

## **PUBLIC**

### **THE PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS MET AT COUNCIL CHAMBERS, LONGFORD, ON THURSDAY 1 OCTOBER 2015**

#### **PERTH TO BREADALBANE DUPLICATION, MIDLAND HIGHWAY**

**Mr DAMION BEETY**, PROJECT MANAGER, PROJECT SERVICES, AND **Mr ANDREW FOWLER**, SENIOR PROJECT MANAGER, PROJECT SERVICES, DEPARTMENT OF STATE GROWTH, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

**CHAIR** (Mr Farrell) - The committee is pleased to hear your evidence today. Before you begin giving evidence. A committee hearing is a proceeding in Parliament. This means it receives the protection of parliamentary privilege. This is an important legal protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without the fear of being sued or questioned in any court, or place out of Parliament. It applies to ensure that Parliament receives the very best information when conducting its inquiries. It is important to be aware that this protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the confines of the parliamentary proceedings. This is a public hearing and members of the public and journalists may be present. This means that your evidence may be reported. Do you understand these conditions?

**Mr BEETY** - Yes, I do.

**Mr FOWLER** - Yes.

**CHAIR** - We will invite you now just to make your opening statements.

**Mr FOWLER** - I would like to thank the committee for taking the time to hear this project today, to inspect the proposed works with us this morning and to review the relevant documentation that has been provided. I would like to introduce myself. My name is Andrew Fowler; I'm the program director for the 10-year Midland Highway action plan. With me is Damion Beety, the project manager for the Perth to Breadalbane duplication. 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.

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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. There might be some questions around that which we are happy to respond to.

As far as other elements of the scope of the project, I will hand to Damion Beety, our project manager, to add onto other elements that the committee may have an interest in. Does that cover all the scope items or are there any other scope items you want to include in that?

**Mr BEETY** - No, I will include the cycleway - a driver from council. We were able to adequately incorporate that into the design with some corridor space there and some re-use of some road that is at surplus now. We will re-use that.

We have the application of our green and gold frog guidelines, and potential masked owl habitat preservation. They are the primary ones. A lot of my work lately has been with stakeholder discussions.

**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.

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**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.

**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

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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.

**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

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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?

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**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.

**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.

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**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.

**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.

**Mrs RYLAH** - For the property on the southern end where there is land severance, I assume, as we cannot see what the next stage 2 is, that consideration has been taken into account with regard to what will be happening at the end of that land. Can you give me some understanding of that?

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**Mr BEETY** - The understanding of that will be more for stage 3, the western link.

**Mrs TAYLOR** - That is what the question is referring to.

**Mr BEETY** - The property owner is aware of it. They are already looking at options under that. They have a master plan for their entire farm, which already has provision for the highway coming through and there are already some options about what he does with that land if it is severed. The most likely scenario is that it will be rezoned and then he might sell that mainly for development of residential. That is still up in the air with council with the rezoning.

**Mrs RYLAH** - You said that there is a master plan for that land. Is that the landowner's master plan or your master plan?

**Mr BEETY** - That is the landowner's master plan. In addition to that we have established a reference group with Northern Midlands Council to look at their master plan for Perth. That is one of the main components that the reference group is looking at. That would include that parcel of land.

**Mrs RYLAH** - The reference group has had input in this stage?

**Mr BEETY** - Yes. The Perth component is not really affected by this project, but we have had a couple of meetings with them.

**Mrs RYLAH** – They are aware of it?

**Mr BEETY** - They're aware of it, yes.

**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:



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- (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. Well done, Mr Hennessy.

**CHAIR** - As we are back on land acquisitions, a development application has gone into the council, the Northern Midlands Council, and there can be appeals lodged against that development application. Is that correct?

**Mr BEETY** - That is correct. Do you want me to elaborate on where we are at with that?

**CHAIR** - Yes, please.

**Mr BEETY** - The date of decision for the DA was 21 September. There is a 14-day period from that for representations to be received. During the planning process there were three representations received from three separate property owners. With some of those there are still ongoing works that we are dealing with. Two of them were commercial businesses, and there was one from a resident in Devon Hills. We are still working through those with them. They now have a right to provide representation if they so desire.

**CHAIR** - Would that stall the process?

**Mr BEETY** - It could do.

**CHAIR** - Your preference would be to resolve any issues that come up through that process?

**Mr BEETY** - Yes.

**Mr FOWLER** - We do not expect that to occur. The grounds on which the representations were made are things we believe are fully resolved. I gather through the process they could raise separate or new issues, because they have made the initial representation. There cannot be any further representors. We do not see there is a significant risk that would affect the project in any great way.

**Mrs TAYLOR** - When did the DA go through council?

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**Mr BEETY** - The twenty-first was the date of the meeting.

**Mrs TAYLOR** - So they still have a few days?

**Mr BEETY** - Yes.

**Mrs TAYLOR** - Not many.

**Mr BEETY** - No.

**Mrs TAYLOR** - It is 1 October today.

**Mr BEETY** - Yes.

**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.

**Mrs RYLAH** - I have a question on drainage. You are saying we have environmental issues that flow on from the drainage. You are saying you are building culverts 1 200 by 1 500 - or whatever - wide. Are we draining into the existing dams? The Tasmanian dams and into these other dams, or are we going into flowing waterways?

**Mr BEETY** - It is a combination of both. 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.

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**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.

**Mrs RYLAH** - Are you saying there is a watershed there?

**Mr BEETY** - Yes.

**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.

**Mrs RYLAH** - We have a significant issue with gorse on that southern end.

**Mr BEETY** - There is a significant issue with gorse with the entire project.

**Mrs RYLAH** - Spraying each five years would not normally be considered sufficient. It would need more frequent spraying than that to eradicate.

**Mr BEETY** - No. We have an annual program.

**Mrs TAYLOR** - It is just for five years duration.

**Mr BEETY** - Five years. We are looking for funding out of this project specifically to do maintenance on all the project, and it should cover weeds as well. As we have a lot gorse, there is a concern that once we start disturbing the ground, gorse is going to go crazy.

**Mrs RYLAH** - The funding for this project will cover that for next five years. What happens after that?

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**Mr BEETY** - There are two issues. We are hoping for the wetlands, specifically, that will be sufficient. Otherwise, it will form part of our maintenance program under our annual maintenance contracts.

**Mrs RYLAH** - On the land we are acquiring, we will aim to eradicate the gorse?

**Mr BEETY** - That would be my intent at this stage, if it is possible. There is a parcel of Crown land at the northern end, which is where the trumpet is. If that land is cleaned up, there is also an opportunity for sale. The Crown is likely to dispose of that land. I would imagine, as a sale point of view, it would probably want that cleaned up before it tries to dispose of that. That is not specifically part of this project, but it will probably tie in with it.

**Mrs RYLAH** - Further to the drainage issue, we have the green and gold frogs. 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.

**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

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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.

**Mrs TAYLOR** - We might have to drill a few holes in some of the trees that are being left to create habitat for the masked owl.

**Mr BEETY** - I won't suggest that.

**Mrs TAYLOR** - I don't know, but there must be ways you can minimise the disturbance for the owls.

**Mrs RYLAH** - In regard to the overhead power, you were saying you have put in plans. Can you give me an update of where you are at with the design and installation of power?

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**Mr BEETY** - I believe we have a design from TasNetworks now. There are some small components and some underground power to go from one side of the highway to the other and then there is realignment for approximately 1 kilometre to be relocated to the western side of this new service road. There are two residential properties that fed off that and we also have to do underground conduits for both of those as well. 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.

**Mrs TAYLOR** - I was going to ask about the hill - well, the road, and how much excavation are you going to have to do? Obviously, you are on a bluestone shelf plateau there.

**Mr BEETY** - Yes. That is a very good question. When we were looking at the eight-metre-deep cut through that bluestone, we were very concerned about how we would do that. Most of the job now is embankment, so we build up; we are not excavating in. The material we are excavating is down at the northern end of the trumpet. The geotech we have done indicates that it is quite reasonably excavatable. There are large boulders in there. That is heavily-weathered dolerite - it is reasonably excavatable. We are anticipating some of the contractors are probably going to throw in some very big equipment in there. They are going to chew through a lot of that fairly quickly.

There is some very hard rock at the southern end where we come back into Perth. That area there will require a bit of work. Again, because we have changed our design from a fly-over to the underpass, the amount of earth works in there to dig down has been reduced.

**Mrs TAYLOR** - I was asking in relation to the budget really because if you strike hard rock, it can significantly affect your budget, I imagine.

**Mr BEETY** - That is right. We have actually done significant amounts of geotech, partly because some of the redesigns requested by the commercial businesses. We have a pretty good idea of where it is, but you are right. There is a lot of hard rock there. As I say, most of it we are building up. We are not digging in.

**Mrs RYLAH** - I have a concern regarding the blasting that will need to be done in the quarry to create the stone, if that is where you come from, in particular, for the historic properties that we have. I am wondering whether there will be, as has just been mentioned, the

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bluestone rock, or whatever you call it in the hill, and that Haggerston historic property must be nearby. I do not know exactly where it is. Can you comment on any likely impact on those historic properties?

**Mr BEETY** - I guess if a quarry decides to operate, that is a commercial decision by the quarry. It is not necessarily something we can control. That would be controlled under the EPA or one of their licensing agreements. I believe the Haggerston property is a reasonable distance back still from the quarry. I understand if any blasting was to occur that they would probably be required to install vibration monitoring in any of the houses that are in a certain zone and to maintain monitoring during that period.

**Mrs RYLAH** - The Government does not have any liability for damage that may occur?

**Mr FOWLER** - What the department does before construction is to do construction inspections of houses and other structures to identify if there are any cracks or other defects pre-existing in the property. It is typically the contractor's risk because the contractor determines how it completes the work, whether it blasts or uses rock-breaking equipment or big dozers, or whatever might be the case. Then the contractor is typically responsible for any damage that occurs. When that does occur on rare occasions, the department is involved in the process as well, sometimes to try and ensure that there is a fair outcome.

It certainly all starts with doing an inspection before construction to establish a baseline condition of a building. Then if there is a claim of some damage, we will compare what was there before with what was there after. Blasting techniques, in particular, have changed a lot in recent decades with electronic detonators and progressive blasts and such things. The impact from blasting is often less dramatic than people imagine. The early blasts and test blasts would also identify how the vibration carries. Typically, if there was a significant program of blasting there would be a test that would be monitored to see if there is a significant effect and then the blast design would be developed based on the outcomes of that test.

**Mrs RYLAH** - Have these historic properties been surveyed? Do we know their status?

**Mr BEETY** - Not at this point. We won't do that until the contractor has been appointed and the contractor is responsible to have those assessments undertaken.

**Mrs RYLAH** - Will we ensure that they assess those historic properties?

**Mr BEETY** - Normally they wouldn't because we normally only go x number of metres from the site. In this case, given they are historic properties, it may be beneficial to include those.

**Mr FOWLER** - That's right. I'm trying to recall what the normal distance is. It's something that is provided in our specifications.

**Mr BEETY** - It's 200 metres or 150 metres. It's not a huge distance but even 100 metres usually picks up a lot of properties, particularly in urban areas.

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**Mrs RYLAH** - It was mentioned at the site inspection that there is a history of people feeling the vibration travelling from there. I just want to be sure that those properties are not damaged or at least we are aware of their status before we start.

**Mr BEETY** - Again, if the quarry operation recommences that would be something they would be required to do as part of their process. We are doing what we can to avoid that sort of activity at all.

**Mrs TAYLOR** - You would prefer not to take the stone from that quarry.

**Mr BEETY** - We'd prefer not to blast but we can't dictate where a contractor gets their materials from.

**Mrs RYLAH** - Would they be given a warning or some understanding of the issue?

**Mr BEETY** - Absolutely, yes.

**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.

**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?



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**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.

In early discussions there were other options of cutting off Devon Hills into Perth through some of the fire trails in the back or across Evandale Main Road through the industrial subdivision translink on the other side. Removing that linkage altogether that was certainly discussed.

One of the earlier plans I was given the consideration of having only left-in, left out at Devon Hills, which would mean they would have to travel to Perth and turn around to come north. We did some quick numbers on that and even a flyover would have paid for itself in three to five years very quickly.

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

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**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.

**Mrs RYLAH** - The pavement is asphalt, I assume?

**Mr BEETY** - No, it is a prime and 14 ml chipseal. There are a lot of asphalt components in there; all the off-ramps and some of the key areas are asphalt but it's predominantly 14 ml chipseal.

**Mrs RYLAH** - But it is 110 kph. How does that fit with the evidence yesterday?

**Mr FOWLER** - A spray seal was by far the preferred alternative. It provides depth to the seal to allow water to sheet off without creating aquaplaning issues and extra friction for vehicles to move around curves, brake and accelerate. At night if you have wet conditions you can see the road a lot better than a smooth asphalt surface, which tends to reflect the headlights away from you so you can't see where you're going. The line marking and raised paper markers help but a spray seal is a very durable alternative and provides a lot of advantages over an asphalt seal. It is much cheaper as well, a fraction of the cost of asphalt.

**Mr BEETY** - I did a quick comparison the other day and for asphalt it was about another \$2.8 million on this project.

**Mr FOWLER** - It is a strong preference for us for safety reasons, above all other things, to install a spray seal rather than asphalt on a high-speed highway. It is done at times; when there are particular reasons to do it we might use asphalt.

**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?

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**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.

**CHAIR** - Is it expected to have any impact or change on the traffic flow through Perth? Will it increase the bottleneck at Perth or will it have no effect essentially?

**Mr BEETY** - At this stage we don't see it having any effect at all. When stage 2 goes through and the southern link, that will remove all the north-west freight out of Perth. It will be stage 3 before the trucks are taken out. The same volume of traffic will be coming through Perth, obviously with increases as time goes on.

**Mr FOWLER** - Stages 2 and 3, as Damion has mentioned, are in the planning phase at the moment.

**Mrs TAYLOR** - And they will be sequential, so you will do stage 2 after stage 1 is finished?

**Mr FOWLER** - The logical progression would be stage 2, which is the southern link between the Midland Highway and Illawarra Main Road. Stage 3 would complete the link back up with the Midland Highway, which would be the western link around the western side of it.

**Mrs TAYLOR** - Do we have a time frame?

**Mr FOWLER** - We don't, other than to minimise disruption to this section of the highway it would be sequential, as was just stated. It is proposed they be completed at this stage within the scope of the 10-year action plan but I don't expect the southern link would be

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under construction within three years. The western link, stage 3, would be towards the end of the 10-year program. At this stage it is in the early planning only and there is nothing we can take out to the community to discuss.

**Mr BEETY** - Both of those are about half the size of this project, so only about 2-2.5 kilometres each.

**Mrs RYLAH** - Further to Adrianna's earlier question regarding bike tracks and in regard to section 2 and the comment we had that due to the inspection the bridge might be changed over the South Esk, how are we going to deal with bikes going through there because at the moment it is narrow? I am sure that is something for the future.

**Mr BEETY** - I think that is outside the scope of this.

**Mr FOWLER** - There will be the Symmons Plains to Perth project, which will complete that link in between as well. The bridge is seen as being a constraint as it still has residual life left in it. It is a significant structure with a significant value, so that could consume 10 per cent to 15 per cent of the budget for the whole program to replace, or even more than that, so we are treating that as a constraint. If the bridge had significant issues we might look at rolling that into the program but at this stage we're not proposing to do that.

**Mrs TAYLOR** - You can't widen it?

**Mr FOWLER** - I don't have the technical information but to widen that bridge I suspect would also be very expensive and quite disruptive to traffic as well.

**Mrs TAYLOR** - Not as expensive as replacing it, I presume.

**Mr FOWLER** - Sometimes it can be.

**Mrs TAYLOR** - Going back to the Breadalbane roundabout, I am really pleased that is planned to be replaced, because I find it quite confusing. I think traffic finds it quite confusing when you are coming out of Launceston there are slow vehicles in the left lane and fast vehicles in the right lane, and then if you want to go to Hobart you have to move into the fast lane before you get to the roundabout. Although there is signage there that says Hobart right lane it is counterintuitive because you know the right lane is for the fast through traffic. I would be surprised if there are not crash statistics.

**Mr BEETY** - There are a significant number of crashes on that roundabout.

**Mrs TAYLOR** - You would expect that.

**Mr BEETY** - We did some crash analysis and were a bit conservative and removed a number of accidents on the roundabout itself because we weren't affecting certain legs, so the statistics on that are a little higher than was in the parliamentary report. I don't know the number specifically of those two legs and turning there, but there are a significant number of minor accidents on that.

**Mr FOWLER** - A roundabout is a very good treatment in urban high-speed areas, so although you get a specific number of incidents -

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**Mrs TAYLOR** - You might have said that yesterday and I'm not sure I agree with you, but still, yes.

**Mr FOWLER** - There can be a number of incidents but they tend to be property damage only without any sort of casualty or even first aid incidents. They are a very good treatment but they do reach their limitations with high traffic volumes, lots of heavy vehicles. If they have a leg that comes into the roundabout that disrupts the priority traffic flow, for example, there could be any number of issues and that is why we are seeing roundabouts on the Brooker Highway replaced with signalised intersections to get a better time flow, to get the priority right and to reduce those minor property damage crashes that occur with a roundabout.

**Mrs TAYLOR** - I am pleased to see that is being eliminated, at least north-south.

**Mr BEETY** - We did an options analysis review fairly early on in the project when we were given the original scoping document and the first thing we pushed fairly hard for was that.

**Mrs TAYLOR** - I understand it will be an expensive exercise, but if you are going to do the road properly and make traffic flow better it makes more sense.

**Mrs RYLAH** - In the contingent risk page I note that there is not a risk regarding finding significant Aboriginal heritage and yet it is crossing Aboriginal heritage. Can you give me some information on that please? The Brighton Bypass comes to mind.

**Mr BEETY** - Don't worry, it comes to mind on most projects. The Aboriginal studies we have done identified one object which we are a considerable distance clear of. There is a PAD, which is a possible discovery area.

**Mr FOWLER** - Potential archaeological deposit, an area of sensitivity.

**Mr BEETY** - We have an unanticipated discovery plan in the tender documentation. We were talking about that yesterday, reviewing the documentation, and we were making a suggestion that where that PAD is, we will clear it and grow it early into construction -

**Mrs RYLAH** - You will clear it?

**Mr BEETY** - We have to clear it for the road to go over the top. The road is impacting on part of it. We will clear it, and do that early, so if we discover something, we will have a significant period if we need to do something. We are not expecting to find anything, but it is a part of that process we do. If we do that early, and identify it early, it gives us 12 to 18 months to deal with that if anything comes up.

**Mr FOWLER** - On a project of this size, in an area that is not seen to be overly significant or have a high potential for coming across Aboriginal heritage, we can mitigate that on a project of this length. It is not seen as being a significant risk on this project. Whereas, if there were artefacts found, or if there was a permit required to investigate or to remove something, that might have been weighted as a more significant risk and appeared in a continued risk assessment.

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**Mrs RYLAH** - Thank you.

**CHAIR** - Thank you very much for your time today, and taking us to have a look at the site. It has made the whole thing a lot clearer to us all. Following your evidence, as I advised you at the commencement of your evidence, what you have said to us here today is protected by parliamentary privilege. Once you leave the table you need to be aware that privilege does not attached to comments you may make to anyone, including the media, even if you were repeating what you said to us. Do you understand that?

**Mr BEETY** - Yes, I do.

**Mr FOWLER** - Yes.

**CHAIR** - Excellent. Thank you again for your time and we look forward to catching up with you again.

**Mr FOWLER** - Thank you very much for your time, and for your consideration.

**Mr BEETY** - Thank you.

**THE WITNESSES WITHDREW.**