BELBIN AND Ms CAROLYN THOMPSON,
LEASEHOLD OWNERS, HOWRAH NURSERY, WERE CALLED, MADE THE
STATUTORY DECLARATON AND WERE EXAMINED.

CHAIR - Thank you for appearing and remind you that you are protected by parliamentary privilege from what you say during this committee hearing so you cannot be sued or prosecuted for anything you say. However, when you leave this table, if you repeat or refer to it out there you are not protected by that privilege. I offer that warning.

The committee does not have the power to amend the project. We can only recommend or not recommend. Based on that, we are bound by the three principles that I stated earlier, which are the purpose, does it fit the purposes required; is it necessary or advisable; and does it provide value for money to the taxpayer.

They are the parameters. Any project over \$5 million comes through this Public Works Committee. If it is not recommended, the government have to bring in their own legislation for the expenditure, a budget bill or they can make an amendment resubmit it to the working group to the committee. But this is the check that allows the community to have their say on this project.

We keep it fairly informal and more of a conversation, so do not be too worried. If you wanted to give us a brief overview of your submission that we have and also what the concerns are and this is on *Hansard*, so it will become a publicly available record, for you to be aware of. Again, you are covered, so you cannot be sued, but it will still be available for the public to consider.

Mr BELBIN - We are from the Howrah Nursery and we are the owners of the lease. We do not own the property. We have been there for 14 to 15 years, since 1999. When we first signed up our solicitor did his due diligence and checked all the things that he should have checked. We found there was a proposal for a new freeway to be going through there but there were no plans whatsoever.

CHAIR - He was around 14 to 15 years ago?

Mr BELBIN - 1999, about 14 to 15 years ago. We knew the road was going to go through there but there was nothing stating where it was going to go through or anything like that, where our entrance was going to be -

Ms THOMPSON - There were no plans as such and had there been plans that would have shown there was a new entrance, we would have scratched our heads and thought very hard about it, but there wasn't.

Mr BELBIN - We have worked pretty hard over the last 14 years and we have built up a business pretty much from nothing. We have spent well over \$500 000 there ourselves in the fact that we knew that we had until 2030 to get that money back.

CHAIR - You mentioned that in your submission.

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Mr BELBIN - Yes, that should be in there. We built our own shop, we have done lots of improvements, and we have done that pretty early on in the piece so we had the maximum amount of time to actually get our money back which any decent business owner would have done whereas now this has thrown a bit of a curve ball at it. I think being a destination place I am a little bit different to what the other guys next to me are. I am more people come to me for expert advice and things like that, so I am putting all my eggs in one basket and hoping that that is going to be enough to get us through. But I am extremely worried about the next two years while it is being built. I think that is going to be quite hard with us.

At the moment some afternoons there from, say, four o'clock or 4.30 onwards you can see the traffic is backed up back to the Shoreline roundabout. That is because of the lights. You have two lanes going into one lane and for a 17 000 car road it is pretty stupid if you ask me my opinion. I can say the traffic is at least a couple of kilometres down the road backed up, not every day but most days. So that worries me. When people see that, they stop coming in. They just get out of it as quickly as they can, or they will go an alternate route which is skirting us.

Mrs TAYLOR - So you think the road is necessary then?

Mr BELBIN - I was the second person out there to see that lady who, unfortunately, was deceased. I do not want to go out there and do that again. I am outside most of the day and I hear brakes screeching and things going all the time. I am just waiting for the bang to call 000 and run out there again. I don't want to do that. Something has to be done, absolutely; it has to be fixed.

But as a business owner, or as a leasehold owner, we have had pretty much zero consultation whatsoever. Other than things that we have done ourselves off our own bat with our own solicitor, which has cost us money, we have had no input into what was happening, or where the road was going to go, or anything like that, it has all happened with our landlord. Unfortunately, our landlord has done zero to us and has not kept us informed whatsoever.

Ms THOMPSON - We have asked.

Mr BELBIN - We have asked but there has just been nothing there. We were away on holiday and it would have been about six months ago or four months ago we contacted DIER, whatever they are called now, it changes every month, and we have had a couple of meetings with those guys just getting clarification on what was going on. To their credit, they have helped us as much as what they can. We have not asked for compensation. That is something that we certainly have not asked for but we have asked for a few things such as - did we put it in our submission?

Ms THOMPSON - In an advertising package, it is outlined.

CHAIR - There was reference to it. But what we would like to hear is, first, as I said we can't amend the project but we can certainly raise the concerns within the report within our recommendation for or against the project. Quite often, when we do recommend projects, we raise issues within that because we are wary about the consequences of not supporting specific projects. The Devonport Police Station was one that the Public Works Committee

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didn't support previously. The plans got amended and then went ahead. Very rarely has the project not been stopped.

What we would like to certainly hear is your concerns around the design. Something needs to be done. We probably all agree that we need to address what your concerns around the design are, what some solutions could be, but then also the impact and what could be done to help address that if this project were to proceed and it will be up to the committee to recommend it or not. But we would be very keen to make sure, first, you had your opportunity to say that and, two, to also make sure that that is within part of the evidence brief that we pass on to the Government.

Mr BELBIN - Our biggest concern is our entrance is, instead of being zero metres, it is now probably around 1 300 metres to get back into us. So it is 500 up and it is about 200 down and about another 500 or 600 metres back. You are looking at 1.3-1.4 kilometres to get back into it. I don't know how you find people, but people like convenience and that is not convenient. They will go elsewhere where you can drive straight to the front door. There are other places around that do what we do which are a lot easier to get into than what we are. I am going to lose probably 15-20 per cent of people who will come to us because we are conveniently located at the moment. That is probably our biggest concern.

Ms OGILVIE - What sort of hit would that be to your bottom line?

Mr BELBIN - Probably close to half of our profit and not getting our return on what we have already spent. We have three other employees at the moment, two of whom have relocated from other states to come and work for us, so they have made a big commitment to come to us. I cannot guarantee jobs. I would like to, but I cannot. If we start going down the gurgler, my wife and I have to be the ones standing there trying to keep the place afloat and I cannot afford to pay people to be there. It is hard enough as it is for small businesses.

Ms THOMPSON - My husband really works seven days a week. Occasionally he has one day off a fortnight or every three weeks. We work really hard. I work in the business myself. I do a lot of the bookkeeping and payroll, and a lot of people depend upon us. The access is the main issue, but the construction over the two-year period could kill us off. We had one or two days where they were cutting trees down.

Mr BELBIN - They were cutting trees down on the southern side. They were removing the trees where the road is extending out in front of the church that is down there, and there was a day where they had paddle-pop people stopping traffic to let their trucks in and out, and we did around \$90 for the day.

Ms THOMPSON - It wouldn't cover three staff.

Mr BELBIN - From \$2 000 a day to \$90.

CHAIR - You mention that in here.

Mr BELBIN - I don't know whether you can sustain that, but I can't.

Mr FARRELL - Related to the project, what percentage of your business would be local within that area and what percentage would be from outside?

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Mr BELBIN - From outside the garden centre it is increasing. That would be probably close to 20-30 per cent.

Mr FARRELL - Some people are travelling.

Mr BELBIN - Yes.

CHAIR - One of the concerns and suggestions was that there could be an exit point put in.

Mr BELBIN - One thing I had thought about if you want me to go there, these plans don't show it, but on the detailed computer graphic ones that they have, which you have a copy of, there is a bus stop heading towards Hobart, which is being built off the main freeway going through, which is not far away from us. One thing I thought with that is, why doesn't that come into the road that comes past us and then frequents back out so that people who come in to us have an access to go back to Hobart?

Ms THOMPSON - A slip lane, so to speak, onto there.

Mr BELBIN - It is the feeder road that comes in to us.

CHAIR - What was actually discussed as part of - as you may be aware, we did visit the site today.

Mr BELBIN - That is the proposed bus stop that is meant to be out the front of us, which is heading towards Hobart. The bus is still on the freeway, it is not off the freeway. Why can't that up here come in a bit and we have the bus stop on the feeder road rather than -

CHAIR - Yes, it certainly was discussed within the committee, not as evidence, but I am happy to disclose that the question was asked this morning and we might get the department to respond more officially when they come back up. There were some concerns with putting a feeder road back into the highway. It was something that has been considered. Again, without putting words into their mouths and we will let the department clarify this, but my recollection of it was that it would probably be created as a bypass and you would have more traffic flow through there than going through the intersection, which would defeat the purpose.

Mr BELBIN - Isn't that surmise telling you something about the new intersection?

CHAIR - I think, ultimately - again, from what I have been advised - from a safety point of view, this is trying to separate it more from the flow of traffic directly into that community, similar to the other side.

Mr BELBIN - So bugger the 30 people who work there at the moment. They can all lose their jobs and go on the dole, just to satisfy that. To get straight to the point, I think it is to suit that new development across the road from us. Bugger the 30 people who are working there because they are going to employ 60 people over there. No-one cares about what we've done. I have invested \$500 000 and the boys who own it have invested probably close to \$3 million. They have built the new bottleshop - upon advice not to, which I have

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just heard today. That's their decision to have done that. It seems to be all geared up to suit everything on the left-hand side of the road.

Mrs TAYLOR - The State Growth representatives told us they offered a little slip lane, a left-off, left-on lane, outside the garden centre and it was rejected by the owners.

Mr BELBIN - Which we know nothing about. I still have to pay my rent, rates and water bills. I don't get a reduction in that because I have a 20-30 per cent less flow in traffic.

Mrs TAYLOR - Would a left-in, left-out lane help you?

Mr BELBIN - I think an out-lane is almost a must. I don't want people coming across the road because that is dangerous. An out-lane is definitely a must. It's a hard one. I definitely don't want to see another person die out there.

Ms THOMPSON - They would have had to let some of their land go and that's probably what it's all about. It was our land so they would have to compensate us.

Mr BELBIN - We are in the unenviable position that we are leaseholders, so we basically have no say whatsoever.

Mr FARRELL - Your current landlord has not informed you of the dealings he's had with the department?

Mr BELBIN - Not at all. We had one meeting on site with the previous government when David O'Byrne was the minister - about 2010. The boys came and grabbed me and said, 'Quick, we have to go to a meeting, David O'Byrne is going to be there'. I had no prior knowledge whatsoever - it was a two-minute job. That was the only time they have shown any interest in including us whatsoever.

Ms THOMPSON - We've asked. We have made it known to their solicitor that we know nothing, that we need to know, through the people we pay rent to and their agent, yet it is never forthcoming.

Mr FARRELL - And you've been a long-term tenant?

Mr BELBIN - We have been there for 14 years.

Ms THOMPSON - This is our third landlord in those 14 years.

Mr BELBIN - We built them a new building and the day it was completed it was theirs.

Ms OGILVIE - Do you have a written tenancy agreement?

Mr BELBIN - We have a written lease, yes.

Ms OGILVIE - Have you had your solicitor look at your lease in relation to the leverage you can apply to a landlord?

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Mr BELBIN - Before we built the building we had our lease tightened up. The only way we can be kicked out of there is to not pay the rent. We have options to say we are going to renew or whatever.

CHAIR - There are two years to go on that option?

Mr BELBIN - On one option of that, yes. Our lease is fairly solid. Getting kicked out of there is not our worry.

Ms OGILVIE - I am appreciating what you're saying today. It is quite devastating for you.

Mr BELBIN - Maybe, but it may not be.

Mr FARRELL - There is obviously going to be quite a lot of residential growth in that area - and I know you probably can't say anyway because, if you had, it would be commercial-in-confidence - but the developer across the road is going to be looking at business opportunities for his development.

Mr BELBIN - Developers don't buy from us, we are retail. They will go to the wholesalers to buy. There is no opportunity there for us whatsoever, other than once the houses are built and people have moved in for a couple of years, then they will come and talk to us to do their gardens properly.

Mr FARRELL - I was thinking, as far as developing a business on that side of the road, that developer -

Mr BELBIN - On the other side of the road? I have already spent half a million dollars.

CHAIR - I remind members that we are somewhat limited in our power of where this debate can go. Be wary.

Mr BELBIN - We just want our concerns on the record.

CHAIR - It is important they are on there and this is your opportunity to have your say, with privilege, on however you feel and what your concerns are.

I would be interested in the suggestion and we will get some further discussion from the department when they come back to the table on that. Was there anything you would like to add, ask about, raise, because now is the chance?

Ms THOMPSON - It was interesting what the department said and I cannot remember the exact wording but, the owner of the property was compensated some time ago - we are not the owners.

Mr BELBIN - The owners of the fruit market at that time, we have been informed, that did not happen. The owner of the house that subsequently our landlord has purchased in the last four to five years did get compensated.

Mrs TAYLOR - That is right; that is what he said.

PUBLIC

Mr BELBIN - The person in the house was compensated, the previous owners. But the business that was already there and it has been there for over 30 years, did not take the compensation up, so we have been told. I cannot guarantee that is the case.

Mrs TAYLOR - I think it was land acquisition at the front of the house. That is what they were compensated for.

Mr BELBIN - But they stipulated that the whole row of houses up along that road were compensated. But to our knowledge, the previous owner, who was Mr Eddie Chu, did not get compensated. He refused to take it, or so I have been told. I have not seen it in writing.

CHAIR - There are a couple of other suggestions I have heard and this has raised some community concerns for a fair while. Even on the previous stage, there were some concerns raised with me directly at the time. I was under the impression there was the advice given to the landowners and compensation provided in some form - and I do not know which form - for the potential of this project to proceed at some point in time. It is disappointing that tenants are either not aware of it or have not had that passed on.

This committee cannot do a lot about that. But it is important that it gets on the record and is made available for people to address into the future.

Mr BELBIN - It worries us that, through no fault of our own, we can lose a million dollar business in two to three years.

Ms THOMPSON - We can lose our income and our superannuation and everything.

Mr BELBIN - We have a disabled son we have to look after and it is worrying. We have our son who will be on our hands for the rest of our lives. That was a position where he could work once he left school, and also it was a good income for us to be able to put money away so we know he is looked after once we are gone. I am worried.

CHAIR - The concerns are based around the access and the slip road suggestion, which we will ask for a response from the department on. The other one was advertising and marketing.

Mr BELBIN - The two years while the road is being built.

CHAIR - Did you have a suggestion around that or specific concern?

Ms THOMPSON - We put a quote forward to State Roads.

Mr BELBIN - We had a quote from one of our companies that we use, what it would cost for a 12-month campaign and it was more or less an awareness campaign. We would have the new ad made saying, 'Sorry for the inconvenience, the road is being built, but this is for your safety and it will be easier and safer'. Something along those lines. 'But we are still open, so please come and visit, business as usual'. It was not to say, it is Howrah Nursery, we have the best plants in Hobart, nothing like that. It was not just to get advertising; it was to say, we are open while this road is being built.

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Mrs TAYLOR - Are you aware the department has said most of the road construction will happen off the road and it will not interfere with the road until the last section where they would need to do the connector?

Mr BELBIN - It does, but there are still trucks going in and off -

Ms THOMPSON - When the initial part was done from the Shoreline to Oceana Drive, we experienced disruption with that because even though they are off the road they still have paddle pop people stopping the traffic so those big trucks can access that part of the highway and that is happening all day. Really, it is not that different. You only have one lane traffic that may be operational. You still need to get the trucks in, dump, fill, and get them back out again.

Mr BELBIN - I am a little bit disappointed that the other business owners are not here as well.

CHAIR - It will be on the public record that we received three submissions from the community.

Mr BELBIN - Which worries me a little bit. I think that, well, what has happened for those three businesses not to be here. Have they signed a deal?

Ms THOMPSON - Something we do not know about.

Mr BELBIN - What is going on?

Mrs TAYLOR - Were you aware when you first took your lease up that there were traffic restrictions, access limitations on the title? Did you see the title?

Mr BELBIN - No. Yes, we saw the title and there was just a corridor that was blocked out saying that this is where the new freeway would be going, which was obviously the land that was being purchased. It did not say that your entrance was going to change or anything like that, or we were not informed of that.

Mrs TAYLOR - No, but we were told that there was actually on the title restrictions as to how much traffic access there could be.

Mr BELBIN - To my memory our solicitors certainly did not tell us that.

Ms THOMPSON - This is in 1999.

Mr BELBIN - We had a really good solicitor at that stage and he did not say that. He has moved on to bigger and better things, so he was pretty good, but he did not tell us that.

CHAIR - I am worried that we have not heard from Mr Short. Was there anything else that you would like to add?

Ms THOMPSON - Yes, we are getting a 40-foot container of pots in the next two weeks. We have had someone do a feasibility study of our building through DIER as to windows cracking, the likelihood when the rollers go over the road.

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Mr BELBIN - Sorry, it wasn't through DIER; it was from the people doing the road.

Ms THOMPSON - Was it?

CHAIR - The contractor.

Mr BELBIN - They looked at the building and the fixed things for damage. They looked at it now taking photos and things, so if something happens while the road is being built then they can come back and say, yes, it was the road that did it. It was the one thing that we neglected to look at, or did not even think about was the stuff sitting outside on the ground. If there is the potential for us to lose windows, we are going to lose pots outside really quickly. They will smash really quickly with vibration. What are we going to do about that?

CHAIR - We will again ask for clarification from the department, which you will be invited to stay and hear if you see fit.

I am aware of the time and Mr Short has something to say as well. Was there anything else that you would like to add?

Mr BELBIN - It is pretty much covered.

Mr SHORT - I purchased in Raleigh Court. In 2012 we moved in. We knew there was going to be roadworks, which we totally agree with, it is the best state of affairs. Then when the work started and we saw the bus stop going on Pass Road I contacted Metro about bus stops. They said they were in consultation with the department, but it was not public, and could not release anything. At that stage they had already put a pathway to the bus stop heading into Hobart, which is on the current plan, and I thought that is all right that is only another two or three minutes. Then I found out that there was going to be no bus stop heading east from Hobart and I had to use the one for Pass Road. I got off at Pass Road and it took me 18 minutes to get home, whereas normally it is only four minutes.

CHAIR - Sorry, I want to clarify we are talking about the same.

Mr SHORT - There is Pass Road and Howrah Gardens there. At the moment there is a bus stop right here.

CHAIR - On the other side of the highway?

Mr SHORT - There is one on both sides. That is coming away totally. I have to get off at this one here and come down there. That is an 18-minute walk in the winter in the rain, also for school children. Once Tollard Drive comes through I think there is a safety issue. I hate to say but part of Rokeby is a low socioeconomic group and there has been crime and violence there and that is going to be a threat to the children in particular.

CHAIR - Those who are travelling from the city will have to get off -

Mr SHORT - They have to go all the way up here and come back down through here.

Mrs TAYLOR - What would you propose, Mr Short?

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Mr SHORT - At the moment there is a lot of filling going in. I can't see why an underpass couldn't have been put through; either that or an overpass. When I looked at the contour of the road I thought an underpass would have been ideal. When we moved in we weren't told we were going to lose our intersection. We liked the location and had the shops close by; everything was in our favour. When we got the first plan it had traffic lights at Buckingham Drive.

Mrs TAYLOR - Unfortunately you weren't there when the plans were done in 2010.

CHAIR - You are referring to the first plans you saw?

Mr SHORT - Yes, that was the first plan I received and we were quite happy with it because it still had access to our community. I was told there was going to be a commercial area in Glebe Hill and the traffic lights were the safest access to that, which is a win-win situation. There was no more communication until July when we received the amended plan. It amazed me why it did not have a U-turn at the lights and come along the old Rokeby Road through to the Howrah Garden Centre and back onto the highway. But no, they come back into Rokeby at Tollard Drive and then come back through another road, which is all part of this private development subdivision.

I notice also when they cut all the trees down, they cut the trees down in the house where the lights were going to go, so I wondered if they were going to go back to that plan, but obviously not.

CHAIR - The evidence given today by the department was they feel that is not the right option. They will reclarify some things we will ask them later. Mr Short, your concerns were the access for buses travelling from Hobart into that community and you mentioned a U-turn or a change.

Mr SHORT - There is ample room at the new lights where they can do a U-turn onto the old Rokeby Road and carry on right through to the Howrah Garden Centre. A service road, a slip road, or an extension of Grange Road would have been a far better option. For those elderly people and pensioners who will have to start using taxis, to get into Rokeby and back again, it is going to be an added cost.

CHAIR - Yes, that was in your correspondence and was raised as a concern. We will ask the department to respond to that. There are some concerns around changing Howrah Gardens from what you would deem as a Howrah suburb to Rokeby. How valid is that, in your opinion?

Mr SHORT - The correspondence I have had with various departmental officials said there is no plan at this stage to change it. People going to Rokeby are going to have to drive past Howrah, go into Rokeby and come back to Howrah. It is not going to be appealing for people to purchase their houses because it is going to lower the value. I foresee in future that we will become part of Rokeby. The skillion road that comes off Buckingham Drive is in the districts of Howrah and Rokeby and once this new subdivision goes through it will only be a matter of time before we will be classed as Rokeby.

CHAIR - Have you seen anything in a plan that creates that from a government point of view?

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Mr SHORT - Only the one from Malwood. I am not sure I have the plan from the Planning Commission -

Mrs TAYLOR - Are they calling it a Rokeby development, or a Howrah development?

Mr SHORT - Both - 473 Rokeby Road and 606 Oceana Drive. They want to go through Droughty Point - there is a plan to link up –

CHAIR – But Rokeby Road isn't changing its name.

Mr BELBIN – Going back a few years, there is a house on the corner here which is one of the first houses you come to on the lefthand side going into Buckingham Drive. That was a house that they had a competition with where you could actually win that house. Now before they actually did that subdivision they actually moved the Howrah sign from down this way somewhere up to the other side of that so that subdivision could be called Howrah for the fact that it would not drop in value giving away this \$500 000 house or whatever that was probably worth \$250 000, but anyway, that sign has already been moved. So it was Rokeby.

CHAIR - Is that a council sign, or is that a DIER sign?

Mr BELBIN - You tell me. Who does signs?

CHAIR - We can ask certainly.

Mr FARRELL – So, prior to that, the Howrah sign was down the road further?

Mr BELBIN - It was down here somewhere. They moved it up there to do that new development. There were no houses here. They were just building this one on the corner to launch that subdivision so the actual boundary was actually moved.

CHAIR - Again, I am not aware and we have not seen any evidence of any intention from the department or the Government to change the suburbs or change any names anywhere.

Mr BELBIN - I don't think that is going to happen, but I can see Mr Short's - once that is linked up and that is all houses, it is one development.

CHAIR - I understand that when it was provided in evidence from Mr Gregory that they did look at the potential impact of that. We might ask some further questions on that when they come back.

Mrs TAYLOR - I just wanted to say to Mr Short, if you were coming from town to those lights and you are talking about a U-turn, we have not asked can people do a U-turn there but if they could do a U-turn there and went back along the same road and then pulled in, say, to the bus stop off the road because that would be then on the footpath the pedestrian and they are planning a 3-metre wide shared footpath so would that help rather than go down Grange Road which is a traffic issue?

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Mr SHORT - It routes off to Grange Road and where the current cycle track is they have started to dig it up. Further down there the link road comes out back onto the bike track and comes up to the end of Buckingham Drive. And so I can't see why we have to go into Rokeby, come back through when they could have just followed the current roadworks.

Mrs TAYLOR - How are you coming into Rokeby at Pass Road?

Mr SHORT - What they propose us to do -

Mrs TAYLOR - Why can't you just do a U-turn there on the highway?

Mr SHORT - At the moment we are going to have lights, go along Tollard Drive -

Mrs TAYLOR - No, what if you just did a U-turn there at the lights?

Mr SHORT - We can't now because they have cut it off.

Mrs TAYLOR - That is what I am asking. Can you do a U-turn at the lights? You were saying could you do a U-turn?

Mr SHORT - There is room instead of putting that link road in through there to create a contour of the road following through.

Mrs TAYLOR - I understand that but they have good traffic reasons for not wanting to do that. I am just asking if it would solve your problem if you could actually do a U-turn at those lights and go back along Rokeby Road and pull off, say, at the bus stop or if there was a leeway out?

Mr SHORT - Yes.

Mr BELBIN - If you could get through but then you are going through a complex to get - it gets messy.

Mrs TAYLOR - No, I am talking about staying on the road.

Mr BELBIN - But then you can't go anywhere at this point.

CHAIR - My understanding it is not talking about specifically allowing access on and off the highway from Howrah Gardens but more so from the issue of cost of taxis and transportation. Again, I am not an engineer so I don't know what they look at.

Mrs TAYLOR - There is going to be a bus stop there and that will be -

CHAIR - They let you do a U-turn at some intersections and others you don't. I do not know the technical reason but certainly that is what Mrs Taylor is talking about.

Mr SHORT - And also probably as you said it has already been discussed on the other end.

CHAIR - I am aware of the time again. Was there anything else that you would like to explain in further detail or go into?

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Mr SHORT - I was concerned about the value of the land if you do sell it. Even if it is still classed as Howrah, when they drive in through Rokeby they are going to look at the surroundings and that is going to put a whole damper on the whole Howrah Gardens area suburbs.

CHAIR - But won't that be a new subdivision there?

Mrs TAYLOR - They might be lovely houses.

Mr SHORT - They would have to get there first.

I know when we have been looking at properties, and we go into an area, when we start to see the first few houses and say, 'This isn't looking too good, no, we won't bother about this' and we do not always get to our destination.

I feel that even if they had a roundabout at what they were calling Buckingham West, that would give access for all of us. There is no problem with the roundabout, or fifth lane, at the Shoreline, so this could help the development and help maintain access for the businesses.

CHAIR - Is Buckingham West further down from Buckingham Drive?

Mr SHORT - At the moment Buckingham is a cul-de-sac but there is an opening where the cycleway goes at the present. There is ample room, and I presume that is how they were going to go, where the cycle track was, through the vacant land and the private driveway of 427. I presume 427 is now going to have to use Buckingham Drive anyway once the roadworks go through.

Mrs TAYLOR - Do you presently catch the bus?

Mr SHORT - Yes, I do.

Mr BELBIN - Mrs Taylor, I think your point of allowing now for a bus lane is sensible. In 10 or 15 years down the track how many more millions is that going to cost to put it on the side of that road? It is probably going to cost a few extra million now but 15 years down the track it is probably going to cost \$20 million to do it, just through poor foresight.

CHAIR - Is there anything else you would like to add.

Mr SHORT - We have all touched on similar things.

CHAIR - I thank you for your attendance and the providing of evidence today. Again, I caution you that you are no longer protected by privilege so be wary of what you say outside this room. Thank you for participating and we welcome the contributions and interest from the community. Thanks for your time.

THE WITNESSES WITHDREW.

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Mr SHANE GREGORY, GENERAL MANAGER, TRANSPORT INFRASTRUCTURE SERVICES; AND **Mr ADRIAN PAINE**, MANAGER PLANNING AND DEVELOPMENT, TRANSPORT INFRASTRUCTURE SERVICES, DEPARTMENT OF STATE GROWTH, WERE RE-CALLED AND EXAMINED.

CHAIR - We have not covered the cost and the construction. It is important that we get a response on some of the queries that have been raised; certainly all of them were legitimate to the residents. We can start with the issues raised by Ms Thompson and Mr Belbin around the impact on their business during the construction phase. Is it common, or has it happened previously, for the Government or the department to engage businesses on the impact whilst major public works are undertaken.

Mr GREGORY - Generally we deal with the property owner. The reason we do that is that if we start engaging directly with tenants we can run into problems where we create issues between the tenant and the landlord.

Mrs TAYLOR - But there are issues between the tenant and the landlord.

Mr GREGORY - Generally speaking, when we are dealing with the landlord, they are talking to their tenants. When we met with Mr Belbin it became apparent that there was not much discussion going on, and that is very unfortunate. The discussions with the landlords have been underway since very early in 2010. At the time when they started there were fewer tenants than there are now. There are more tenants now than there originally were. Generally we would not deal directly with the tenants. We would deal with the property owner. We are not a party to the leases. We do not understand what the arrangements are and we do not understand what our clauses might be. Generally, we would not have access to that information either.

Mrs RYLAH - If you aren't able to get an adequate conversation going with the landlord and yourselves, what process can take place to ensure that businesses are able to continue to operate at least at some version of reasonable level so that they can at least stay viable?

Mr GREGORY - Now that Mr Belbin said he will approach us directly and sit down with us then we are happy to work with him to ensure that he gets business continuity. We have looked at a range of options. We are considering the option of funding an advertising campaign. We have raised and put on the table the idea of we will need to do some landscaping so to have him as an on load supplier of the plants. We are just at a point where I think he has indicated that that does not work commercially for him, but we are happy to continue discussions because certainly we want to see that he is as prosperous as he can be. It is unfortunate that there wasn't the level of discussion that perhaps there should have been.

Mrs TAYLOR - It seems kind of silly now that you are now dealing with the businesses, when it would have been helpful if the businesses had been able to have that sort of communication with you. I understand that you are now dealing with them and not just the landholder.

Mr GREGORY - I think more out of necessity than anything else.

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Ms OGILVIE - I think it is fair to say that a landlord has obligations to the tenant and that information should necessarily have been immediately flowed down. Should the tenants wish to take that on then they have options at law to do that. This would not be a new problem, I presume, when you are doing these sorts of projects. There will have been business disruptions that you would have come across before, and you have ways to -

Mrs TAYLOR - Ms Ogilvie, could you speak up so that people in the gallery can hear you?

Ms OGILVIE - Certainly. This would not be a new issue for you regarding maintaining business continuity when you are doing works?

Mr GREGORY - It is not something we see a lot. We don't do a lot of urban projects. This is probably a little bit unusual in that we are building right outside some businesses. For that reason we are happy to have some discussions around maintaining business continuity while the building is underway.

Ms OGILVIE - There would be others in that line, or are you just having this conversation with the garden centre?

Mr GREGORY - We have not had any discussions with the other tenants. We understand that the landlord is in discussions with other tenants.

Ms OGILVIE - It has all started to roll, yes.

Mr GREGORY - We are not exactly sure what it is, but I would agree with Mr Belbin they are fundamentally different businesses. I would perceive a nursery as a destination, whereas a bottle shop really is a drive-by opportunity. I think there are different issues.

Mrs RYLAH - What consideration does the contractor have to give in regard to his stop-go men in considering businesses having continuity of business? I know their primary function is to get trucks on and off the road safely, but clearly this is an issue for their continuity of business. What consideration is there?

Mr GREGORY - There is a limited amount that really can be done. We can talk to the contractors. I am aware we are happy to pay a little bit extra to perhaps have stop-go people at the entrance and let people in and out of the nursery. Generally, their stop-go people will be performing a safety function and that is essentially what they are about. In that sense they do not have to give any consideration, but we require that they keep traffic moving as freely as they can. So there are requirements in the contract that they do not just jam traffic up to get the job built. They have to keep the traffic moving and that is what I will be considering.

CHAIR - It was interesting also it was raised around potential damage to stock during the construction phase based on the advice they were given around the structures of the building. I was told never to presume, but does the department consider damage to stock due to construction as part of its potential liability or not?

Mr GREGORY - We would. Generally speaking there is not, technically, a liability. The dilapidation surveys that would have been done on these properties are more of a safeguard. There was a period where road authorities were hit up for damage to buildings

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and a lot of the damage was quite old damage. Now it is common practice that we do a dilapidation survey. Essentially, that is to go in and document the state of the building, more so to protect against fallacious claims.

Ms OGILVIE - It happened in [inaudible] park, didn't it?

Mr GREGORY - Yes and things can go wrong. The classic example is the tunnel in Sydney where the apartment block fell into the tunnel. But damage to buildings by vibration is far less an issue than people perceive it to be. But that is why it is done and we would ask our contractor to be talking to Mr Belbin about what can be done and is there an opportunity to move anything out of the way. Vibration damage would be more to fixed structures anyway, if it occurs. It is very unusual; the vibration dissipates fairly quickly. But if it does occur it is effectively the same as an earthquake, it is vibration in construction that does not move.

Mrs TAYLOR - Will it be possible to do a U-turn coming from town at those lights at the Pass Road?

Mr GREGORY - Yes, you are permitted under the Traffic Act in Tasmania to do a U-turn unless it is specifically prohibited.

Mrs TAYLOR - If it says nothing, you are allowed to?

CHAIR - Is it planned to be prohibited?

Mr GREGORY - No, it is not. It is only prohibited where you have two right turn lanes or something like that.

Mrs TAYLOR - There will be a right turn lane there anyway, won't there?

Mr GREGORY - Yes, there is a right turn lane turning into Tollard Drive and one into Pass Road.

Mrs TAYLOR - People could do a little U-turn there and pull off at the bus stop further along to let people off, taxis for instances?

Mr GREGORY - Yes, that is right. We would imagine taxi drivers would probably do that.

CHAIR - Is that being considered or more so now to allow adequate space within that bus drop-off point?

Mr PAINE - That right lane which they would need to use to do that U-turn is closed at the moment because it is being used by the trucks entering the site. When that is open it should not be a problem.

CHAIR - An example of a multiple bus stop, but also allowing five minute parking or stopping, would be outside the front of Zero Davey, where normally most bus stops you cannot stop at or stand at, but it allows for that use. Is that what is being considered?

Mr GREGORY - We would not do any specific signage here.

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CHAIR - Would that be a council-related or is it state obligation to sign it?

Mr GREGORY - Council generally looks after parking signs. I do not think we would encourage five or 10 minute parking here. There is a legal difference between parking and standing. You can pull up and let someone out and have someone jump in and it is not parking, and that would be fine. We would not put anything in place to prevent that.

CHAIR - Would you allow adequate ability for a bus and a car to fit in there to drop someone off or to stop?

Mr GREGORY - When you take into account the run-in and the run-out on a bus lane, there is more than enough room to put a car or two at each end. We would not want to be encouraging people to be pulling in there and sitting in there.

CHAIR - Also raised by Mr Short, regarding bringing in a section closer to the highway, an example was that moving that closer or putting in a lane there, would that then have an impact on this whole flow of traffic and potential safety?

Mr GREGORY - There are two factors of influence where that intersection comes in and they are related to the flow of traffic and the need to allow people to pull up to turn right without running back into the signalised intersection. That starts to move you away and you would want to be at least 100 metres. You need room to -

CHAIR - Is that under an Australian standard or is it just accepted practice?

Mr GREGORY - There are a lot standards around queuing distances and distances from junctions. You also have the issue that there is a right turn lane coming out of Tollard Drive and you cannot break into the right turn lane. That would be very unusual practice against all the Australian guidelines. You have to go back at least beyond that point and then you get to a point where you have to allow a turn slot as well. Add those two things together, you then have a position at the junction, so you have a useable piece of land. That's the sort of finessing at the end but you have to be far enough away from this turn slot and this turning movement into here.

Mr PAINE - Coming into the intersection we have a right turn slot. You need distance for people to stack there so they can turn right and head off to Rokeby. Similarly, for people coming along here and want to turn into the [inaudible] there is a right turn slot for people. You have to keep the distance to provide that adequate space for people to move over, slow down and stack.

CHAIR - It was suggested that part of that solution is due to pressure from developers. Is there any merit to that?

Mr GREGORY - No. The finessing of that location is about leaving a workable parcel of land. If we don't leave a workable parcel of land, the state ends up having to buy it. There is no point buying a bit of land that we then can't do anything with. We worked with a developer and the alignment of the new connector road as shown on this plan ties in with the developer's original development plan for the site. We said, 'We need to get a minimum distance to make the traffic work, so let's join in with what the developer was already

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planning'. That means they don't have to redo the subdivision or redesign it, the cost of which would come back to the state for the redesign. We wouldn't want to end up with a parcel of land that is useless for anything.

CHAIR - Part of the further evidence provided from the community was the impact on land values. You mentioned previously that you have done some work on that to consider that aspect. Is it possible for this committee to receive a copy of that? I understand there may be some in-confidence information in that so I would suggest the committee receive it but not table it.

Mr GREGORY - It's not the specifics of individual sales; it is a summary of sales. It doesn't name this house or that house, it says 'in this area'.

CHAIR - I accept that is public information anyway.

Mr GREGORY - You can do what we did and go through the Land Titles Office and get the information, but we will table it.

CHAIR - You have had a look at the impact of that?

Mr GREGORY - We were looking at the principle that a longer connection will devalue the property. On the other side of the road is Glebe Hill, which has the same access arrangements we are proposing - probably a little bit more tortuous because while we are here talking a short distance connecting into that area, to access Glebe Hill you have to come way down to get into the properties. We are saying there should be similarities between these two and what we wanted to confirm was that these weren't of a lower value because of different access arrangements. We were looking at whether changing the access arrangements devalue the properties and the evidence we have suggests that is not the case.

We haven't looked at the Rokeby issue. We have no intention of changing any suburb names. That requires a formal process through the Nomenclature Board anyway, with public submissions. I am not sure why anyone would proceed down that path anyway.

The other point of interest to us was that coming down here and turning right and going back in there is a distance before you get to Rokeby anyway, so we don't see this as being any different to accessing Glebe Hill.

Mrs RYLAH - Earlier in the day you mentioned the key threshold for the developer to instigate the development of the Tollard Road intersection wasn't met. Has cost shifting occurred here to move the cost for the development of the Tollard intersection to the Government? If it had been done better in some other way, it should be shared by the developers.

Mr GREGORY - The Department of State Growth has no powers under any of its legislation - and primarily we operate under the Roads and Jetties Act - to force contributions from developers and we have no powers to force contributions from local government. So the act gives the minister and through delegated authority to the department the authority to build and maintain roads and do the things necessary to do that. It does not give authority to impose headworks charges or anything of that nature.

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Mrs RYLAH - But you said that the developers did have a threshold that they did not meet and therefore they weren't required to undertake the development. So what happened there then?

Mr GREGORY - That was the condition imposed by the Clarence City Council on the developers. A developer puts their development application into council. The council considers it and can impose conditions which a developer can appeal or not appeal or accept. That occurs through the Land Use Planning and Approvals Act. The problem with putting conditions on in that way is you are often thinking from a certain perspective and then the person who is receiving them might look at it from a different perspective and I think that is what has occurred here -

CHAIR - So it is unenforceable?

Mr GREGORY - Not necessarily unenforceable but you don't necessarily get the outcome you are after I guess is the point. Council obviously would have believed that the conditions that they had put on meant that Tollard Drive would be connected before much development happened and the developers looked at it in a different way and said, 'We don't need to do that yet'.

Mrs RYLAH - Thanks for the clarification.

CHAIR - There was a suggestion of a roundabout to be put in, I believe, around Buckingham Drive to allow access then into Howrah Gardens rather than a set of traffic lights. Was that considered at all?

Mr GREGORY - Generally, we don't. We did a lot of assessment at Pass Road and Tollard Drive looking at the junction options. We discounted a roundabout there because it did not work. Roundabouts work when you have very even flows and you have very even priorities and they need to be a suitable size. They don't work very well at all when you have a major flow along this corridor and then you have minor flows coming in from the side. They are very disruptive in that instance. Depending on which leg you are on, you might find if you are on the wrong side of the traffic flows coming out of the side street you just never get out and -

CHAIR - Particularly the turn right, I would presume.

Mr GREGORY - Yes, and if you are at the right side of the traffic flows on the side road you disrupt the whole flow of traffic on the major through road by a few cars coming out. It is one of the challenges we are looking at, at the moment, at the Holyman Avenue roundabout at the airport. A small number of people going to catch an early flight disrupt all the traffic coming in from Sorell. You don't have the control at a roundabout that we do at a set of traffic signals. They are the signals that are connected to a central system and we can tweak and we can adjust, we can change the traffic flows around, which we don't have at a roundabout.

CHAIR - Just for clarification again, the community concern was around then a second set of lights in Buckingham Drive, I think it is called. Again, there are issues there similar to the issues that are faced near the racetrack at Elwick, is it?

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Mr GREGORY - Yes.

CHAIR - So there are some concerns with the close proximity of lights on that major arterial road. The reason that it is not considered appropriate for this project is because of the issues near Elwick would be just repeating previous issues?

Mr GREGORY - That was a very specific case and that is what we call a staggered T arrangement, which is the most inefficient junction arrangement you can have. It is not quite the same here but we did look at a range of things including traffic lights and seagull treatments where you have slip lanes and merges and generally it becomes too close and they don't work.

We did look at where we are bringing Buckingham Drive out at its current location onto the highway and that is simply too close; you can't get the lanes you need in that compressed distance. The reason we don't want a set of traffic signals here, it is just another point where we stop traffic and we bring it to a halt. Regardless of how well you coordinate the lights you will stop traffic. I have heard people talk about where you can set the lights up to flow through. Well you can, but that only works for the cars at the beginning of the queue and they get an even flow through. As you get back in the queue what we call coordination of traffic signals doesn't work, it is not that clever.

The other thing is coordination works really in city areas where you have the lights very close together and effectively you are getting them, as a sort of rolling green. When you get them further apart you lose what is called the platoon effect. The platoon effect is you get a bunch of cars and they are travelling together as a platoon. When you get on a longer stretch of road, particularly at high speeds, they stretch out and you get a caterpillar effect. So everything stretches out and compresses and stretches.

CHAIR - Another option offered to the committee was allowing a slip road or access from the Howrah Gardens on to the highway travelling into the city. Was that considered and why wasn't that included or considered appropriate?

Mr GREGORY - We have considered slip lanes, and we have considered left in and left out. The complications are how you cater for Buckingham Drive and the commercial centre because they are very close together. If we talk about a left in and left out, you can put that at Buckingham Drive. You would have a slip lane coming here, left in left out, and what you would end up then with is you either block this off and you do not allow people to go this way into the garden centre, or you end up with what is effectively a four-way intersection starting to mirror Baronina Street, Diosma Street. On site we talked about the problems there with these things being too close together. Down the track it is nearly impossible to control that because it is just too close.

Alternatively, we could put a slip lane, a left in left out, into the garden centre but then you would block this section off and you would not allow Buckingham Drive to do that. Having a slip lane out under this configuration it will end up being a rat run and it will be drawing people from all over to here and when they are coming along and see a bit of a queue at Tollard Drive lights they will duck down here and out and you will start drawing people from other areas. We looked at all of that and we did not want to also start drawing people from the new subdivision back in through Buckingham Drive through that way.

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We think those things do not work. We would still be open to a left in left out into the commercial centre, but it would be on the basis that it is only into the commercial centre. It could not achieve both. They are just far too close together to achieve both.

Mrs TAYLOR - You did say that you had considered that and proposed it and that the owners of the property had said no. What was the reason for that?

Mr GREGORY - They wanted all movements or none, basically. They may have been taking a very unwise bargaining position perhaps. They said no. We did offer that very early and we said, 'How about we do this.'

Mrs TAYLOR - Would it cost them money?

Mr GREGORY - To build?

Mrs TAYLOR - Yes, or would they lose land? What would the implications for that property be?

Mr GREGORY - No, a left in left out would have not had any impact on them at all.

CHAIR - I just wanted to quickly focus on cost and I am aware of the time. The requirement for a local benefits test on all government contracts. You know we are going to ask about this every time. Will you be applying for an exemption from that?

Mr GREGORY - No. When stage 1 was tendered, we tendered that in the open market and we included a preliminary set of schedules for stage 2 on the basis that subject to Parliamentary Standing Committee approval and all of the other necessary approvals, funding and so on, we could negotiate with the successful tenderer for stage 1 to continue on. We did that because that gives advantages. We were hopeful at one stage that we could continue on without building the transition and that would have saved us some money. It saves us some money saving us costs and also saves us some time in pushing on.

The local benefits test, the contractor for stage 1, who we will be negotiating with to continue on is a Tasmanian company based at Austins Ferry, Andrew Walker Constructions, a family business that employs a lot of local people. So we think that would very easily tick off the local benefits test.

CHAIR - You have in here over \$1 million for landscaping. I know I raised it for stage 1. What does that include? It seems to be a fair amount of money for landscaping. I am sure we could procure it from the local landscaper that is nearby, but what does that go into and what does that deliver?

Mr PAINE - It includes a lot of things that are basically off the road. So it would include a lot of things associated with the cycleway, with retaining walls and other infrastructure. So it is a bit of a general catch-all of things which are not specifically mentioned which relate to the construction of roads. We can certainly provide you with a more detailed breakdown of exactly what the makeup of those are.

Mr GREGORY - It is not \$1 million of shrubs.

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Mr PAINE – No, it is not.

Mr GREGORY - It also includes things like hydromulching of batters and so on. So, where you are leaving your earthworks, if you leave them exposed and it rains they erode away. We spray them with a mix of newspaper pulp, fertiliser and seed. So that is included and that would be a significant component.

CHAIR - So it includes not necessarily the landscaping but the project includes the bike track requirements and fencing?

Mr GREGORY - Yes.

CHAIR - Then the contingency on other projects. We know there is higher risk - I suppose the Macquarie Harbour Road would be the one that we would be concerned about or any contingency in that and the budget for that. You have now experienced that particular road so are there any concerns around the contingency?

Mr GREGORY - We do not think there is anything particularly unusual. When you are in urban areas services are always an issue. Despite what you might think, service authorities are not necessarily sure where their services are. Particularly the telcos are very bad at it. It is not unusual to find a fibre optic cable a few hundred millimetres below the ground right under where you need to put your guard fence when the owner of the service tells you it is 10 metres in the paddock and one and a half metres deep. That is quite common.

We used to do contingency just based on 'we will allow this much extra'. Now it is based on a mathematical model where we identify risks and we try to quantify the risks. As we step through the project those risks fall out and you start to rationalise your contingency fairly quickly.

There are two types. There are inherent risks and contingent risks. Contingent risks are the things we do not know about and might appear. They can be everything from finding a heritage site that is buried, or hitting asbestos, or any range of things that you could not reasonably have found and detailed. Inherent risks are risks around quantities and rates. You can never be 100 per cent sure about quantities. We are not building a house where you can work out the length of every bit of timber. When we start excavating that is when you find soft spots, areas that have to be replaced, and you need to make an allowance.

We would generally with our forecasting methodology, our monthly forecast, you would find that some of these risks would materialise or not fairly quickly in the process. One of the big risk items is around earthworks and fairly early in the project you get a feel for whether that is going to come to fruition or not.

CHAIR - Are there any other questions?

Mr GREGORY - We will table these. That is a representation of what this project will ultimately look like. We will also table a bit of explanation around the property issues and when things were done or not done. The properties that were compensated were the residential property and the next one back towards the city. So this explains when things were done. There has been some adjustments of titles which brings some conditions in

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that probably did not exist. Mr Belbin is correct. The parcel of land that he is on did not have conditions although a portion of the residential property was appended to that and that did have conditions. So there are various things in there.

CHAIR - We will advise in writing the documents we would like to consider.

Thank you. I will declare the public hearing closed. The committee will consider the advice, further consider the evidence, the representations made and make a determination at some point.

THE WITNESSES WITHDREW.