

## **DRAFT** SECOND READING SPEECH

HON. MATTHEW GROOM, MP

### *Macquarie Point Development Corporation Amendment Bill 2015*

*\*check Hansard for delivery\**

Madam Speaker

I am pleased to bring before the house a Bill to amend the *Macquarie Point Development Corporation Act 2012*.

As we rapidly approach the time when developers and investors will be invited to express their interest in the landmark development of Macquarie Point, this Bill will provide both the government and developers with greater certainty about remediation and redevelopment outcomes at the site.

It will do so in two ways.

Firstly, the Bill enables the Macquarie Point Development Corporation, or the Minister, to attach either covenants or agreements concerning the use or development of land at Macquarie Point.

Importantly, once entered into, any such covenant or agreement can be attached to the relevant certificate of title for the land, ensuring it survives any future transfer of ownership.

Under the provisions of the Bill, any such covenant or agreement can only be amended or extinguished with the consent of the other party. And, in neither case, will compensation be payable by either the corporation or the Crown.

The other purpose of the Bill is to ensure the redevelopment of land at Macquarie Point can only occur once remediation has been certified by an accredited auditor recognised by the Tasmanian Environment Protection Authority.

In Tasmania, as is the case in at least two other states, the 'polluter pays' principle generally applies. This means that even where land has been sold, the liability can still rest with the polluter, or previous owner, if it can be demonstrated that they are responsible. However, in cases where the original polluter cannot be identified, the liability rests with the current land owner.

This Bill seeks to limit the risk and exposure to the corporation and the Tasmanian Government as current owners of the land. It also seeks to limit the risk to developers who might buy the land.

Given the level of remediation activity required at Macquarie Point, developers and investors will want confirmation from an accredited expert that the land has been satisfactorily decontaminated. However, unlike all other states and territories, Tasmania does not have a system for registering accredited environmental auditors.

As a result, and in order to commence remediation planning and early decontamination activities on-site, the corporation has to date adopted a voluntary audit approach under which its environmental auditor (who is accredited under Victorian legislation) can provide advice and direction to the corporation.

As this approach will not provide investors and developers with adequate confidence in the level of risk that might be linked to remediated parts of the site, the corporation and the EPA have worked closely to develop an approach that will achieve this end.

This Bill now provides the legislated framework for the accreditation of an environmental auditor to certify remediation works specific to the Macquarie Point site. Land at Macquarie Point can now only be redeveloped once remediation has been certified by an accredited auditor recognised by the Tasmanian EPA.

In addition to accrediting an environmental auditor, the Director of the EPA also has the power to revoke an accreditation for the purposes of this Act.

Madam Speaker, the development of Macquarie Point will have an extraordinary impact on the Tasmanian economy – providing an investment pipeline for years to come. It will not only boost business confidence and provide important new job opportunities; it will further strengthen the spotlight of national and international attention already focused on Tasmania.

The measures proposed in this Bill are designed to ensure we maximise the benefits of this major development project by removing any potential shortcomings that might inhibit investor confidence and enthusiasm.

I commend the Bill to the House.