



PARLIAMENT OF TASMANIA

PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS

Midland Highway, Perth to Breadalbane Duplication

*Presented to Her Excellency the Governor pursuant to the provisions of the
Public Works Committee Act 1914.*

MEMBERS OF THE COMMITTEE

Legislative Council

Mr Farrell
Mrs Taylor

House of Assembly

Mr Brooks (Chairman)
Ms Ogilvie
Mrs Rylah

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1 INTRODUCTION

To Her Excellency Professor the Honourable Kate Warner AM, Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY

The Committee has investigated the following proposal: -

Midland Highway, Perth to Breadalbane Duplication

and now has the honour to present the Report to Your Excellency in accordance with the Public Works Committee Act 1914 (the Act).

2 BACKGROUND

- 2.1 The Perth to Breadalbane Duplication is a key component of the *Midland Highway Strategic 10 Year Action Plan*, a 10-year plan with a commitment of a total of \$500 million from Australian and Tasmanian Governments to upgrade the Midland Highway. The AusRAP Star Rating Australia's National Network of Highways 2013 report found that the majority of the Midland Highway rated either only 1 or 2-star, in its 5-star safety rating scale. Specifically, the section from Perth to Breadalbane was mostly rated as 1-star. The proposed works will see this section of the Midland Highway gain a 4-star rating.
- 2.2 Key features of the project include:
- Two traffic lanes each way from Perth to interface with existing highway north of Breadalbane;
 - Grade-separated interchanges with Evandale Main Road and Devon Hills Road;
 - Access to adjacent private properties along the existing Midland Highway maintained or reconfigured;
 - Existing highway to be converted to a new service road to facilitate local traffic movements, property accesses, and pedestrian and cyclist movements; and
 - Provision for extension of the highway to join with the future Perth Western Link.
- 2.3 The objectives of the project are to:
- Address capacity constraints and provide for additional capacity for projected traffic volumes;
 - Provide a National Transport Network standard 110 km/h speed environment;
 - Provide a 4-star AusRAP rating for this section of the Midland Highway;
 - Improve freight transport efficiency;
 - Improve intersection safety and efficiency.
- 2.4 Once complete, the works will deliver improved safety outcomes by providing;

- A consistent high speed dual lane road environment from Launceston to Perth with 2 lanes in each direction with wider pavements and sealed shoulders;
- The elimination of head on collisions through the use of a central flexible safety barrier;
- Provision of new dedicated interchanges that allow for the removal of all accesses from the highway and eliminate dangerous ‘at grade’ turning movements;
- Audible edge lines; and
- Improved sight distances.

3 PROJECT COSTS

- 3.1 Pursuant to the Message from Her Excellency the Governor-in-Council, the estimated cost of the work is \$61.839 million.

The following table details the p50 and p90 cost estimates for the project:

Cost Item	Estimated Value
Development Phase costs (including design, application fees and project management)	\$1,972,203
Property Acquisition (estimated value, final value subject to Valuer General’s determinations)	\$2,000,000
Delivery Phase costs (including contract management, project management, and insurance costs)	\$4,990,833
Estimated construction contract costs, including: <ul style="list-style-type: none"> • Earthworks • Drainage • Pavements • Bituminous surfacing • Bridge structures • Traffic facilities • Landscaping • Other miscellaneous project-specific costs 	\$43,995,450
State Growth supplied construction costs, including: <ul style="list-style-type: none"> • Services relocations • Street lighting • Reseal of pavements 	\$1,920,000

Expected contingency on base estimate outlined above (P50) plus Escalation	\$6,952,514
Expected project out-turn cost (P50)	\$61,831,000

The above is based on the contingency required to provide a P50 level of confidence in the cost estimate. The equivalent project out-turn cost for a P90 level of confidence is \$70,013,000.

4 EVIDENCE

4.1 The Committee commenced its inquiry on Thursday, 1 October last with an inspection of the site of the proposed works. The Committee then returned to the Longford Council Chambers whereupon the following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Mr Damion Beety, Project Manager, Project Services, Department of State Growth; and
- Mr Andrew Fowler, Senior Project Manager, Project Services, Department of State Growth.

Project Overview

4.2 Mr Fowler provided the following overview of the proposed works:

..... This project is the only section of the highway currently proposed to be upgraded to dual carriageway, which is in accordance with the Liberal Government's commitment to upgrade to a dual carriageway as and when it is required. This section of the highway satisfies the requirements for having a dual carriageway due to the existing traffic in this area and also the projected growth in traffic.

The relevant components of the project, just to summarise what is in your documentation there, include the duplication starting just north of Youl Road and extending typically west of the existing highway, rejoining the existing highway around the vicinity of the commercial businesses of Island Block and Paving, and Digger Excavations, and then again departing to the west of the existing highway, bypassing the existing roundabout that serves Hobart Road and Evandale Main Road, and rejoining with the Midland Highway just to the north of the existing roundabout.

Part of the project is two interchanges because Devon Hills is a growing area. There are a significant number of properties in the area and given projected growth, there are existing safety and efficiency issues in getting out of Devon Hills Road, in particular. The interchange is proposed north of that existing junction onto the new highway. That interchange would also service the commercial and industrial properties to the west and provide for future development, rezoning and changing land use on the western side of the highway.

There is an opportunity now to incorporate a significant upgrade and to bypass the existing Breadalbane roundabout and leave that in place to service Evandale Main Road and Hobart Road. There would be an interchange there to provide access to and from the Midland Highway to connect with those roads.

The project has several environmental constraints. On the eastern side of the highway we have fauna habitat there. There are two key fauna species that we are trying to avoid having any significant impact on. That requires us to construct in the non-preferred location within the existing highway reservation and slightly to the west of that, which also has an impact on the commercial operators in that vicinity, roughly in the centre of the job.

There is significant property acquisition associated with this project, given that it is a four-lane, duplicated highway, in a slightly different location over most of the length of the project to the existing highway. There has been significant consultation over many months with the owners of residential, rural and commercial property there.

In particular, there have been a number of meetings with the commercial operators. It is recognised there are businesses there and there is scope for future development and they have a great interest in the design and construction of the project.

Need for the Proposed Works

- 4.3 The Committee questioned the witnesses on the need for the proposed works. The witnesses indicated that this was a high traffic volume section of the Midland Highway, and as such warranted a dual carriageway treatment. The witnesses also stressed that the purpose of the project is to improve safety and transport efficiency:

CHAIR - In relation to this project, what is the current highway's lifespan? Where we have the roundabout I suppose is a few years old now, but it seems relatively new. What projected traffic flows have been done to indicate that the new work is required? I noticed in a couple of the comments that people seemed to think it wasn't required - 'We don't need this new road' - so I'm just wondering what studies the department have done to warrant this piece of road going ahead now.

Mr BEETY - The current figures are about 13 500 vehicles a day. We have done a traffic study and had an independent traffic review undertaken by a company in Melbourne called Robert Morgan. Just off the top of my head I'm not quite sure of the growth numbers. I know when we looked at the capacity of the roundabout and the inclusion of the roundabout scoping the indication was that roundabout would stop functioning in about 12 years. I cannot exactly recall off the top of my head the growth numbers for this one.

Mr FOWLER - It can be two effects of just organic growth of traffic on the highway and also local effects. The area where this highway is has proposed and existing industrial development. In Breadalbane that is growing and the anticipated growth in the Devon Hills area means we could well get more than the 2 or so per cent that is typically experienced in growth of traffic on a highway.

Mr BEETY - The only other thing we have not really talked about too much is the freight efficiency improvement by removing the roundabout out of the project, which would mean that trucks would be able to stay at 100 kph up that hill and through the site rather than decelerating down to the roundabout, negotiating it and then travelling up. There were reasonably significant cost and time savings there for freight movement which is another fairly big benefit to the project.

Mrs TAYLOR - ... What is the purpose of this project?

Mr BEETY - The purpose of this is road safety and increased transport efficiency.

Mrs TAYLOR - I can see it is increased transport efficiency, particularly from the industrial area from south to north, but why is it safer?

Mr BEETY - Road safety at the moment with the existing highway is AusRAP 1 for most of it. Because it doesn't have median separation, it just has the two lanes at the junction with Devon Hills, the curvature at the top has had a number of accidents and the roundabout is quite congested. By removing a lot of those components, putting the wire rope in, making it four lanes, putting in a lot of other -

Mrs TAYLOR - This will take it to AusRAP 4?

Mr BEETY - Yes, we will meet 4 quite easily with this.

Mr FOWLER - Along the length of the highway 60 per cent of fatalities that have occurred have been due to head-on crashes and a sizeable proportion of fatalities have been due to run-off-road crashes.

Mrs TAYLOR - On this section?

Mr FOWLER - Not necessarily on this section but across the highway. We are adopting a uniform treatment of a central median and within that a flexible safety barrier. What is different with this project, other than it being a dual carriageway with two lanes in each direction, is that it will have a wider median than the typical 2.1 median elsewhere on the highway, which is in consideration of the fact that those overtaking lanes will be utilised more than on the rest of the highway where you have a lot more commuting traffic and higher volumes of traffic. There will be more vehicles in that right lane so it is to provide both better sight distance as well as less opportunity for vehicles to impact the barrier.

Mrs TAYLOR - Is the reason we have done this because it is closer to an urban area?

Mr FOWLER - Yes, it is more of an urban treatment. The Government has undertaken to upgrade the highway to four lanes - dual carriageway, two lanes in each direction - as the need arises. In this area Damion mentioned there is around 13 500 vehicle movements per day and typically it is around that level where a dual carriageway is recommended as being safer and a more efficient treatment. This is the only section of the highway to be upgraded under the 10-year action plan that will see a dual carriageway as such with this AusRAP 4-type environment.

- 4.4 The Committee also noted problems with the current access point to Devon Hills, as it is the only access and egress for residents, with residents encountering difficulties accessing the highway during peak times in particular:

CHAIR - So if some of the large properties in Devon Hills were subdivided, could that create in a fairly short term an issue with access to that part of the road? There is only the one access from Devon Hills at the moment.

Mr BEETY - Yes, there is at the moment. It certainly would preclude any further development at Devon Hills at this stage. I don't think there would be much opportunity for any more intensification in there.

CHAIR - There are about 124 properties there.

Mr BEETY - Around 120-130 properties.

CHAIR - And they all access that one point?

Mr BEETY - Yes.

CHAIR - And that has created some traffic issues?

Mr BEETY - Yes. Not traffic accidents, but we have talked to the residents and a lot of the feedback was if they mistime coming out of there it can take quite a while to find a gap. That gap selection is not there for accessing the highway. It can take up to 10-15 minutes on a busy day.

CHAIR - Waiting for a break in the two directions?

Mr BEETY - Yes. There is a fairly constant stream because there is Longford and the traffic coming up the midlands as well.

CHAIR - It would seem a lot of people from Devon Hills head north.

Mr BEETY - Over 80 per cent of Devon Hills residents work in the Launceston area.

CHAIR - So they're on the wrong side of the road really, aren't they?

Mr BEETY - Basically, yes. You could say it was a bit of a bad planning decision many years ago to allow a subdivision on a route 1 highway.

CHAIR - I was surprised there were so many residences in that area because from the road it looks like only a few. With that amount of traffic it has probably been fortunate there have not been incidences there.

Mr BEETY - I would say very fortunate. Having one access point on the subdivision, even though there are 130 lots with one access, is fraught, let alone having that many in what you would probably call a reasonably high fire-risk area. It is quite surprising.

- 4.5 The Committee was pleased to note that the Devon Hills off-ramp would provide safer access to the highway for Devon Hills residents.

Cost of the Proposed Works

- 4.6 The Committee questioned the witnesses on the cost of the project, noting that it appeared to be expensive per kilometre:

Mrs RYLAH - What is the total distance of this project?

Mr BEETY - About 5.4 kilometres from one end to the other end at this stage.

Mrs RYLAH - At a cost of between \$60 million and \$70 million, it's a pretty expensive project per kilometre. Can you give me some understanding of that? I understand it is AusRAP 4 standard we are targeting. Can you outline what that is?

Mr BEETY - I guess two of the key cost components are the two interchanges, the two bridge structures. There is a significant amount of earthworks for those which has pushed some of that cost up. It seemed to be the optimal way to manage the traffic. A lot of it is in the embankment and pavement works.

Land Acquisition

- 4.7 The Committee noted that a significant amount of land was being acquired for the project. The Committee questioned the witnesses on how the land acquisition process was proceeding and the following exchange took place:

CHAIR - How has the process gone with the possible land acquisitions? Have there been any issues that need to be addressed further or is it proceeding as you would like it to?

Mr BEETY - It is proceeding as planned at the moment. Most of the notices and gazettals will be complete 7 October - next week. There are a few that will be a little bit outside that but predominantly most of those will be through. With the two businesses, there are ongoing discussion in terms of signage and some compensatory type of items in that area. They will continue well past the current status and they are ongoing.

CHAIR - How many different people are you dealing with to acquire property on that section?

Mr BEETY - Titles or property owners?

CHAIR - Property owners.

Mr BEETY - About six we are acquiring land from.

Mrs TAYLOR - It looks like 14 titles.

Mr BEETY - Yes. The large farm property at the bottom has about five to six titles on it and there are a couple with multiple titles.

4.8 The Committee noted of the landowners who will have land acquired for the project only one, Ms Margaret Peart, will have her house acquired and demolished as part of the acquisition process. The Committee had significant concerns that Ms Peart may not be compensated in a manner that recognises the true value to Mrs Peart of the loss of her home, and that it would not allow her to secure suitable alternative accommodation of at least equivalent standard and location.

4.9 The Committee questioned the witnesses on this matter and the following exchange took place:

Mrs TAYLOR - I will ask a question following from yours about the property acquisition. We visited - remind me of the lady's name whose house is going to be demolished.

Mr FOWLER - Do you want that on the record? Is that okay to include her name?

Mrs TAYLOR - Absolutely.

Mr FOWLER - It is Margaret Peart.

Mrs TAYLOR - It was a matter of concern when we looked at that as she will need to be relocated. I wondered what you were going to do about that because it does not look like a very valuable house, and looking at that hill that it is sitting on, it is not valuable agricultural land. I imagine the value is not huge and because she has to move, I would be concerned that we provide alternative accommodation or the capacity for her to be able to find alternative accommodation. Could you talk that one through?

Mr FOWLER - The Land Acquisition Act under which the Valuer-General completes land acquisition under the compulsory acquisition process for government departments and others, provides for a property owner to be fairly compensated for the loss of value of their land or for their entire parcel of land and a dwelling. I believe it also provides for the relocation of the property owner from one location to another. That, in this case, I can see would be more favourable for that property owner if the house does not have a high value but it is simple dwelling for the property owner at the moment. Although the value might not be high, it would be possible, I believe, to explore that other path and to look at relocating that person. From a construction point of view, there is a significant risk to the Tasmanian Government if those premises cannot be vacated at the time that we would need to have that area for construction. There are significant powers within the Act that provide access to a department, such as the Department of State Growth, within about two months from identifying the need to purchase property. We realize in this case that the individual might need longer than that to find alternative premises. We need to be consulting with the Valuer-General and the property owner to find a way that deals with this issue fairly, but still provides us with the surety that we need that we can have access and not be exposed to delays and there is no associated costs from the contractor as well.

Mrs TAYLOR - I am not suggesting that the house should not go or that we should not be acquiring it. I am suggesting that it is entirely possible - and I think you have indicated that too - that the valuation on the land and the house may not be sufficient for the owner to replace it with a similar property. Apart from the fact that the house is not the best house, though it suits her obviously, and the fact that it is fairly minimal value land probably - she has a magnificent view.

I know that at least technically we cannot compensate for views. You do not own a view. I understand that through the land use planning system. Nevertheless, when we talk about compensating this lady fairly, there is 'fairly' as in what is within the law and within property valuation, and there is 'fairly' as in, from her point of view, being treated fairly in that she

should be able to get an equivalent quality accommodation. That is fair from her point of view. It seems to me there might well be a gap between those two.

When you say 'alternate accommodation' as opposed to just money, I know we can do it, but that it not the issue I am talking about here. It is whether it is morally right as well as legally right, I suppose. When you talk about being able to find alternate accommodation for her, that might be or might not be of the same dollar value?

Mr FOWLER - It is something we will need to explore further with the Office of the Valuer-General. I am aware there is not a great deal of flexibility with the Land Acquisition Act. That is their area of expertise. There is not a lot of discretion there as to how you approach these matters. I believe there is the capacity to relocate someone into alternative premises, rather than simply compensating them. That is something we can certainly look at.

Mrs TAYLOR - That is what I am asking. Alternate premises, would that be of the same value as it might be the value of the land, or could that be of a higher value?

Mr FOWLER - I expect that it would provide the same utility as what the current premises provide. It could well be something of higher value. It is something we will need to explore. We have initiated the process and I gather that process can take one of two parts or it can be purchased by agreement as the third part. In this case we would be using a compulsory process. We will certainly explore that with the Office of the Valuer-General as to ensuring there is a fair outcome, if you like.

Mrs TAYLOR - As I say, there is fair and fair, depending on whose side you are looking at. If you are looking at fair in terms of what the law says about valuation, then that is fair to the Government or to the state. It also has to be fair to the person who has got an enormous life change. I would go into bat for this lady.

Mr FOWLER - The Department of State Growth does not implement the process. That is the Office of the Valuer-General. We could have input into the process and see if it is possible to take a path which provides what you would call a fairer outcome for the property owner. We are happy to discuss that and see if we can go that way.

Mrs TAYLOR - Does she have legal representation?

Mr FOWLER - She is entitled to it.

Mr BEETY - Yes, she does.

Mrs TAYLOR - Does she have a lawyer of her choice?

Mrs RYLAH - Are we covering that cost?

Mr BEETY - Yes, we have been speaking through her lawyer. We are just waiting for some feedback at the moment. They have provided an evaluation. We have an evaluation. Obviously, there is a difference in those at the moment, so the V-G's office is looking through that process at the moment. At the moment they are handling most of the situation. We are a little bit peripheral to that. I completely agree.

Mrs TAYLOR - You understand what I am saying? We can do what is fair within the law, without it being actually fair from that person's point of view. This lady has not asked for this project. We wouldn't want this to hold up the project either, but ordinary citizens ought not be disadvantaged.

Mr BEETY - The V-G has mentioned a couple of items they can assist with in this process, particularly in these sorts of situations.

Mrs TAYLOR - I would really like to know that the lady is satisfied in the end.

....**Mrs TAYLOR** - Can I just go back to the issue I was talking about before, the land acquisition? Mr Hennessy has just found for me the Land Acquisition Act that deals with this. I would not mind reading it into Hansard if that is okay.

CHAIR - Sure.

Mrs TAYLOR - It says:

'Compensation for principal residence.

Clause (2) of that says:

Where the highest and best use of subject land was a principal residence compensation is to be determined at the request of the claimant and with the consent of the Valuer-General on the basis of the reasonable cost of rehousing the claimant as an owner in fee simple at no cost to the claimant in a suitable residence of at least equivalent standard and location in this state to that which the claimant has had taken.'

Then the next clause says:

'(3) Notwithstanding that compensation is determined in accordance with subsection (2) -'

Which I've just read -

'... additional compensation may be awarded in respect of any hardship that the claimant may suffer because the claimant cannot establish himself or herself in a suitable residence solely by reason of age, infirmity or want of means.'

Mr FOWLER - That clarifies the process.

Mrs TAYLOR - It does, doesn't it? It says 'of a standard and location in this state'. I am presuming that the claimant actually knows about this clause?

Mr BEETY - Yes, they've been made aware of the process, yes.

Mrs TAYLOR - Thank you. The wording of that is actually quite specific.

- 4.10 The Committee also noted that some landowners may have land severed from the remainder of their property holdings as a result of the acquisition process. Mr Beety noted that these parcels of land were the subject on ongoing negotiations the Department was still discussing with the landowners whether the severed parcels of land would also be acquired:

Mrs RYLAH - In regard to the land acquisition, we are talking about the rural properties at the north and south end of this work being severed - land severed from their properties. It says here in the notes that it will be acquired. I would like to hear your comment further to the discussion we had when viewing the site about the northern piece of severed land. Is it definite it will be acquired, or is that still for debate?

Mr BEETY - It is still up for debate with the property owner. At this stage they are not convinced the valuation is going to be sufficiently high enough for them to lose that land. They think there may be some benefit for them down the track to maintain that land. They may be able to lease it to an adjacent property owner, they may be able to subdivide it and do something like that themselves at a later date. We can, alternatively, if the valuation is reasonable, acquire it. We don't need it for road-making purposes but there may not be much use for the land so we may be able to acquire it and potentially sell it later.

Mrs RYLAH - Damion, in that case, let's say we don't acquire it and they retain it, what do we do to that land? Do we fence it? Is it part of our costs?

Mr BEETY - We would be fencing it either way. If they maintain it, we would have to fence the land. If we acquire it, we would probably fence it any way, just for safety and access.

Impact on Affected Businesses

- 4.11 The witnesses indicated that there would some impact on 2 businesses located within the footprint of the proposed works, including the need to acquire land. The Committee questioned the witnesses on the conduct of negotiations

between these businesses and the Department and how they may be impacted by the proposed works:

CHAIR - At the other end, we had a look in front of the businesses where a parcel of land will be acquired from the businesses. What was the total amount of land you are requiring from the two businesses off that front strip?

Mr BEETY - It is 42 500 off the larger parcel with the quarry, and about 6 000 off the brick company.

CHAIR - Where we stood at the top of the hill and you said you had put several plans to the owners to try to satisfy some of the concerns -

Mr BEETY - About eight or nine different variations of plans. There has been a lot of consultation with these two. We have looked at a lot of options. That is probably one thing we hadn't mentioned. We were looking at a plan similar to this at a public display in May, and shortly before that one of the other options they would prefer came up and we went to the public display with two options. The second option included keeping the old highway maintained on the eastern side - an 8-metre-deep cutting and an overpass for these two businesses.

CHAIR - Where the road takes the property from the front, you said their fences, boundaries and signage would all be reinstated back to their new entrances.

Mr BEETY - Yes. We are assisting with signage and facilitating that with council. It is still a council issue. They have asked for signage on the highway and we have said we cannot do that. We are facilitating whatever applications, et cetera, that are required for the signage, including some new signage potentially at the southern end. They have a sign before the new off-ramp.

CHAIR - There was a modification on the Perth end with an access ramp?

Mr BEETY - The Devon Hills off-ramp. The northbound off-ramp, we are moving that further south to better facilitate access to the residential property at Devon Hills and reducing the acquisition off one of those two businesses.

Facilitating Access for Cyclists

4.12 Under questioning from the Committee the witnesses detailed how the proposed works would facilitate access for cyclists. The witnesses noted that the existing highway would be converted to a service road including a cycleway. The witnesses also noted that while the preference from a traffic management and safety point of view was for cyclists to use low speed, low traffic volume roads, the new section of highway would cater for cyclists by having two-metre-wide sealed shoulders and a half-metre sealed verge, which is the standard treatment being adopted for Midland Highway upgrades:

Mrs TAYLOR - As Mr Beety was speaking, I was reminded to ask about the cycleway and it is a very specific question. The new cycleway, will that will run from the current roundabout at Breadalbane and join back in where the commercial area is?

Mr BEETY - It will go through to the underpass.

Mrs TAYLOR - Then where will it go?

Mr BEETY - Where the existing highway has a reseal, we'll bring the lanes in and there will be extra wide lanes on each side for cycleways and we'll signpost it accordingly.

Mrs TAYLOR - Will you do that along the current highway to Perth? That looks like a reasonable stretch to have.

Mr BEETY - All the way through.

Mrs TAYLOR - One would imagine if cyclists are wanting to ride down the Midland Highway, right to Hobart, they might use the new highway. But for recreational cycling, one would think the current highway would be a pleasant ride. Will it be on both roads?

Mr BEETY - No. It will only be on the existing highway road, not the new. We are trying to discourage them; it is that speed differential - 110 kph versus a cyclist doing 30 or 40. We are trying to discourage them from the new four-lane highway and encourage them to use the old road with the lower speed environment and wider shoulders and trying keep best speed of the vehicles.

Mrs TAYLOR - What are you going to do about the rest of the way between Launceston and Hobart? I thought we were putting a wide shoulder on the projects we looked at yesterday.

Mr FOWLER - We will. There will still be two-metre shoulder, similar to what we have on the other projects and as we progress with the upgrade with the rest of the highway, we will see the similar treatment with two-metre shoulders, which provides a safe environment for cyclists to ride in.

Mrs TAYLOR - Yes. I understand it is not your average recreational cyclist who might be wanting to do that. There is a serious link. Failing us putting a cycleway beside the railway line, all the way from Launceston to Hobart, which would be fantastic - but we are not there yet - in the meantime, there needs to be the capacity for cyclists, who are serious cyclists, to be able to cycle all around the island.

Mr BEETY - The standard we are building on this is two-metre sealed shoulders which should be quite adequate for that. We are looking more at the mums and dads and kids-type ones on the other.

Mrs TAYLOR - Yes.

Mr FOWLER - We are not proposing to do anything active to discourage cyclists from using the new highway but providing an alternative option for them that is safer and a clear preference from a traffic management point of view to have the cyclists and low speed vehicles on a road with low traffic volumes. We are facilitating that through the construction of a section of cycle path to link in the two sections of the old highway alignment.

Mrs TAYLOR - Yes. Providing the surface is maintained to a decent standard, I am sure cyclists would prefer to use that too - sporting cyclists as well as recreational ones. We have not yet and we possibly will not do that for some time, all the way to Hobart.

Mr FOWLER - That is right; it will take time. Part of the 10-year plan is to upgrade safety on the highway by putting in a similar cross-section of what we are discussing at the moment - two-metre-wide shoulders through all the high speed sections of the highway in time.

Mrs TAYLOR - Will there be the half-metre verge on top of that?

Mr FOWLER - Typically. So where we have an external safety barrier with the outer safety barrier, there will be a half-metre verge between the shoulder and the barrier to reduce maintenance and provide some extra clearance to provide a minimum of seven metres from barrier to barrier.

Mrs TAYLOR - Will that be sealed?

Mr FOWLER - Yes, that verge will be sealed.

Environmental Impacts

4.13 The Committee questioned the witnesses on the environmental impacts of the project. Of specific interest were the impacts on local catchments and the impacts on fauna.

4.14 The Committee was interested in how the run-off from the new highway might impact on local catchments. Mr Beety provided the following information:

Mr BEETY - ... We are not redirecting any flows of water from where they go now. We are matching what is existing on the road, and putting another culvert in on the new highway to match what is there. Some of them do go down the southern end. There are a couple that will eventually go into those dams, but the rest go through waterways. Some of them will end up in the dam but the others -

Mrs RYLAH - Will flow into the river.

Mr BEETY - The north ones do not make it to that dam you can see on the property. That ends up at the airport. There are two catchments. The commercial businesses sit on a ridge, and there are two catchments that run each way.

- 4.15 The Committee also questioned the witnesses on the impacts on local fauna. The witnesses indicated that 2 species in particular would be affected by the proposed works; the Green and Gold Frog and the Masked Owl.

- 4.16 The Department's submission noted that the route of the new highway was within an identified Green and Gold Frog habitat zone, a species which is a Commonwealth-listed threatened species. Mr Beety indicated the Department had done a significant amount of work on minimising the impacts on Green and Gold Frog through the development of the Department's Green and Gold Frog Guidelines, and by including in the project scope the construction of wetlands along migratory pathways:

Mrs TAYLOR - You have said in the environmental section, about the fauna, that you are going to make sure it stays wet, or that you have marshland or wetlands on each side of the culvert for the green and gold frogs.

Mr BEETY - Yes.

Mrs TAYLOR - Is that not there now naturally?

Mr BEETY - No. There are a number of small farm-type irrigation ponds, or cattle ponds. We are creating new wetlands as part of the measures for the green and gold frogs.

Mrs TAYLOR - And any other?

Mr BEETY - And any other fauna that are likely to use those culverts.

Mrs TAYLOR - How are they going to be maintained? How do you know it is always going to be wet?

Mr BEETY - They are not likely to be wet. A lot of them are not likely to stay wet. A lot of the watercourses that are there now dry out in summer. The intent is that they will be wet in the wet months, and dry in the dry. As a minimum at this stage, we are putting in a five-year maintenance program outside the project to establish these wetlands, for weed eradication, and that type of thing, so at least for the first five years, giving them a chance to establish outside what we would normally do under a construction project.

- 4.17 The Department's submission also notes that the site includes a number of significant eucalyptus trees, some of which may be considered to be potential habitat for the Tasmanian Masked Owl, which is also a Commonwealth-listed threatened species. It was noted that, where possible, the route has been designed to avoid impact on identified habitat trees:

Mrs RYLAH - I would like to turn to the masked owl. I did not understand the comments in here that say, 'This will allow the project team to take necessary actions to minimise future potential impact of the highway construction'. That is where you are looking at trees that need to be removed. Could you outline to the committee what is necessary action when you are removing a tree that might have masked owls in it?

Mr BEETY - We have sent out an arborist already to identify any trees we anticipate for removal. We had him inspect the tree and assess it, and if there are any hollows that could be potential nestings sites, to have those filled before the mating season to ensure there won't be any masked owls in those trees before we have to take them down.

Mrs RYLAH - So they are filled now?

Mr BEETY - Yes.

Mrs RYLAH - What are we doing about replacing those trees you are removing? Are you planting new trees?

Mr BEETY - There are a few issues in that. We are bit reluctant to have too many of these trees close to a four-lane highway, which is not ideal. We have had some discussions around establishing new trees but it is a 10-20 year process - probably a 50-year process - before the hollow is formed, so at this stage we are not doing any specific tree replacements on this project.

Mrs TAYLOR - You're not putting up boxes for masked owls either?

Mr BEETY - We have heard of a Victorian project where they have kept the tree trunk with the hollows in it and planted it away from the highway into a property. We have looked at that and it may be something we could do.

Mr FOWLER - We are trying to avoid any direct impact on the fauna. Most fauna species are opportunistic to some extent. If there is not suitable habitat in those trees then the expectation is they will nest somewhere else.

Mrs TAYLOR - Some of them are significant trees and there aren't that many significant trees on the eastern side of the highway. There is plenty of bush there but it doesn't look as though it has quite as many significant trees as the few you might be having to take.

Mr BEETY - Our ecologist was very excited when he saw a few of the trees on the hill where we are taking a few. They were much more significant than some of the ones opposite the two commercial businesses.

Mr FOWLER - We have taken it very seriously so we are recognising that it is a constraint - for example, in the area of the commercial properties we are keeping as many of those trees intact as we can.

- 4.18 The witnesses also noted that the Department had undertaken a significant body of work aimed at minimising the environmental impacts of the project, in particular on both the Green and Gold Frog and the Masked Owl. As such, the project would not meet the environmental impact threshold for assessment under the Commonwealth Environmental Protection Biodiversity Conservation Act:

Mrs RYLAH - Do we have EPBC requirements in this project? They are not mentioned.

Mr BEETY - The works we have done through the process environmentally, with our ecologists and our green and gold frog guideline establishment, have negated the need at this point to refer to EPBC. We are under the threshold for triggering EPBC. That has caused us to stay in a fairly confined corridor. At this stage, we do not believe, and we have advice to suggest, we do not need to trigger EPBC. We are still doing all those requirements to ensure we meet our environmental guidelines.

Mrs RYLAH - Even though we are not triggering it, we are meeting their guidelines, is that what you are saying?

Mr BEETY - We are doing everything we can to stay well under any new trigger points.

Mrs RYLAH - The trigger point being the area of land disturbed?

Mr BEETY - Yes. The area of land disturbed, the number of trees impacted, any habitat disruption. There is some significant flora that has corridors of identified species that we are

trying preserve. We are doing the best we can, other than where the road needs to go, to minimise the number of trees removed and impacts on some of those species.

Mr FOWLER - The principle is, where a proposed project has an impact that is defined or measured to be significant on matters of national environmental significance, it needs to be referred under the Environment Protection and Biodiversity Conservation Act. In this case, we have completed that significance assessment and it is considered the impact of the project is not significant enough to require that referral and EPBC approval.

Noise and Visual Impacts

- 4.19 The Committee noted there would be some noise and visual impacts from the proposed works once completed. The Committee was concerned that there may be some unintended or unanticipated impacts that may not be evident until the new section of highway was open:

CHAIR - It is interesting looking at appendix A and the summary of results. I would recommend anyone who has any interest in this to read through. I do not think there is any way you could probably satisfy everyone, without upsetting someone else.

Mr BEETY - We are finding out through this process. As we have done quite a bit to address the two businesses, we have actually impacted on a couple of the residences that did not have impact originally. We have been working through that process with them. They are concerned about noise and a few other items. We are building a big embankment near their property. They are concerned about visual impact. People being able to see in from the highway. I sent one of my guys into the paddock with an elevated work platform, gave him some coordinates and heights, and he took photos of a vehicle height down the new highway. He photographed it into that property. We took that back to the property owners to say, 'You cannot see your house now. You will not see the house under the new arrangements.'

CHAIR - So visual and noise screening, if that was required, would be negotiated with the owners?

Mr BEETY - On an individual owner basis.

Mr BEETY - On top of that, there is the street lighting. There was a design submitted last week from TasNetworks for the street lighting for the highway - the on and off ramps and the underpasses. There are some minimum lighting requirements to illuminate any of the junctions on the highway.

Mrs TAYLOR - Have you discussed that issue with the residents as well as the issue of noise?

Mr BEETY - Yes. There are a few more lights than we were expecting, partly because the Devon Hills underpass is spread out quite a bit and as well as the on and off ramps. At this stage, there does not seem to be too much concern about street lighting. It will be a lot more lit than currently -

Mrs TAYLOR - It will be a lot more lit. You do not think about that until it is actually there, unless somebody alerts you to that.

Mr BEETY - There is a few spots that will be down in under the ground, and they will not be visible. There are a few spots where lights would be visible from various locations and residential areas.

5 DOCUMENTS TAKEN INTO EVIDENCE

- 5.1 The following document was taken into evidence and considered by the Committee:

- Midland Highway, Perth to Breadalbane Duplication - Submission to the Parliamentary Standing Committee on Public Works, Department of State Growth, September 2015.

6 CONCLUSION AND RECOMMENDATION

- 6.1 The Committee notes that Ms Peart will have her property, including her house, compulsorily acquired. The Committee also notes that any compensation paid that is based on the valuation for the property will not reflect that it is Ms Peart's "home" with intangible values that cannot be assessed via a property valuation.
- 6.2 Therefore, the Committee is concerned that compensation based on the property valuation will not be sufficient for Ms Peart to find appropriate alternative accommodation. The Committee is of the opinion that a just and equitable outcome must be secured for Ms Peart, and suggests this will not be the case if compensation is determined on the valuation of the property alone. The Committee strongly suggests that the provisions of clause 30 of the *Land Acquisition Act 1993* be applied in determining compensation for the acquisition of Ms Peart's property, whereby compensation can be determined on the basis of rehousing the owner, and at no cost to the owner, in a suitable residence of at least equivalent standard and location.
- 6.3 The Committee further notes that, post construction, there may be some unforeseen impacts, such as increased noise, increased disturbance from street lighting and other visual impacts that may affect the amenity of residents and businesses in the area. The Committee suggests that the Department of State Growth may need to monitor these types of impacts post construction to assess what mitigation measures, if any, are required to address the unforeseen impacts of the project.
- 6.4 Notwithstanding these matters, the Committee is satisfied the need for the proposed works has been established. The Committee notes that the proposed works will provide a safer road environment, provide increased capacity to cater for projected increases in traffic volumes and improve transport efficiency.
- 6.5 Accordingly, the Committee recommends the project, in accordance with the documentation submitted, at an estimated total cost of \$61,839,000.



Parliament House
Hobart
30 October 2015

Adam Brooks MP
Chairman