

DRAFT SECOND READING SPEECH

HON ROGER JAENSCH MP

Youth Justice Facility Development Bill 2025

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Honourable Speaker, I bring to the house today a Bill that supports the urgent delivery of the new Tasmanian Youth Justice Facility, which will provide for the fundamental rehabilitation and developmental needs of children and young people in detention in Tasmania and deliver on our commitment to close the Ashley Youth Detention Centre as soon as possible.

The goal of the Government's youth justice reform program is to improve community safety, reduce the involvement of children and young people in the youth justice system and improve outcomes for children and young people who do offend.

The Government's Youth Justice Blueprint is underpinned by a public health approach, which is focussed on supporting children and young people to address the factors that led to their offending in the first place, thereby breaking the cycle of reoffending. This approach will drive the operational model of the new facility, and the youth justice system within which it operates.

Establishment of the new facility is a priority project under the Youth Justice Blueprint and a prerequisite for the Commission of Inquiry's recommendation 12.1, to close Ashley Youth Detention Centre as soon as possible.

Significant work has already been undertaken to accelerate the project, including:

- establishment of the Youth Justice Reform Taskforce, a Youth Justice Reform Expert Panel, Aboriginal Reference Group and Community Reference Group;
- development of a Tasmanian Youth Justice Model of Care;

- selection and public consultation on site options for the new facility;
- completion of site investigations including Aboriginal Heritage, Threatened Species and geotechnical surveys;
- engagement with local councils, neighbouring landowners, land users and businesses;
- confirmation of 466 Brighton Road Pontville as the site for the new facility;
- appointment of the Lead Design Consultant and Consultant team and commencement of facility design;
- Cabinet approval of a revised Project Budget Estimate;
- finalisation of the Tasmanian Youth Justice Facility Masterplan which has now been released;
- commencement of a public engagement period on the Masterplan; and
- design and planning for site access, landscaping and enabling site services is currently underway.

The Bill

This Bill will enable the Tasmanian Youth Justice Facility project to progress with greater certainty and reduce potential risks and significant delays to the project receiving approval under the *Land Use and Planning Approvals Act 1993* (LUPAA).

Honourable Speaker, we recognise the importance of ensuring that this legislation is narrowly targeted. It is limited in its operation to the facility, with clearly prescribed parameters to constrain the scope of development permitted under the Act.

To this end, the Bill creates a new Act that will enable the declaration of the project such that the Act will only apply to this development, on this site:

- for the purpose of constructing a youth justice facility for, or on behalf of, the State;
- up to a certain size (both floor area and height);
- where appropriate setbacks are provided; and
- where on-site waste water treatment is below a certain threshold.

The Bill establishes a modified LUPAA approval process to ensure the project can proceed with minimal further delay, while maintaining appropriate safeguards and public input.

It ensures that the project will be approved by the Planning Authority and will exclude third-party appeals, which could potentially delay the project by up to 12 months.

Importantly, the Bill provides for the development to be assessed by the Southern Midlands Council under the normal LUPAA process, including a public exhibition period and community representations.

This means that the community can still have their say, and Council will still assess the project against the planning scheme.

In a similar manner, the Bill ensures a clear path to construction by removing the need for notification prior to protection work being undertaken under the *Building Act 2016*, and by preventing disputes about protection works from delaying construction.

The Bill will also allow the Minister for Children and Youth to direct the Recorder of Titles to create, amend, re-arrange or extinguish a folio of the Register to facilitate the consolidation of land titles, including 466 Brighton Road title (the site) and the 36 Rifle Range road title (for the access road to the site) following consultation with the Treasurer, the Minister responsible for the *Crown Lands Act 1976* and the Minister responsible for the *Youth Justice Act 1997*.

Finally, Honourable Speaker, the Bill provides that a resolution of both Houses of Parliament will exempt the project from the requirements of the *Public Works Committee Act 1914*, given the assessment of the project's necessity or advisability has already been substantially met through the Commission of Inquiry itself and related parliamentary committees, which have upheld the need for this project to be completed as a matter of urgency.

Honourable Speaker, this is a once-in-a-generation opportunity to replace a dated and inappropriate facility with a purpose-built environment that reflects contemporary thinking on youth justice, rehabilitation and trauma-informed care.

There is significant public support and expectation for this project to be delivered as soon as possible, and significant work has been done to come up with a site and design that meets these expectations.

This Bill will ensure the facility can be delivered in 2027. Without it, the project could be delayed for a further 12 months or prevented from proceeding at all.

Honourable Speaker, I commend the Bill to the House.