



**To the Chairman, the Hon. Rob Valentine MLC, Deputy Chair the Hon. Tania Rattray, Ms Jen Butler MP, Mr Felix Ellis MP, and Mr John Tucker MP.**

**Submission to the Parliamentary Standing Committee for Public Works**

As introduction, I would like to explain my **background and qualifications** to make this submission.

My name is **Robyn Lewis**, and I am the current custodian of **Milford Forest**, which is 40 ha of old growth white gum (*Eucalyptus viminalis*) forest immediately adjacent to the Tasman Highway, which **will be significantly impacted by the proposed development** as it is currently designed and proposed to be implemented.

This forest is part of my property "Milford", a 120ha mixed farm which is home to 5 agribusinesses, of which I am Managing Director. Milford has been in the Lewis family since the original land grant in 1829, and is the **8<sup>th</sup> oldest family business in Australia** still in operation. It was until recently also the home of the oldest Southdown sheep stud in the world, which was established in the 1860s.

The majority of Milford Forest has been **managed for conservation by the Lewis family since 1829**, at our own cost (ie no cost to Government) in part because it is **home to 2 endemic, Federally-listed critically endangered orchids now found nowhere else in the world** (because other nearby habitats have been destroyed/cleared or irreversibly damaged by mismanagement and weed incursion etc). The earliest records in my possession of the uniqueness of these orchids are from October 1841, recorded by early colonial botanist Louisa Anne Meredith.

Milford Forest is also home to over 20 other orchid species, including an additional Federally-listed endangered species and numerous other rare flora. It is generally regarded as **the most biodiverse habitat in Clarence Municipality and one of the most biodiverse in lowlands Southern Tasmania.**

As such it represents a **reference to what an untouched/well-managed forest of this type should look like, and would have looked like during its Aboriginal custodianship**, and is thus is a unique reference for any work attempting to recreate this type of habitat, and a place of deep significance to our Indigenous community.

It is **old-growth forest, with some trees of circa 300-400 years of age**, has never been logged and is also unique in that it extends to the sea (the coastline is also preserved by me, as a bird sanctuary), creating a landscape that would have been near-identical before European settlement – all within 20 km of Hobart and 5 minutes from Hobart Airport. To say that it is a **unique natural treasure** is an understatement.

This "dry viminalis coastal" forest type (DVC) is listed as a **Threatened Native Vegetation Community** under the *Tasmanian Nature Conservation Act 2002*. This community is at risk from land clearing and grazing, and threatened by invasion by weeds which can reduce native species diversity. 57% of this community in Tasmania occurs in patches of less than 5ha. At 40ha, located by the sea, Milford Forest is a prime example, rated by DPIPWE in excellent condition, and needs to be fully protected.

Milford Forest is also home to numerous **wildlife**, including 3 Federally-listed endangered **Wedge-tailed Eagles** (they were nesting in the forest until one of the parent birds was killed by a truck on the Tasman Highway; now it is part of their home range but they nest further away), the Federally-listed endangered **Masked Owl**, which

has been recorded as nesting in the old-growth tree hollows, the Federally-listed endangered **Tasmanian Devil** (including recorded sites immediately adjacent to the Highway), the Federally-listed endangered **Tiger or Spotted-tailed Quoll**, Brown Bandicoot, Echidna and other species, including rare butterflies. It is also in the home range of nearby **White-bellied Sea Eagles**.

Because of these **natural attributes, agri- and eco-tourism, indigenous cultural and ecological significance**, any development near Milford Forest needs to be handled with the **utmost care and sensitivity, especially with regard to long-term impacts**, if it is going to survive another 200 years for future generations to enjoy (and for the survival of its native species). **Extinction** of the two critically endangered orchids by an ill-thought-out proposal and unsupervised construction is a **real, genuine threat**.

I believe you should view this proposed development as you might view **putting a highway through Hobart's Royal Botanic Gardens**, although Milford Forest is more sensitive, given its finely balanced natural ecology, much of which is still little understood. The **long-term implications of your decision(s)** regarding this proposal are highly significant. This also is an opportunity to be **seen to exhibit duty of care and doing the right thing by the environment** and indeed the basis of the natural values of Brand Tasmania (especially being close to Hobart Airport, the eastern gateway to Clarence Municipality, and being passed by perhaps 95% of all tourism traffic in Tasmania, en route to the East Coast and Tasman Peninsula). History will be your judge.

Milford Forest has been the target of several short-term, ill-conceived Government projects in the past, including a sewerage treatment works and a football/sports field, and the fact that it is **approaching its 200<sup>th</sup> anniversary as protected habitat under white settlement** is only because good long-term thinking and respect for the environment prevailed. Let us hope that this continues under our stewardship.

My **qualifications** in this area are a Bachelor of Economics (UTas) with a sub-major in Biological Sciences, and a Master's Degree in Science (Oxford University) in Forestry and Land-use Management, majoring in Forest Ecology. I am also a Fellow of the Linnean Society (the world's leading international botanic society, based on my work in Asia), a Graduate of the Australian Institute of Company Directors, former winner of the Telstra Businesswoman's Award for Innovation in Tasmania and recent recipient of an Australia Day Community Achievement Award.

I have worked in project design, management, implementation, monitoring and review in both Africa and Asia in agriculture, forestry, agri-tourism, integrated development aid projects for the World Bank, Asian Development Bank, AusAid, CARE Australia, Royal Swedish Academy of Sciences, GIZ (German aid organisation) and others, including some very large US\$ multi-million projects in China. I returned to my native Tasmania to be the inaugural Project Manager and Curator of Moorilla Museum, now MONA, which I successfully navigated through Glenorchy Council, Heritage Council and State Government approvals, and implemented this project on time and on budget.

I am currently **President of the Milford Forest LandCare Group** and Public Officer of the Central Highlands Tasmania Wildlife Group, which I and others formed after the 2019 bushfires. I have a lot of hands-on experience in these areas and in managing community groups, and am well placed to speak authoritatively on Milford Forest and its sustainability, having lived and worked here for over 20 years. I am a very committed Tasmanian and **want to see a good future for our residents, encompassing economic, social, health, educational, cultural and environmental values**.

As a sole parent and mother to an 18-year-old daughter, whose generation is

increasingly and more vocally concerned about these factors, I believe we all as current decision-makers and influencers need to take greater responsibility in planning and implementing the future of Tasmania, including **balancing our infrastructure needs with other objectives. It is our responsibility to our youth to ensure that the environment is no longer treated as an afterthought**, and to exhibit **genuine duty of care towards both it and upcoming generations of Tasmanians**, who will otherwise inherit even worse problems.

My reasons for writing are to request time to appear before Standing Committee on the 20<sup>th</sup> October, to **speak about my significant concerns** regarding to the proposed development ie the Tasman Highway duplication between the Airport Interchange and Pittwater Bluff which I outline in my report attached.

I request that you please take the time to **thoroughly investigate and to ensure that what I (and others) regard as significant oversights and irregularities in this proposed project are resolved before it is approved**. Too often in project management, problems which with better, broader and more genuinely consultative planning can be ameliorated are attempted to be patched up afterwards, with less than ideal and often very costly and/or destructive outcomes. This is one such example.

The idea of smoothing transportation in South Eastern Tasmania area is a good one, but in my opinion **the proposed project does not effectively accomplish this aim in the best way possible**, particularly when other objectives are taken into consideration using a contemporary, multi-objective planning framework. By taking a broader look as I will describe, it will be shown that **a better result can be produced that achieves the intended objective, and more broadly, benefits others who will be impacted by the project, improves public safety, helps preserve the environment and promotes sustainability in the region, both economic, social and environmental**.

**Additionally, measurable objectives need to be agreed to before the work starts**, and politicians, the project proponents and their contractors and consultants need to know how they will be independently measured, and held accountable.

**It is perhaps rare that a Public Works project proposal necessitates this level of PSPWC scrutiny, but Milford Forest is unique, the proposed project is part of a major and expensive one, and the consequences of making a hasty, inadequately-informed decision are significant, risky and likely irreversible.**

I would also like to state that, despite being a directly affected stakeholder immediately adjacent to and impacted by the project proposal, I first learnt of this proposal via ABC Radio at 9 am on Monday 3<sup>rd</sup> June 2019, when the Tasmanian Golf Club opposite Milford announced that they were going to be impacted by the proposed project and that it could bankrupt their Club etc. **Obviously they were given the privilege by the project proponents of being informed first**, moreover in time to prepare and launch a media campaign which then went on for at least the next week, including TV coverage.

The proposed project was advertised for public comment, but even prior to that initial process being completed, **the Clarence Council moved and passed a motion only 2 weeks later, before any costs were obtained, let alone a cost-benefit analysis or strategic review undertaken, on the 17<sup>th</sup> June 2019, stating that "Council does not support:**

- **The loss of land at the Tasmanian Golf Club for the purposes of road widening and access."**

[See <https://www.ccc.tas.gov.au/wp-content/uploads/2019/06/Clarence-Meeting-Minutes-17-June-2019.pdf> p 64]

No reason has ever been forthcoming about why this motion was tabled, let alone passed. There are no Minutes of any debate; only one Councillor abstained.

However, at the recent **Clarence Council Planning Authority Meeting on 6<sup>th</sup> September 2021** to consider the DA for this proposed project, PDPLANPMTD-2021/017782, regret about this 2019 motion was expressed by a number of Councillors, both for their haste and for the proposal's subsequent impacts on the transparency, fairness and effectiveness of the planning process, on other affected stakeholders (including but not limited to myself) and indeed on Clarence Council itself, with one Councillor opining that "I hope that in 10 years' time this is not seen as being a very expensive, environmentally destructive, short-term white elephant".

Clearly **the process of developing, consulting on, analysing and managing this project proposal has been flawed from the beginning, and genuine options for alternatives were never examined as a direct result.**

**Regrettably, and perhaps unbelievably, it has only got worse since.** Even one of the developer's consultants recently stated that "what we have been left with is the worst of both worlds". That is, we currently have a design proposal sandwiched in the middle of 2 properties, with potentially catastrophic environmental impacts on one side, disruptive works on the other, and in the middle, the road safety issues (with the route still following the pre-1890 Milford farm track), largely unaddressed. The notoriously unsafe 'Lewis Corner' – cause of many human injuries and some fatalities and where only last Sunday 3<sup>rd</sup> October yet another car went through the fence, hitting a small tree and avoiding a very large one by only a few metres (by which chance the driver was thankfully not seriously hurt, unlike previous victims) – astonishingly, is being retained. On the other side there are very large costs to redesign and rebuild parts of the Tasmania Golf Club to retain 18 holes, which only a few years ago was advertising that it was for sale, or alternatively looking at reducing to 9 holes and partnering with the soon-to-be-built links course at Seven Mile Beach as their then preferred business model.

Whilst I believe it is now beyond the powers of Clarence Council to remedy this past error, **you now have the opportunity to genuinely and thoroughly examine this project to determine if it meets your public good criteria**, and whether or not the project as it currently stands should **at worst be approved, or modified** to improve some of the adverse outcomes, **or rejected** and the project design reconsidered to avoid the potential "costly white elephant" referred to. **The taxpayers of Tasmania deserve this project proposal be examined properly, fairly and transparently.**

Whichever option you ultimately choose, **it is very clear that more information is required now.** There is no apparent logical reason for haste, based on your assessment criteria and the Legislation. The current upgrading of the Midway Point interchange and the Sorell Bypass will take pressure off this stretch of highway for some time, and allows **a proper decision to be made with full information not currently available.**

I look forward to meeting you all. Thank you for having an interest in making Clarence and the surrounding Tasmanian communities and environment the best they can be, and for considering my submission.

Yours faithfully, *Robyn Lewis*

**Robyn Lewis**, B.Ec., M.Sc. (Oxon), GAICD, FLS.  
Managing Director, Milford.

## **Submission to the Parliamentary Standing Committee for Public Works: Robyn Lewis, Milford, Cambridge**

### **Executive Summary/Overview**

Thank you for the opportunity to address the Committee. (Paragraphs are numbered for your ease of reference).

#### **1. My submission addresses five questions**

- Question 1 Do the proposed works **meet an identified need or needs, or solve a recognised problem?**
- Question 2 Are the proposed works **the best solution to meet identified needs or solve a recognised problem within the allocated budget?**
- Question 3 Are the proposed works **fit for purpose?**
- Question 4 Do the proposed works **provide value for money?**
- Question 5 Are the proposed works a **good use of public funds?**

#### **2. While these are excellent questions, the legislation requires the Committee to Public Works Committee Act (No. 32 of 1914) Section 15(2)**

(2) In considering and reporting on any work, the Committee shall have regard to

(a) the **stated purpose** thereof;

(b) the **necessity or advisability of carrying it out;**  
and where the work purports to be of a reproductive or revenue producing character, the amount of revenue which it may reasonably be expected to produce; and

(c) the **present and prospective public value** of the work

and generally **the Committee shall in all cases take such measures and procure such information as may enable them to inform or satisfy Parliament as to the expedience of carrying out the work.**

#### **3. This submission asserts the following** (and I annotate the references to each of these as eg ASSERTION 1 etc in the following discussion).

1. The proposed project **fails to demonstrate strategy;**
2. The proposed project **fails to use regulatory instruments for the public purpose for which they were intended;**
3. The development proposal **used analytical tools to exclude members of the public from quantitative input;**
4. The proposed project endorses **misrepresentation.**

5. The proposed project **appears not to comply with well-established Federal environmental law, namely the *Environment Protection and Biodiversity Conservation Act 1999*** (hereafter EPBC Act), or with Federal aviation requirements;
  6. The proposed **project ignores safety-related and quality of life issues of local residents;**
  7. The proposed project **ignores the commercial and economic impacts and understates the environmental impacts on the local geographic area directly impacted by the proposed project;**
  8. The **cost/benefit analysis fails to recognize the actual diminished quality of life for local residents (and commuters) resulting from disruptions** caused by construction;
  9. The proposed project **fails to adequately consider threatened habitat destruction by exploiting a loophole in the Clarence Interim Planning Scheme, or to include the cost of repairing environmental damage** potentially caused by the proposed construction and on-going amelioration costs;
  10. The proposed project **challenges standard methods and expectations about investing taxpayer resources**, achieving only minimal real-world benefits in return;
  11. The **developer of the proposal has sought to avoid providing local residents and other affected parties with an adequate, informed and fair process for challenging the conclusions of prior studies.**
  12. The **developer of the proposal and/or their consultants have at times acted unconscionably;**
  13. **Due diligence and accountability have yet to be exhibited** in this process so far.
4. In summary, in my opinion the proposed project
- fails to show duty of care
  - **does not currently answer the 5 questions put to the PSCPW**
  - **does not adequately meet the legislative requirements of the Public Works Committee Act (No. 32 of 1914) Section 15(2)**
  - is potentially illegal in its **potential violation of and/or avoidance of correct application of existing Federal environmental laws and aviation requirements**

These factors, plus the true overall project cost, inadequate cost-benefit analysis, and related adverse impacts **do not justify approval now, and certainly not without significant further investigation by the PSCPW.**

5. It is the **request of my submission** that:

- The Committee requires the Department of State Growth to **provide regional level modelling to demonstrate that this proposed project is superior to both a 100kmh design solution at this location, and a new network connection** via the Spit to Dodges Ferry (the latter option was discarded early, without being costed) in providing best Net Present Value (NPV) for this use of public funds, using a 20-year economic evaluation period.

- The Committee needs to **request further information** from the project proponents before attempting to answer **Question 1**
- **The Committee requests a multifactor analysis of options**, since the Department has the data and it is contemporary professional practice, to assist answering **Question 2**.
- **Until the stated purpose is clarified, and cost alternatives presented, the assessment of 'best solution' or 'solve a recognised problem within the allocated budget' is not possible.** Again, I suggest that the Committee needs to request further information from the project proponents.
- In order for the Committee to be able to answer **Question 3, the Committee needs to request the proponent provide information about the travel time benefit of both an 80kmh design speed and the 100kmh design speed, and especially, the cost of the construction delays**, plus wait until the proper drainage studies (as have been requested by Clarence Council) are produced and agreed on.
- **The Committee needs to request further information from the Proponent in order to investigate and allow informed debate concerning Question 4, value for money.**
- **I cannot see that your Committee can currently assess this expenditure as a good use of public funds (Question 5).**

**6. There being no imminent public-related need to commence this part of the SETS project** immediately, or even in the short-term, I strongly suggest that you take my submission into account and address each of these questions and the Legislative requirements in full before approving it. **I believe a better outcome will be the result.**



**Question 1 Do the proposed works meet an identified need or needs, or solve a recognised problem?**

7. The project's **Development Application** PDPLANPMTD-2021/017782 states that the **Strategic Rationale** is "to ensure that Clarence Municipality is a well-planned liveable city with services and supporting infrastructure to meet current and future needs." This **cannot be the strategic objective of the proposed project**, as being on the far boundary of Clarence, relatively few residents of Clarence Municipality will be significant users. Indeed, there was little or no specific consultation with the Clarence Municipal residents as to whether this use of funds was the best way to promote their future needs. (ASSERTION 1) If it were the objective, it may be better put towards reducing other, greater bottlenecks or road issues in the Municipality or affecting commuting Clarence residents.

8. However, the project's submission to the EPBC (2020/8805) refers to **the South-Eastern Traffic Solution** which more appropriately details regional objectives for arterial connectivity. This is closely aligned to the *Southern Integrated Transport Plan 2010* which identifies the **arterial nature of both the Tasman and Arthur Highway** for commuters in "the major residential growth in Hobart's outlying urban areas, effectively increasing the urban footprint of metropolitan Hobart. .... Brighton and Sorell – once outlying rural towns – are now sub-regional service centres and form part of metropolitan Hobart. Both have also experienced strong residential growth, particularly in the affordable housing market and are considered as being within commuting distance of metropolitan Hobart."

9. **Given this regional nature of the project** the Tasmanian Government's website **recommends one of four approval processes, see:**  
<https://planningreform.tas.gov.au/major-projects-assessment>

10. **A planning approval process tailored to the regional, multi-municipal nature of this project, would be the appropriate planning process.** This has yet to be applied. (ASSERTION 2)

11. Overlooking the ambiguity in the project documentation, and accepting that the identified problem is regional accessibility, then **the public needs to be consulted about solutions that will improve regional accessibility**, not just on which one of local design options 1 to 5 is 'better', as has all that has been done so far.

12. It is useful to note the level of public interest and community engagement in the RACT 2019 submission "*Greater Hobart Traffic Congestion*" to the Legislative Council. This strategy has been well researched, has the support of all Councils and is available to the public and to the Department. It calls on the Tasmanian Government to approach the better movement of people in a way that is evidence-based and removed from the political environment.

13. **However of the five options considered in the full EPBCA submission 2020/8805**, the only options which effectively address regional accessibility (Options 1 and 2) were both dismissed, based only on discussion with the four affected land-owners (P41 of that submission), and one option of which was effectively excluded by Clarence Council while the public consultation period was barely underway in June 2019 (see introductory letter). The analysis in that **full submission has been excluded from the public domain.** (ASSERTION 3)

14. **The remaining three options were only discussed with limited groups** with a total of 155 surveys being completed (Item 1.13 of the Public EPBC submission). Note

that this figure is not accurate in that the "*Consultation Report - South East Traffic Solution 2019*" mentions 640 responses. The most frequently response stated was that "an alternative crossing point should be considered at either Seven Mile Beach to connect the Southern Beaches, or from Cambridge to connect with the western end of Shark Point Road"

15. This consultation report was put out for further public comment in December 2019, but the results of further feedback were not released until I asked for them twice, and was sent them on 7 October 2021.

16. There is little change in the public input. Responses such as "public transport has been considered" I do not regard as adequate. Surely some of these need to be implemented to see how traffic is affected, before spending additional millions on a road widening project, which has been demonstrated worldwide to INCREASE the number of cars using it?

See

[https://www.transport.tas.gov.au/\\_data/assets/pdf\\_file/0018/310248/Hobart Airport Interchange to Midway Point Causeway Stakeholder and Community Feedback Report.pdf](https://www.transport.tas.gov.au/_data/assets/pdf_file/0018/310248/Hobart_Airport_Interchange_to_Midway_Point_Causeway_Stakeholder_and_Community_Feedback_Report.pdf)

#### 17. Thus in responding to Question 1

- **the identified need has not been articulated** in the Development Application put to Clarence City Council on 26<sup>th</sup> July 2021 (currently under appeal)
- the **planning approval process is not fit for the need identified in the EPBCA referral** (October 2020), and
- the **community consultation has not enabled discussion of the solution to the identified need most accurately described in the South East Traffic Solution report.**

18. I suggest therefore that **it is not possible for the PSCPW to answer Question 1 with the currently available information** and suggest that you need to request further information from the project proponents.

**Question 2 Are the proposed works the best solution to meet identified needs or solve a recognised problem within the allocated budget?**

19. The proposed works are basically an increase in the number of traffic lanes and associated junction formalisation; the posted speed of the highway (80kmh) is not altered. In this circumstance the benefits of the project are merely a reduction of peak hours, when congestion reduces traffic flows, with minor road safety benefits from improved junction control at Pittwater Rd.

20. Transport economics, as a discipline, aggregates these benefits separately. However, **more contemporary project evaluation techniques use a multi-factor analysis** to include non-transport economic factors such as social, environmental and strategy.

21. Using the limited transport economic tools apparently used in evaluating the project, **the public would be better placed to assess the 'best' alternative if the options presented included:**

- Road safety savings,
- Travel time savings at 80kmh
- Travel time savings at 100kmh
- Time cost of construction delays

22. There is evidence in the *EPBCA submission 2020/8805* and the *South East Traffic Solution* report that the Department of State Growth has done some quantitative analysis through its traffic modelling, however **no detail is available to the public (or the PSCPW) to make an informed assessment as to whether this is the BEST solution** (relative to Options 1, 2, 3, or 4) **to solve the recognised problem.**

23. **The Department of State Growth collected the input data for such a multi-factor analysis** in its public consultation although that report "*Consultation Report - South East Traffic Solution 2019*" is no longer available on the website. (ASSERTION 3) Even worse, a copy of that report states that "The most frequently received comment was that an alternative crossing point should be considered at either Seven Mile Beach to connect the Southern Beaches, or from Cambridge to connect with the western end of Shark Point Road".

24. **Not only has the Department failed to disclose the public sentiment but it appears to have wilfully restricted public discussion of alternative crossings by removing this report from public viewing.** (ASSERTION 4) These alternatives were brushed aside by statements such as "the highway has to remain within the existing highway envelope". Why? This notion was not applied to the upgrading of the Bass Highway, which would still weave its way along the NW coastline following the logging and farming tracks of the 1800s if it had, instead of providing a far superior direct route meeting contemporary transport needs.

25. **It is reasonable for the PSCPW to now request a multifactor analysis of options**, since the Department has the data and it is contemporary professional practice.

26. Moreover, despite various assertions to the contrary, in particular in DSG's EPBC submission of 2020, **this proposed project is effectively part of a proposed much larger works, namely the widening of the 2 causeways to Midway Point and Sorell**, which is hugely expensive, disruptive, environmentally significant (as it traverses a RAMSAR listed site, a shark and ray reserve, the only habitat of a rare species of starfish, whose numbers have plummeted since McGee's Bridge on the Causeway to

Midway Point was upgraded, and more) and needs proper analysis. It may well be that this can be avoided altogether.

27. Undertaking this current phase of the proposed project without full analysis, disclosure of the budget, or costing of alternatives is in my opinion putting the cart before the horse, and presenting the causeway widening as a fait d'accompli, when as already outlined, we do not even know if these are the best solutions, let alone the most cost-effective, or ones that are required now.

28. The **community consultation regarding options has been constrained because the proponent has not provided analytical or cost data to the public.** Strategies such as the RACT's and more regionally based projects have not been addressed despite their being considerable interest in community engagement in these transport matters. (ASSERTION 3).

29. **'Best solution' might be interpreted to mean**

- The option that **minimised travel times**, in which case a 100kmh design would be best,
- A **resolution of the arterial road network to provide a well-planned liveable region** with services and supporting infrastructure to meet current and future needs in which case a bridge at The Spit to Dodges Ferry would be best,
- **Minimisation of environmental impacts** in which case public transport improvements would be best, independently monitored and supervised construction controls put in place, and the promised (but later retracted) wildlife crossings be reinstated.

30. However, the priority question for the proponent regards the stated purpose of the project (as per Question 1).

31. **Until the stated purpose is clarified, and cost alternatives presented, the assessment of 'best solution' or 'solve a recognised problem within the allocated budget' is not possible.** Again, I suggest that you need to request further information from the project proponents.

### Question 3 Are the proposed works fit for purpose?

32. In responding to this question of 'fit for purpose', I will not further labour the lack of an agreed, nominated purpose for the proposed project. Rather I will **focus on whether the road design responds adequately to the constraints**, since the self-evident short-term purpose is four lanes for traffic.

33. **The road is a regional arterial and thus a reduction of travel time is the main objective.** This is normally achieved by reducing the number of accesses and improving junctions **so that the posted speed can be increased.**

34. In particular, right-hand turns are removed as they interrupt traffic flow, and they are traffic movements with highly adverse road safety consequences. **This warrants the improved and consolidated junction at Pittwater Road and the closure of the right turn at my access, change of access into the Tasmania Golf Club and Barilla Bay Oysters, and provision of an alternative access into Milford along Pittwater Road.**

35. However, **the latter was recently dismissed by DSG, despite over a year of promises that I would be provided with alternative access from Hobart to my farm, businesses and residence, a signed agreement, and encouragement by Clarence Council to DSG in the terms of additional conditions in the DA they approved on 6<sup>th</sup> September 2021** (currently being appealed, as these conditions were obviously not sufficiently strong, DSG having ignored them) **that both this and compliant fire and other service access into Milford Forest be reinstated.**

36. This is also despite my neighbours being offered new, acceptable (at least to the Tasmania Golf Club) access from the beginning of the design of this proposed project. The question of why they have received favourable treatment regarding their access (and a significant amount of public money to redesign the golf course) has never been answered.

37. Federal requirements mean that **HIA (Hobart International Airport) needs access to the western boundaries of Milford** (which are directly opposite their eastern boundary), as almost the entire property lies in their Emergency Response Zone, for which fire and other emergency response vehicular access is required at all times. The project proponents should know this, and it is yet another example of poor processes and lack of proper consultation (ie asking questions and listening, not just telling) and failure to adequately consider all immediate stakeholders.

38. As plans currently stand (with no access into Milford Forest off Pittwater Rd) HIA's emergency response teams and other service providers including TasWater have been cut off, the latter from accessing their own easement to their water meters and pits servicing their major pipeline; TasNetworks for access to their power lines to Seven Mile Beach, which pass through Milford Forest; and Tas Fire Service for their work in the controlled rotational burns of the orchid habitat, and to respond in the event of a car accident, bushfire (the property is in the Bushfire Overlay zone) etc. **This is totally unacceptable and definitely not 'fit for purpose'.**

39. However, moving back to **travel time for road users.** Firstly, regarding me and my businesses, if I and all my farm and vineyard vehicles, trucks, trailers, tractors, netting machinery, etc are forced to drive 2.5 km to Midway Point to turn round, or for all small-medium trucks, farm machinery etc, drive over 6 km to Sorell, turn round at the block

behind the traffic lights in the main street, and back again – a distance of perhaps some 16 km total, each trip - simply to enter my property, this is not going to help reduce traffic or travel times. Worse, B-doubles transporting livestock etc will, appallingly, be excluded access altogether ie from any direction unless this is remedied, as they are prohibited driving on both Causeways and through Midway Point; again, something the project proponents should know, as it's their own department's regulation.

**40. For other road users however, further improvement of roads is made possible through the *Land Acquisition Act (1993)* so that roads can be straightened to increase the posted speed.** This legislation recognises that there is a public benefit (of overall reduced travel time) which can generally only be achieved through the acquisition of freehold land. Indeed, **in the proposed project's EPBC full submission (EPBCA referral 202/8805) the first two options considered (Options 1 and 2) are both 100kmh designs.**

41. In considering options for improving the posted speed of the road there are two infrastructure constraints at either end (but outside) of the proposed project: the Hobart Airport runway and the causeway(s). Neither can be adjusted without significant regional, environmental, and communal consequences which might potentially outweigh the benefit of the road straightening in this proposed project (and **again, this is why this proposed project needs a broader examination**, as already described).

42. It is normal that freehold landowners such as myself oppose acquisition of land, although in my case I would not mind if it were say an open paddock or degraded land, and not significant ecological habitat which has been protected and managed for conservation since 1829, and their removal of my alternative accesses; however the over-ruling criteria is the public benefit rather than the private cost. I acknowledge that private cost is the subject of compensatory payments and alternative access arrangements, but these consultations are not even underway yet (as the consultants have still not surveyed some of the areas concerned, despite my requesting this happen for over a year) and in particular the latter has been handled very poorly to date by DSG and their representatives (ASSERTIONS 7, 8, 11 and 12). **In my option, you should not be agreeing with this Question 3 until at least my alternative accesses are reinstated, designed, agreed on and secured** (clearly the existing written signed contract means nothing to DSG), **as it is certainly not fit for purpose from my point of view or that of HIA/Federal requirements**, and my farm, tourism and other business traffic will increase traffic congestion on the causeways in particular, especially large, slow farm vehicles and machinery forced to be driven to Sorell and back, sometimes many times per day eg during grape harvesting.

[43. In the initial phases of project consultation, at my instigation a **joint group of immediately affected stakeholders**, including HIA, Tasmania Golf Club, Barilla Bay Oysters and myself, was set up in 2019 and met several times with the proponents at HIA offices, along with the Mayors of both affected Councils – ie including Sorell, as realistically this is part of a much larger project – and both their Chief Engineers. This was to minimise the occurrence of us being told different things by the proponents, and avoiding ridiculous things like the above access removal happening, and so we could have some meaningful and open discussion of various issues and impacts, including other proposed activities further down Pittwater Rd and a mini-regional concept planned between myself and HIA. Regrettably, this was disbanded when we thought things were agreed with DSG; in hindsight this was a very big mistake, as promises/agreements made by the project proponent back then, including but not limited to my farm/business access, wildlife underpasses/crossings etc have since been retracted by the project proponents.

44. Note: I have this morning had a meeting with HIA and they have offered to reinstate these meetings with immediate effect, due to the appalling manner in which they regard I have been treated, and the lack of consistency, proper dialogue etc.]

45. Back to the Tasman Highway itself, in the approx. 1.8 km between these 2 physical constraints however, **there are a range of geometric options that would be fit for the purpose of a regional arterial road** which were not properly examined.

46. The **Roundabout North option (EPBCA full Submission 2020/8805 Option1 P41) can achieve a 100kmh design and posted speed, but the resulting public benefit has not been presented.** Neither have more regionally and strategically focused options been presented (ASSERTION 3). **Rather the public discussion has been subverted by very minor tinkering with the existing 80kmh alignment (EPBCA full Submission 2020/8805 Option 5) to marginally improve road safety outcomes.**

47. At minimum, the public benefits of 20,000 vehicles per day travelling the 1.8km (length of the proposed project) at 100kmh rather than 80kmh (a 16 second time saving) is likely to be **\$0.92M per annum** or a NPV (net present value) of **\$6.4M for a 20-year analysis period.** (If the 110kmh limit as on the other side of the Hobart Airport Interchange were extended, the savings would be 10% greater).

48. However, **this figure does not include the benefit of being able to construct a 100kmh design** (or a total alternative route across the Spit to Dodges Ferry) **without delaying the existing traffic through the construction period,** which the public has already had to suffer the delays at the Hobart Airport/Holyman Ave Interchange and the Midway Point Interchange roadworks currently under construction. The cost of these delays is likely to be a once-off cost to the travelling public of \$50M! **This delay cost has not been made available to the public** or as far as I am aware, to the PSCPW (ASSERTION 3).

49. There are also important questions about **drainage** from the Tasmania Golf Club, where runoff will be routed under the highway and onto the Milford Forest side, which will then seep into and potentially affect the critically-endangered orchid species and their habitat, which are also to date unaddressed. Again, this is in part because of the unexplained **missing Biodiversity Protection Overlay** in The List, causing an anomaly in the Clarence Interim Planning Scheme, which is **allowing the project proponents to avoid environmental mitigation** on the Milford side (which ironically, they have to do on the Golf Club side of the Highway – a far less significant habitat - as the Planning Scheme overlay on that side is correct). (ASSERTION 9)

50. In order for the Committee to be able to answer this question, **the proponent needs to provide information about the travel time benefit of both an 80kmh design speed and the 100kmh design speed, and especially, the cost of the construction delays,** plus wait until the proper drainage studies (as have been requested by Clarence Council) are produced and agreed on.

#### **Question 4 Do the proposed works provide value for money?**

51. The clearest assessment of costs and benefits is provided in the proponent's non-public EPBC submission and are for the full SETS suit of projects. The break-down for this specific project is not completed but allocated on a per kilometre basis.

52. This is a poor argument as if one was to assess the P90 estimated cost of the whole SETS project by comparison to the Hobart Airport Interchange (0.8km at a cost of \$30+M, and likely to be significantly more) would be \$525M rather than the trifling \$100M used to calculate artificially inflated cost/benefit ratios. Indeed, **there is a risk to the credibility of the PSCPW in accepting such a poorly substantiated estimate of costs.** (ASSERTION 2).

53. The PSCPW is likely to have received a briefing regarding the costs and benefits and these are not made public in the interest of ensuring price competition at tender. I have asked for but not yet received this document. However, I would encourage your Committee to reference these P50 and P90 costs against the total cost nominated in the SETS report (\$100M) as this 1.8km will be the cheapest part of that 14km project.

**54. The fact that this calculation of costs and benefits does not include delay costs and is not benchmarked against the most feasible alternative alignment reflects poorly on the governance of this project.**

55. The **question of value for money needs to be also answered in terms of equity.**

- Are the people paying the costs reaping the benefits?
- Has the proponent done the ethical work of asking the road users affected by construction delays whether it represents value for money?
- Has the proponent done the law-abiding work of accepting the recommendations of experts regarding mitigation of adverse consequences? Design consultants Pitt and Sherry appear to have made some erroneous representations in or supporting both their DA application to Clarence Council and their EPBC representation. The Proponent has not as far as I am aware corrected these errors even when they have been brought to their attention. (ASSERTION 4)

**56. It seems that the Proponent is not allowing informed debate of the question of value for money. I suggest that your Committee needs to seek more information about this question also.**



## Question 5 Are the proposed works a good use of public funds?

57. The Government could reasonably have issues of **Gross State Product** in mind by investing in road infrastructure. Indeed, infrastructure investment is a catch-cry of governments world-wide. The question of good use of funds is probably too value-laden to yield a discerning answer. A few facts are known to help the discussion though:

- The construction industry in Tasmania is at peak production, no additional stimulus is needed immediately.
- The road users of the Tasman Highway to and beyond Sorell have been very patient with roadworks already and deserve a break.
- Regional transport strategy and public transport options require more collaboration than is currently the case in the periurban Hobart region.
- Transport technology is changing rapidly with electric devices
- Demand for transport has become volatile so that long-term forecasts become less reliable. This is especially so with COVID, as many more people now work from home and there has been an increase in home schooling.
- The Government has access to a General Equilibrium model to model whether the expenditure of this capital increased the Gross State Product although no such modelling appears to have been undertaken for this project, or indeed for the SETS as a whole.

58. **Is it fair?** Do the people paying the cost reap the benefits? Yes, but **not enough benefits to pay for the construction delays, or potential environmental costs.**

59. **Is it legal?** I do not believe so. The proponent has used loopholes to ignore biodiversity impacts and it appears has also potentially breached the EPBC Act. It is unconscionable in that DSG has endorsed such unprofessional behaviour by its consultants, particularly the latter which I alerted them to some time ago (March 2020) but they proceeded to do anyway, namely, the removal of the only remaining specimen of a potentially new-to-Tasmania subspecies of white gum, *Eucalyptus viminalis subsp. pyroriana*, which they felled on 28<sup>th</sup> July 2021, without a permit to take or notification of Environment Australia so it could be properly assessed.

60. **Is it good planning?** No. Because of the boundaries at Local/State and Commonwealth levels, the planning authority and the political representation process does not canvas the impacted communities.

61. **I cannot see that your Committee can currently assess this expenditure as a good use of public funds.**

### A final note:

62. Very little of my above work and my background research etc would have been necessary had the project proponents and/or their consultants done their job properly in the first instance, followed proper planning and environmental processes, and not gone back on their word or on written contracts. **Governments in Australia should not be operating like this.**

63. Over the past 2½ years, it has taken me somewhere between 500-1000 hours, none of which has been compensated for, to attempt to have the job done properly, hold them accountable to these principles, and even to the law.

64. **This is simply wrong.** Worse, these failures are currently being replicated in other parts of Tasmania, and this will continue until processes enforcing accountability, respect, genuine consultation, advising landowners in advance of their legal rights etc, are put into place, and monitored, and that DSG and its consultants are held accountable.

65. Astonishingly, **I can find nothing on the State Growth website about any Code of Conduct or Ethics** relating to their behaviour towards the public, whom they ostensibly serve. Anecdotally, this is happening around Tasmania involving highway developments, including but not limited to Longford, Perth, the northern Midlands, St Helens and Sorell (only last weekend I learned of a case in Sorell currently where the affected parties have not even been informed of their legal rights to paid representation or independent valuation; I had to inform them myself). It appears that the modus operandi is one of intimidation and attrition, neither of which would be tolerated or legal in the private sector, and (as a broader examination by your Committee) this culture also needs addressing.

66. I sincerely hope that the PWCPW also takes this into account, and works towards ensuring that this sort of arrogant, dismissive treatment of affected landowners never happens again.

67. This also needs to change lest the public see this proposal as just another cynical example of the Government 'steamrolling' through a potentially environmentally-damaging proposal **without proper consideration or adequate controls.**

68. **Better planning and improved, faster outcomes will also be the result.** This has already caused delays, which will continue until the matters I have raised are properly addressed by yourselves. In my opinion, they have only themselves to blame. All I am doing is holding up a mirror to their behaviour and lack of processes.

69. Thankfully however, **regarding this particular project, the delays are of little immediate consequence, as the major bottlenecks of the movement of traffic in SETS – the Midway Point Interchange, and the Sorell Bypass – are already underway, and these will significantly improve travel times** even without the completion of this current proposal.

70. **There being no imminent public-related need to commence this part of the SETS project** immediately, or even in the short-term, I strongly suggest that you take my submission into account and address each of these questions and the Legislative requirements in full before approving it. I believe a better outcome will be the result.

Thank you.

**71. Appendices and supporting documentation:**

These will be provided at the meeting on the 20<sup>th</sup> October when I have had the opportunity to de-identify them. I may also provide an update on the above submission at that time.