



Parliament of Tasmania

LEGISLATIVE COUNCIL SELECT COMMITTEE

MANAGEMENT OF THE TAMAR ESTUARY AND ESK RIVERS

Members of the Committee

Hon Kerry Finch MLC (Chair)

Hon Ivan Dean MLC

Hon Don Wing MLC

Secretary: Mr Tom Wise

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Example of siltation in the Tamar River



Flooding at the First Basin in Launceston

Chairman's Foreword and Executive Summary

The impetus for the establishment of this Committee grew out of a long history of community concern about the state of the Tamar Estuary and Esk Rivers and a widespread belief that the management of these waterways over many decades had failed to address adequately the problems they faced.

The evidence presented by Tasmanians in written submissions to the Committee and in person at hearings it conducted, identified three significant and long-standing issues of concern in relation to the Tamar Estuary and Esk Rivers. Two of these major issues, siltation and flooding, are specifically referred to in the Terms of Reference. The other significant issue of concern was the large number of organisations which had some involvement in the management of the Tamar Estuary and Esk Rivers. This last issue was seen as having direct relevance to the principal Term of Reference, namely the question of a single statutory authority to manage the waterways.

Virtually every submission and every witness at hearings referred to the siltation in the Tamar Estuary, with many proposing practical solutions to deal with it. While the specific question of how to combat the siltation was outside the Committee's Terms of Reference, the fact that it was a feature of so much evidence does indicate the seriousness with which this problem is viewed in the Launceston region.

The second key issue raised in much of the evidence presented to the Committee related to the problem of flooding in the Tamar Estuary, especially within Launceston itself, and to a lesser extent in the North and South Esk Rivers. The Tamar and Esk Rivers are no strangers to floods and the winter and early spring rainfalls of 2009 have reinforced how quickly inundations can occur.

The third key issue presented to the Committee in both written and verbal evidence was the lack of effective river management as a result of the large number of organisations with some involvement in it, **but none with overall responsibility**. According to much of the evidence, the major contributing factor in the existence of this fragmented management regime was the size of the Tamar-Esk catchment and the view that the problems experienced in Launceston originate outside the city itself.

There was overwhelming support in submissions and from witnesses for the establishment of a statutory authority. Even among those few who did not support the concept fully, the opposition was more in the nature of reservations about the role of an authority, in particular the potential for it to impose another level of regulation and legal sanctions in relation to river management.

This support for a single statutory authority was often expressed in general terms, but there was a variety of expectations expressed about the nature of

such an authority and the way it should operate. Within these expectations were a number of common themes that were put forward again and again by those who made presentations to the Committee.

Principal among these were the need for the Authority to have responsibility for managing the entire catchment of the Tamar and Esk system; for it to be based on consultation and co-operation; that it be properly funded; and, that it have appropriate regulatory powers.

The Committee was aware from the evidence it received and from its own research that there were a number of similar catchment management bodies operating in other States. Of particular interest were the catchment management model operating in Victoria and the *South-East Queensland Healthy Waterways Partnership* model which had been mentioned specifically in evidence given by representatives of the Tasmanian Government.

While the Committee was very impressed by the catchment management model used in south-east Queensland, it did note that the size of the catchment area and its population did result in a large number of consultative committees, working groups, forums and councils. This gave the appearance of a complex and, at times, even unwieldy organisation. In addition, the lack of any regulatory or enforcement powers seemed to be a limiting factor. Having said that, there is no doubt that it has been very successful in achieving its aims.

The catchment management model used in Victoria has many similarities with the partnership approach that has been adopted in Queensland. There is, however, one important and fundamental difference between the two, namely the regulatory powers that have been given to the Victorian catchment management authorities.

However, it cannot be emphasised too strongly that, like the Queensland model, the priority in Victoria is for the CMAs to work co-operatively with their local community partners. Consultation and consensus are the hallmarks of both models and are highly recommended by this Committee.

The comprehensive and wide-ranging evidence gathered by the Committee and set out in this report, clearly shows that a statutory authority is required to manage the Tamar and Esk catchment and that there is widespread support for such an authority.

The evidence also shows that there are successful working models that can be used by the Tasmanian Government to establish such an authority. The information provided to the Committee indicates that it would not be a difficult task for the Tasmanian Government. Many of the components are already in place. All that is needed is political will and a sense of urgency.

The flood threats in northern Tasmania during the winter and early spring of 2009 have demonstrated that the need for action is urgent.

It is notable that these flood threats have reinforced the overwhelming evidence given to this Committee by a large number of witnesses.

As with any undertaking of the importance and scope of this inquiry, the Committee owes a debt of gratitude to many people and organisations who have played a part in helping it gather evidence and compile this Report.

Firstly, the Committee would like to thank all those who gave evidence to it, either in written submissions or verbally at one of the many public hearings in Launceston and Hobart. It was clear from this evidence that the Tamar Estuary and the Esk Rivers hold a special place in the lives of many Tasmanians, especially those who live in the Northern region of the State.

The Committee also wishes to express its deep appreciation for the assistance, advice and information provided during its visits to Geelong, Bairnsdale and Brisbane. The warmth of the welcome in each of these locations and the enthusiasm shown by those with whom the Committee met and spoke during these visits was crucial in developing the recommendations in this Report. In particular, the Committee acknowledges Mr Don Forsyth and his staff at the Corangamite CMA; Mr Graeme Dear and his staff at the East Gippsland CMA; and Ms Di Tarte and her staff, especially Associate Professor Eva Abal, at the *South-East Queensland Healthy Waterways Partnership*.

The Committee also thanks Dr Jane Doolan, the Executive Director of Sustainable Water Environment and Innovation in the Office of Water of the Department of Sustainability and Environment, Victoria. Dr Doolan's expertise and experience in catchment management policy and the establishment of CMAs provided valuable insights for the Committee in its consideration of an appropriate model for the Tamar and Esk region.

The Committee also thanks the Hon. Michelle O'Byrne, the Tasmanian Minister for Environment, Parks, Heritage and the Arts, for her assistance, both in giving valuable evidence herself and also in facilitating specialist evidence from Government officials.

**Parliament House, Hobart
27 October 2009**

**Kerry Finch MLC
Chair**

Conclusions

The Committee concludes, in relation to the management of the Tamar Estuary and Esk Rivers, that:

- There is a lack of adequate management structure and defined responsibilities;
- The current management structure is fragmented and fails to impose accountability and responsibility;
- The management structure is poorly funded and its fragmentation does not make the best use of existing funds;
- Current funding and operations do not reflect the extensive catchment-wide origin of the problems of the Tamar Estuary and Esk Rivers;
- The imprecision and inadequacies of the current management structure have contributed to the parlous state of the Tamar Estuary and Esk River systems, especially the significant and environmentally damaging siltation problem and the defectiveness of flood mitigation infrastructure in Launceston;
- The steps designed to address management shortcomings through the TEER Program, NRM North and the Launceston Flood Authority are commendable, but fail to overcome the fragmentation of the current responsibilities and management structure;
- Rapid action is essential to reform the catchment management structures;
- Useful and effective models in other Australian States can be used as a basis for reforming the management structures;
- Any new authority must have consultative, regulatory and enforcement powers, with the last-mentioned being an option of last resort as used in Victoria;
- Any new authority must have adequate recurrent funding to meet its obligations;
- Flood mitigation and the long-term health of all waterways in the catchment must be the primary objectives of any management structure;
- Any remediation and management projects must be based on best practice for waterways management and solidly grounded in science.

Recommendations

The Committee recommends that:

1. That the Tasmanian Government establish a statutory authority to manage the Tamar Estuary and Esk Rivers and their catchments;
2. That the Authority be responsible for the environmental management, flood mitigation and health of all waterways within these catchments;
3. That the Authority operate on the fundamental principle of stakeholder and community involvement and consultation, in line with the catchment management models in Victoria and South-East Queensland;
4. That the statutory model used for the Authority be similar to the Catchment Management Authority (CMA) model currently operating in Victoria and that it be provided with similar powers granted to the Victorian CMAs;
5. That the Authority have a board composed of specialists in areas such as environmental management, land-use planning, engineering, business management, financial management, agricultural practice, and forestry practice;
6. That initial funding to establish this Statutory Authority be provided by the Tasmanian Government;
7. That funding for the Authority be provided by the Tasmanian Government and other appropriate and available sources of funding, including Federal and Local Governments;
8. That the Authority be given powers to bid for relevant funding from Federal, State and Local Government programs;
9. That the Authority be required to prepare a catchment management plan within twelve months of being established;
10. That the Authority provide an annual report to the Tasmanian Parliament;
11. That existing legislative and regulatory powers and planning control mechanisms be transferred to the Authority in line with the catchment Management Authority model operating in Victoria;

12. That any planning or development application made to local government within the Tamar and Esk River catchments or floodplains, which would have an impact on any waterway within those catchments or floodplains, must be referred to the Authority for its approval, as part of the local government planning process;
13. That the Authority be established with the relevant regulatory powers already in place and under the control of existing agencies;
14. That the Authority incorporate the existing roles and functions of NRM North and continue to carry out the roles and functions of that body;
15. That the Authority incorporate the existing roles and functions of the TEER Program managed and funded by the Tasmanian Government and continue to carry out the roles and functions of that body;
16. That the Authority incorporate the existing roles and functions of the Launceston Flood Authority and continue to carry out the roles and functions of that body;¹
17. That the Authority share with landowners the costs of any remedial or land and water management projects it considers necessary for the health and well-being of waterways within the catchment;
18. That the Authority have the power to commission or contract-out projects it considers necessary for the health and well-being of waterways within the catchment.

¹ The Launceston Flood Authority officially began operations on 1 July 2009 after being established under the management and auspices of the Launceston City Council. The Authority is jointly funded by the Council and the Tasmanian Government.

1.1 APPOINTMENT AND TERMS OF REFERENCE

On Wednesday, 1 October 2008 the Legislative Council resolved that a Select Committee be appointed, with power to send for persons and papers, and with leave to adjourn from place to place, to inquire into and report upon —

- (1) The desirability and appropriateness of a single Statutory Authority being appointed to undertake research, take advice, manage and take appropriate action to alleviate or overcome flooding, (including the management and requirements of the levee system), siltation and other problems associated with the Tamar Estuary and the Esk rivers and their catchments, including their environmental health and also —
 - (a) to determine the cause or causes of the siltation problem;
 - (b) to assess the amount of funds needed and to determine the appropriate method of funding the work required to alleviate the risk and extent of flooding as well as to reduce the quantity and impact of siltation and to take whatever other measures are necessary or desirable to improve and protect this river system; and
- (2) any other matters incidental thereto.

And that Mr *Dean*; Mr *Finch*; and Mr *Wing* be appointed as Members of the Committee.

1.2 THE REASONS FOR ESTABLISHING THE COMMITTEE

In moving that the Committee be established, the Hon. Kerry Finch MLC told the Legislative Council that the question for the inquiry to consider was whether the Tamar Estuary and the Esk River catchments needed to be managed by a single body.

Mr Finch said:

'... the Tamar Estuary and Esk Rivers program - or TEER - was set up this year, but many of those concerned with the management of the estuary and its catchments believe there should be a single authority to oversee all the various studies and environmental work going on in the catchment and the estuary. Hearing submissions on this is the central work of this proposed inquiry.'

'Only a month after its formation, TEER held a future directions workshop attended by 50 stakeholders and others who were concerned with the Tamar estuary and its catchments. This workshop was highly successful. Those who attended included people from the TFGA, Fisheries Tasmania, Parks and Wildlife, local government and Hydro. Basically, the workshop participants identified concerns over the Tamar estuary and its catchments as they perceived them. There was a surprising degree of agreement on priorities. The main concern was that there was not a single authority to manage the whole estuary and catchments. Suggestions ranged from a statutory authority to a regional catchment government. The degree of agreement for a single authority was amazing.'

'The elected Chair of TEER, Scott Gadd, of the Department of Environment, Parks, Heritage and the Arts, was an enthusiastic attendee. He wrote to me soon after and I would like to quote from part of that letter:

"... it is clear to me that should a statutory authority gain support and subsequent endorsement, the existing TEER committee and related entities could easily work under it or any other body that was established.

The existing structures provide the means for such an authority to carry out its agenda, provided the authority remains focussed on the issues impacting on the estuary.

Obviously any decision to join such an authority would need to be discussed and endorsed by the full committee of TEER."

That is the view of the Chair of TEER, Scott Gadd.'

Mr Finch added:

'However, a move to set up a statutory authority, in this case, should not be taken lightly, hence the need, I believe, for a select committee to hear all the views and to investigate all the implications.

Madam President, I believe the findings of this proposed select committee inquiry would provide very useful information for managing other river catchments around Tasmania.'

In supporting the motion, the Hon Ivan Dean MLC said:

'I think this is a move in the right direction. It will be interesting to see what comes of this select committee and I am confident it will be supported because I think all members in this House know very well the position of the Tamar River and would know that it is believed at this stage - and there is some evidence - that a lot of the problems in the Tamar River are emanating from far afield in the top areas of the North Esk and South Esk rivers coming from other areas.

Madam President, I do not need to take this too much further but just to add again that any authority set up to take responsibility for the catchments, levees and siltation must be a body with a lot of strength and clout, in my view, because of what they will be required to do. They will also need the appropriate funding to go with this.'

The Member for Launceston, the Hon Don Wing MLC, told the Council that:

'It is long overdue for serious consideration to be given to the appointment of a statutory authority. All that this committee will be determining is whether or not a statutory authority should be appointed with direct and sole responsibility for the problems associated with the Tamar estuary and the Esk rivers, not what is causing the siltation problem, how to deal with the siltation problem, what is causing the risk of flooding, what should be done by way of levees to control or prevent the major effects of flooding.

It is designed solely to determine whether or not a single statutory authority should be appointed to consider all of these matters to make the determination, to consider the reports, to consider all the available information, to decide what funding is needed and decide what action is needed, because at the moment, Madam President, no-one, no authority, no statutory body, no council is responsible for all of these problems and they are continuing.'

In concluding his address to the Council, Mr Wing said:

'Here is an opportunity for this House to play a role that has not been played by either the Federal Government or the State Government in taking some positive action designed to help overcome the dangerous problems that exist in relation to the Tamar Estuary and the Esk rivers.

In my view, only a statutory authority appointed by the State Government will have the necessary jurisdiction to make decisions that have effect outside the boundaries of the Launceston City Council.'

1.3 PROCEEDINGS

The Committee was appointed on 1 October 2008 and called for evidence in advertisements placed in the three daily newspapers on Saturday, 11 October 2008. In addition, invitations were sent to key stakeholder groups and individuals.

The Committee met on eighteen days and held public hearings on ten of those days. It also made four formal on-site inspections, three of which were interstate. The Minutes of these meetings are set out in Attachment 4.

Forty-one witnesses gave verbal evidence to the Committee at public hearings in Launceston and Hobart. One of these witnesses gave evidence in camera. Nine witnesses gave evidence interstate, at Geelong, Bairnsdale and Brisbane. The witnesses are listed in Attachment 1.

Sixteen written submissions were received.

Documents received into evidence are listed in Attachment 3.

The evidence presented by Tasmanians in written submissions and in person at hearings identified three significant and long-standing issues of concern in relation to the Tamar Estuary and Esk Rivers. Two of these major issues, siltation and flooding, are specifically referred to in the Terms of Reference for this Committee.

The other significant issue of concern was the large number of organisations which had some involvement in the management of the Tamar Estuary and Esk Rivers, with none having overall responsibility. This last issue was seen as having direct relevance to the principal Term of Reference, namely the question of a single statutory authority to manage the waterways. The evidence presented in relation to these three issues is discussed in some detail in this chapter.²

The first of the issues of concern was the siltation problem in the Tamar Estuary, examples of which can be seen in the photographs throughout this report

Virtually every submission and every witness at hearings referred to the siltation issue, with many proposing practical solutions to deal with it. While the specific question of how to combat the siltation was outside the Committee's Terms of Reference, the fact that it was a feature of so much evidence does indicate the seriousness with which this problem is viewed in the Launceston region.

In a written submission, Mr Edward (Murray) Grose, of Exeter, suggested that *'for decades this problem has had band aid methods applied to maintain some sort of control of the problem.'* Mr Grose went on to state that *'changes to land use has seen an alarming increase in silt build up in the last decade.'*³

A written submission from the Tasmanian Branch of Timber Communities Australia (TCA) referred to the Tamar River Siltation Study undertaken in 1986 under the supervision of Professor Doug Foster.⁴

The TCA submission stated that this study *'identified that siltation of the upper Tamar River has long been an issue for use of this waterway. Dredging activities have been undertaken there since as early as 1859, a program that has now continued for almost 150 years.'*⁵

² It should be noted that the vast majority of this evidence was provided in person by witnesses attending public hearings conducted by the Committee in Launceston and Hobart. See Section 1.3 PROCEEDINGS on Page 7.

³ Mr Edward (Murray) Grose, *Written Submission* LCSC/MTE/05.

⁴ Prof. Doug Foster et al., (Water Research Laboratory, University of New South Wales): *"Tamar River Siltation Study – Technical Report No. 85/07 (October 1986)."* (LCSC/MTE/35/16)

⁵ Mr Barry Chipman, Timber Communities of Australia, *Written Submission* LCSC/MTE/14.

Solo round-the-world yachtsman and former Commodore of the Tamar Yacht Club, Mr Ken Gourlay, in response to a question from the Committee about the impact of siltation on sailing activities, told the public hearing that *'definitely the silt is a lot higher and it is into areas where I have never seen it so yes, it is poorer than it has been over previous years.'*⁶

A similar view was expressed at the same hearing by yachtsman and former Port of Launceston Authority director, Mr Peter Newman, who also had concerns about the impact of the siltation on sailing and rowing activities. He told the Committee that *'I have never known it so bad. We have never known the silt build up like this.'*⁷



Yachts aground on Tamar silt

Civil contractor and plumber, Mr Garry Blenkhorn, of Gravelly Beach, told the Committee that;

'I have basically lived on the river all my life, apart from a couple of years when I lived a few kilometres away. But every day of the week I see it and have done for 40-odd years. the biggest problem with the river is that there is no access to it. Gravelly Beach is probably one of the best ways to access it. You have the bit in Launceston but you would not jump in the water in a million years. But nowhere else, south of Gravelly Beach, is there anywhere you can really get much water access.'

⁶ Mr Ken Gourlay, *Transcript of Evidence*, 10 December 2008, p. 37.

⁷ Mr Peter Newman, *Transcript of Evidence*, 10 December 2008, p.13.

I could see the mud moving. We have been dredging in the Tamar River for over a hundred years, basically. We have taken it from here and we have dredged it. We have taken it down to Swan Bay and dumped it in holes and now we are getting it all back, every bit of it. Ninety per cent of your silt problem is a 100-year-old problem. You can see the silt moving out of Gravelly Beach at thousands of tonnes a year. Unless we take an approach for the whole river, we are wasting our time trying to do anything.’⁸

Another witness involved in rowing on the Tamar Estuary told the Committee that the siltation presented a real danger to those using the water. Mr Kerry Dawkins, President of the North Esk Rowing Club, gave evidence that:

‘... [there was] no doubt that one day something will go wrong. We have a lot of young people on that water. ... I look at them and I think, “One day, son, you’re going to go terribly wrong”. They are going to fall onto the mud and I’m not sure what happens there.’⁹



Tamar River siltation

In elaborating on this danger, Mr Dawkins said:

You can’t get to them once they’re in the mud. Let’s think of the worst thing. It is nearly dead-low tide, and somebody is stuck on the mud after they fall out. The coach boat can’t get to them.

⁸ Mr Garry Blenkhorn, *Transcript of Evidence*, 28 July 2009, p. 3.

⁹ Mr Kerry Dawkins, *Transcript of Evidence*, 10 December 2008, p. 24.

*It's too late because as the tide goes out you can't get up onto the mud. This person could be just sitting there, lying there, so what happens then? Nobody knows.*¹⁰

Similar concerns were expressed to the Committee by Commodore Richard Fisher of the Tamar Yacht Club. He gave evidence that:

*We do have safety concerns about people drowning in the mud. We have seen people fall from boats into the mud and there is no way of standing up in it. You literally have to swim in the mud, it is so liquid, and I believe that it may only be a matter of time before either a sailor or a rower is severely incapacitated or even dies as a result of encroaching silt.*¹¹

A member of the Tamar Yacht Club Committee, Mr Ed Vincent, gave evidence to a Committee hearing that:

*We have dramatically higher levels of siltation ... The siltation has reduced the recreational capacity in the river as well as impacting adversely on tourism, and that is a vital industry in our region and State. As far as siltation is concerned, obviously in my period even, in the last six or eight years, the navigable channel at anything other than high tide is significantly narrowed.*¹²



Another example of siltation narrowing the navigable channel

¹⁰ Dawkins, p. 25.

¹¹ Cdr. Richard Fisher, *Transcript of Evidence*, 26 November 2008, p. 77.

¹² Mr Ed Vincent, *Transcript of Evidence*, 26 November 2008, pp. 70 & 71.

The Chairman of the Launceston Tamar Valley Tourism Association, Mr Peter Neilson, gave evidence to the Committee that his organisation was *'particularly interested in what's happening on the river And to see the condition it is under at the moment is most disappointing.'*¹³

Mr Neilson went on to say:

*As part of the tourism association, what we see being benefits for local ratepayers also becomes very much a benefit for a visitor into our region here. So therefore I believe that the Tamar needs cleaning – there is no doubt about that. The Tamar should be seen as the jewel in the crown of Launceston.*¹⁴



Aground on Tamar River silt

Another witness, Mr Gary Atkinson, of Legana, who said he had *'been observing the river every day for the last 35 years'*, gave evidence that *'the siltation problem ... has always been there to some extent, but in the last 30 or 40 years there is no doubt that the Tamar River has got much worse.'*¹⁵

He added that, *'... as I see it, nothing is improving. Things are getting worse. The silt is still in the river. In my view the river is full of silt ...'*¹⁶

The second key issue raised in much of the evidence presented to the Committee related to the problem of flooding in the Tamar Estuary, especially within Launceston itself, and to a lesser extent in the North and South Esk Rivers.

¹³ Mr Peter Neilson, *Transcript of Evidence*, 26 November 2008, p. 82.

¹⁴ Neilson, p. 84.

¹⁵ Mr Gary Atkinson, *Transcript of Evidence*, 6 February 2009, pp. 23 & 22.

¹⁶ Atkinson, p. 23.

In his written submission, Mr Jack Edwards, a former manager of the Port of Launceston Authority and member of the Launceston Flood Protection Board, saw the flood issue as being more important than the siltation problem.

He wrote:

*However, at this stage the most critical issue for Launceston and Tasmania's economy as a whole is urgent and concrete action on emergency measures and physical work to upgrade the existing levee system to protect the City of Launceston from severe damage by even a moderate flood ... If a major flood was to occur before this work is completed siltation would be the least of the problems.*¹⁷



The First Basin in flood

The written submission from Hydro Tasmania also suggested that the potential for flooding was a major issue.

The submission notes that:

*'Hydro Tasmania recognises that flooding and siltation are key issues for the Tamar estuary and Esk Rivers. The persistent drought of recent years should not blind us to the lessons of history. Large floods have occurred in the past. There is no reason to expect that they will not occur in the future. Preparedness for flood events should be a major priority for management of the Tamar Estuary and Esk Rivers.'*¹⁸

¹⁷ Mr Jack Edwards, *Written Submission LCSC/MTE/06*.

¹⁸ Hydro Tasmania, *Written Submission LCSC/MTE/15*.

Mr Stewart Hallam, who operates Hallam's Seafood Restaurant on the banks of the Tamar River in Launceston, told the Committee that, if there were sufficient rain to cause flooding, it would affect the Launceston city area first.

He said:

After we have filled up the lakes, after we have filled up all the dams, after we have filled up all the rivers, if that does occur then the middle of Launceston is going to flood because I have seen floods on the corner of Elizabeth Street and George Street. I have seen water going into shops, that deep. So there are going to be areas of the city inundated by flood before anywhere else and if there is enough rain it will flood Invermay anyway.¹⁹



Floodwaters in Cataract Gorge

The former Chairman of the Upper Tamar River Improvement Authority (UTRIA) and current Launceston City Council Alderman Graeme Beams was more specific about the impact of a flood.²⁰

In verbal evidence he told the Committee that:

If this city were to flood, the council would not have a hope of being able to refinance Invermay. People have put figures on it.

¹⁹ Mr Stewart Hallam, *Transcript of Evidence*, 26 November 2008, p. 49.

²⁰ The Upper Tamar River Improvement Authority (UTRIA) has been replaced by the Launceston Flood Authority which was established by the Launceston City Council under Section 30 of the *Local Government Act 1993*.

My estimation in today's numbers could be anywhere between \$100 million and \$250 million, depending on how much damage it did and the cost of infrastructure, and we know that does not just mean roads; we know that means the powerlines, the telecommunication lines, the sewerage lines and the water lines. It means everything.²¹

Other witnesses at public hearings referred in some detail to the flood history of the Launceston area and the levee system that has been put in place to protect the city from any future floods.

One of these was the then Launceston City Council Water and Sewer Director, Mr Geoff Brayford, who highlighted the problem of ongoing vigilance when natural disasters, such as floods, occur infrequently.



Siltation impact on Tamar River retaining wall

He told the Committee that:

The half-life for awareness of flood protection is very short. People get flooded and there is a despair and despondency, but within a year they have moved on. I think the same can be true for all natural disasters – bushfires and flooding events. Unless there is someone trying to keep the focus of the community on the potential for natural disasters, the experience and the education you gain from having them dissipates very quickly.²²

²¹ Ald. Graeme Beams, *Transcript of Evidence*, 26 November 2008, p. 57.

²² Mr Geoff Brayford, *Transcript of Evidence*, 6 February 2009, p. 32.

Mr Gary Atkinson also referred to the history of flooding in Launceston during his verbal evidence. He told the Committee:

*'You wonder why the fathers of the city saw fit to build the Customs House and other significant building in an area that was supposed to be subject to regular flooding. As we all know, Launceston was supposed to get flooded every 30 years. We have not had a significant one since 1929 – that is 80 years. What has happened in the meantime is that by filling in those flood plains with silt we have actually restricted the river. A 1929-size flood may be even worse because we have restricted the escape of the water by filling in those flood plains.'*²³

Launceston City Council representatives also gave evidence in relation to the flooding issue, noting that *'the body that takes the ultimate risk is the Launceston City Council.'*²⁴



Floodwaters heading to Launceston through Cataract Gorge

²³ Mr Gary Atkinson, *Transcript of Evidence*, 6 February 2009, p. 25.

²⁴ Mr Frank Dixon, *Transcript of Evidence*, 26 November 2008, p. 13.

The Council's General Manager, Mr Frank Dixon, told the Committee that work to protect Launceston from flooding was being undertaken by the recently established Launceston Flood Authority which operates under the auspices of the Council.

Mr Dixon told the Committee that:

*'It would be wrong to say that nothing is happening. In fact, a significant amount is happening in terms of remediation projects, repairing small sections and areas where there are perforations in the levee walls. So there are some works being undertaken. Will there be no protection until we finish the levees? That is not the case. We know there is substantial risk of inundation in the event of even, say, a one in 50-year flood, which is why we need to proceed with these works.'*²⁵

Mr Garry Blenkhorn told the Committee that flood levees could also improve community enjoyment of the river system. He suggested that:

*'We need to put levees in that are going to be a bit like the edge of the Yarra in Melbourne. We need to build them so that we can use them. The levee they have put there is at high water and is no good for anything because it is under water. It does not encourage people to the river. Until you can get to the stage where you can encourage people to the river and get them to see what a mess it is, we are still going to go round and round in circles.'*²⁶

The third key issue presented to the Committee in both written and verbal evidence was the lack of effective river management as a result of the large number of organisations with some involvement in it, **but none with overall responsibility.**

According to much of the evidence, the major contributing factor in the existence of this management regime was the size of the Tamar-Esk catchment and the view that the problems experienced in Launceston originated outside the city itself.

As Mr Jack Edwards noted in his written submission, *'with a catchment covering 15% of the whole State and including several municipalities and areas subject to various State Authority's jurisdiction **this is clearly the role of the State Government.***²⁷

²⁵ Dixon, Transcript of Evidence, p. 14.

²⁶ Mr Garry Blenkhorn, *Transcript of Evidence*, 28 July 2009, p. 6.

²⁷ Mr Jack Edwards, *Written Submission LCSC/MTE/06*. NB: The emphasis is added by the Committee to highlight this point which was mentioned in evidence by other witnesses.

In his written submission, the late Mr Laurie Crerar, founder of the Friends of the Tamar organisation and a founding member of the Tamar Estuary Working Group, said, *'there are too many different government departments and agencies including local government, all involved with Talk Fests and reports stock piling without much "hands on action" ...'*²⁸

In his verbal evidence Mr Crerar was even more forthright, suggesting that *'the overall score from the State Government and its agencies for environmental management within what we call the greater catchment from St Marys to the Great Western Tiers to Kelso is two out of 10.'*

Hydro Tasmania representative, Mr Andrew Scanlon, provided some perspective of the number of agencies and organisation with involvement in the management of the Tamar Estuary and Esk Rivers.

In response to questioning from the Committee he said;

*'Yes, there are quite a few. We deal with the Launceston City Council. We had the Upper Tamar River Improvement Authority. We have the NRM, of course; we deal closely with them. We have TEER, and we have membership on that. We are trying to work with other more informal groups focused on particular issues. Yes, we do a lot of work with MAST [Marine and Safety Tasmania] around the State, more on lakes and boat ramps. Obviously DPIW [Department of Primary Industries and Water] are the regulators and of course we have the environmental regulator and the water regulator.'*²⁹



Another example of the Tamar River siltation

²⁸ Mr Laurie Crerar, *Written Submission LCSC/MTE/12*.

²⁹ Mr Andrew Scanlon, Hydro Tasmania, *Transcript of Evidence*, 17 March 2009, pp. 40 & 41.

A similar view was presented by Mr Kerry Dawkins in his verbal evidence to the Committee. He said:

*'Everybody has some part in it – there are just too many people. You have MAST, you have Parks and Wildlife, you have the council. There is a whole group of people - so poor simple people like us in a rowing club who built a new building found out there were so many organisations out there that you had to refer to that you ended up being totally confused.'*³⁰

Mr Ed Vincent, gave similar evidence during his appearance before the Committee. He said:

*'I am told that there are 25 State Government departments or instrumentalities that have an impact on decision making within the area that we are talking about. I have no reason to believe that that is untrue. In fact, I am surprised that it is that few. I am sure that each of those has acted with what they perceived, at the time, was the best intentions, the best interests of the community at large, but with a focus on their own priorities and it must, with the benefit of hindsight and current knowledge, be said that some of those actions were less than optimal. However, there was no effective authority that existed with the skills and resources to manage the activities on a system-wide basis. I think we now have a system that is in crisis.'*³¹

Launceston businessman, Mr Errol Stewart, illustrated the problem with an example when he told the Committee that:

*'At the moment I do not think there is anybody who really has the responsibility for looking after the river system. I do not know that you could physically pinpoint anybody and say, "That's your responsibility". Then you have this issue forever. We haven't been able to get rid of the old boats because we are not sure whose jurisdiction it is. If you ask the ports authority you are told their jurisdiction stops at the Batman Bridge. MAST says it is Parks and Wildlife's and they say it is not.'*³²

Mr Adrian Hardman, Assistant Secretary of the Tamar Yacht Club, expressed a similar personal view in his verbal evidence to the Committee. He said:

'At the moment you have three levels of government and there might be other authorities that I don't know about.'

³⁰ Mr Kerry Dawkins, *Transcript of Evidence*, 10 December 2008, p. 33.

³¹ Mr Ed Vincent, *Transcript of Evidence*, 26 November 2008, p. 70.

³² Mr Errol Stewart, *Transcript of Evidence*, 6 February 2009, p. 2.

*They have all got their fingers in the pie and there is a bit of handballing going on. No-one is prepared to put their best foot forward, put their money where their mouth is and look at doing something about it. It is not the Launceston City Council's problem as such. It just happens that it gets dumped in their backyard. This is a State issue. It is not a Launceston City Council matter.'*³³

This view was shared by Northern Tasmanian businessman, Mr Barry Blenkhorn, of Gravelly Beach, who told the Committee that:

'The bodies that are into the river now seem to be its retardants. There are too many there giving you a verbal answer on something and they've got no-one to answer to and they can fob off your particular project of interest. The independents say, 'No, you can't do that, you can do this' and then one will contradict the other and so forth, and that is what we desperately need to get away from.....

*I would much sooner see a bigger community input and the bodies come from that rather than the people in National Parks, for instance. Why are they controlling the river? They are not users of the river, there is no income from the river. They've got a job to control what they have got. You get them infiltrating into an area where I think they shouldn't be. It is much the same with councils. They don't get any rates off the river or anything else. Then there is MAST, the Crown Lands department, the Natural Heritage Trust and all of these people. It is the biggest retardant we have, I believe.'*³⁴



Tamar River siltation

³³ Mr Adrian Hardman, *Transcript of Evidence*, 3 March 2009, p. 37.

³⁴ Mr Barry Blenkhorn, *Transcript of Evidence*, 28 July 2009, p. 2.

Mr Geoff Brayford was another who highlighted the problem of lack of clarity in which body had ultimate responsibility for managing waterways. He told the Committee that:

‘Certainly, rivers generally have a void of jurisdictional responsibility. There are often many regulators who actually want to be involved in what other people may do to them but if there are problems with rivers then it tends to be the case that you cannot find anyone who wishes to be part of the solution or to take responsibility for the solution. Whether the problem is an accumulation of sediment or debris floating in the river or flood controls or flood mitigation structures, there is often no-one who has, if you like, an ownership responsibility to actually get involved.’³⁵

It was on the basis of the evidence outlined above that the Committee, in accordance with its principal term of reference, sought evidence from witnesses on whether or not the setting up of a statutory authority was the best means of dealing with the three core issues that had been presented.

The evidence provided in relation to this point is canvassed in the next chapter.

³⁵ Mr Geoff Brayford, Launceston City Council, *Transcript of Evidence*, 6 February 2009, p. 31.

It is fair to say that there was overwhelming support in submissions and from witnesses for the establishment of a statutory authority to manage the Tamar Estuary and Esk Rivers. Even among those few who did not support the concept, the opposition was more in the nature of reservations about the nature and role of an authority, in particular the potential for it to impose another level of regulation and legal sanctions in relation to river management. This specific issue was considered at some length by the Committee and is discussed later in this report.

A written submission from Mr Robert Crews, of Blackstone Heights, favoured an authority with responsibility for the entire catchment.

Mr Crews wrote:

*'A need exists for the establishment of a Total Catchment Management Authority to deal with the issues affecting the Tamar River Delta. By adopting a catchment management Authority approach, as enacted in New South Wales, relevant stakeholders and their attendant expertise can be encompassed within a body that has appropriate statutory responsibility to address all the issues, not just one; being the confluence siltation.'*³⁶

Mr Edward (Murray) Grose also supported the concept of a single statutory authority in his written submission. In relation to the best way of dealing with the siltation problem, Mr Grose wrote:

*'A single Statutory Authority to oversee the management of the silt build up in the upper reaches of the Tamar River in my opinion would be the only way to go to solve this problem. A single Statutory Authority would have the power to research locally and globally and be in a position to attract national research money to fix this problem.'*³⁷

The written submission from Mr Jack Edwards was another which favoured a catchment-wide authority. He wrote:

*'In the longer term I believe that a permanent statutory and professional authority is desirable with powers to advise upon, manage and coordinate measures to address these problems over the whole catchment and estuary from the head waters to Bass Strait.'*³⁸

Former civil engineer and University academic Dr Owen Ingles, of Swan Point also supported a statutory authority in his written submission, writing:

³⁶ Mr Robert Crews, *Written Submission LCSC/MTE/04*.

³⁷ Mr Edward (Murray) Grose, *Written Submission LCSC/MTE/05*

³⁸ Mr Jack Edwards, *Written Submission LCSC/MTE/06*.

*'I submit that one single authority would avoid the many problems of jurisdiction which currently obstruct the efficient solution of often costly environmental problems afflicting both river bed and bank (i.e. riparian zones) such as the present erosion and siltation in the Tamar and Esk rivers. Such problems often require a multi-disciplinary approach, which is best handled from a central authority suitably tasked and resourced.'*³⁹



Siltation in the Tamar River

In his written submission, Mr Laurie Crerar pointed to his long involvement with the Tamar Estuary through the Friends of the Tamar organisation and the Tamar Estuary Working Group. He went on to observe that:

*'... this long commitment to assist our river communities has clearly identified one main root cause of many years of neglect and failures ... because we don't have a Single Statutory Authority. The need for One Single Statutory Authority is, in my opinion, paramount to this greater catchment area and its many communities reliant on healthy river/estuary systems for future generations.'*⁴⁰

The Launceston City Council supported the creation of a statutory authority in its written submission to the Committee.

The submission concludes with this statement:

³⁹ Dr Owen Ingles, *Written Submission* LCSC/MTE/07.

⁴⁰ Mr Laurie Crerar, *Written Submission* LCSC/MTE/12.

'There is a void of clear intervention or action responsibilities within the estuary. These include the very basic issues associated with general housekeeping, but extend to strategic responsibilities and response capabilities.

*Council supports the establishment of a Single Statutory Authority which has the capability to align functional responsibility with the financial capability to deliver its role, building on the work already being undertaken within the Tamar Estuary and Esk River Catchment.'*⁴¹

Greening Australia (Tas) also provided support for a statutory authority. Its written submission opens with this strong statement of support:

*'Greening Australia (Tas) fully supports the establishment of a Single Statutory Authority to research and to take management actions to alleviate and/or overcome flooding, siltation and other problems associated with the Tamar Estuary and Esk Rivers and their catchments, including their environmental health.'*⁴²

The verbal evidence presented by witnesses at the public hearings convened by the Committee was similarly weighted heavily in favour of the setting up of a single statutory authority.

For example, Mr Jim Collier, of Launceston, told the Committee:

*'... I think there should be one single authority with overall management. ... – Of everything – the overall management of the upper reaches of the Tamar River. If you have various little bodies, once again you will have the old problem of too many bureaucrats all fighting each other and it will achieve nothing. We want one single authority totally responsible for everything – flood management, siltation, pollution, water flow, everything.'*⁴³

This perspective was shared by Mr Garry Blenkhorn, who told the Committee that:

'The one authority is it - the only way we can go. While we have councils and everybody else working against each other, doing their own little bit, we might as well forget about the river. We need to change that attitude. It has to become one system; that is the way to go. It is a bit like what has happened with the water and sewerage. It is going to cost us a fortune but it is going to be the best thing that has ever happened. People are going to scream

⁴¹ Launceston City Council, *Written Submission LCSC/MTE/13*.

⁴² Greening Australia (Tas), *Written Submission LCSC/MTE/16*, p. 1.

⁴³ Mr Jim Collier, *Transcript of Evidence*, 26 November 2008, p. 66.

*because they are going to be paying extra rates, but if we do not do something similar with the river we are going to keep doing exactly what the councils have been doing for the last Lord knows how many years.*¹⁴⁴

Mr Kerry Dawkins told the Committee that:

*'I think we really have to have one authority with the responsibility to do all the things we are talking about, not an offshoot because what is the point in having an offshoot? I think that would be a negative personally. I would much rather it the other way. I think the important issue is going to be this one authority. A bigger, larger authority with much broader parameters in doing it – I think that is the way it has to go.'*¹⁴⁵



The narrow channel caused by extensive siltation in the Tamar Estuary

A former Launceston City Alderman, Mr Basil Fitch, also supported a statutory authority in his verbal evidence to the Committee. He said:

*'I firmly believe that one statutory authority is necessary to control not only the upper reaches of the Tamar River but the whole Tamar River down to George Town. I also believe strongly that this authority should have control over rural areas where estuaries and rivers are feeding into the North and South Esk rivers.'*¹⁴⁶

¹⁴⁴ Mr Garry Blenkhorn, *Transcript of Evidence*, 28 July 2009, p. 21.

¹⁴⁵ Mr Kerry Dawkins, *Transcript of Evidence*, 10 December 2008, pp. 30 & 34

¹⁴⁶ Mr Basil Fitch, *Transcript of Evidence*, 26 November 2008, p. 36.

Mr Stewart Hallam was another in favour of a statutory authority, telling the Committee that:

*'The desirability of a single statutory body is paramount in my opinion because if you have too many cooks they are going to spoil the broth. I will use that wonderful colloquialism. We have to have one authority and that is it.'*¹⁴⁷

Ald. Graeme Beams expressed his hope to the Committee that its report *'will be the one that lays the foundations for a proper authority for the whole river. It is going to need to be properly funded.'*¹⁴⁸

The Tamar Yacht Club, through its representative, Commodore Richard Fisher, also backed the proposal for a statutory authority, concluding his verbal evidence by saying:

*'I reiterate that the Tamar Yacht Club, one of the biggest users of the river, absolutely supports the concept of a single statutory authority to deal with the whole of the river and the catchments.'*¹⁴⁹

The Chairman of the Launceston Tamar Valley Tourism Association, Mr Peter Neilson, told the Committee that:

*'The statutory authority will obviously be set to be a fully managed full-time authority. I guess that is the main thing that we would like to get across, not something that sits every now and then and reviews what has happened. It would be a fully managed organisation that looks after the whole exercise.'*¹⁵⁰

Launceston businessman, Mr Errol Stewart, put forward a similar view to the Committee. He said:

*'I have said there needs to be a single authority with some backbone because there is probably not much point in having an authority unless it has some clout. If not I think we would be wasting our time so it needs to have some clout. The authority should look at things concerning the river users, such as tourism issues, safety issues, flooding issues. I think you need to control the whole thing.'*¹⁵¹

¹⁴⁷ Mr Stewart Hallam, *Transcript of Evidence*, 26 November 2008, p. 47.

¹⁴⁸ Ald. Graeme Beams, *Transcript of Evidence*, 26 November 2008, p. 54.

¹⁴⁹ Cdr. Richard Fisher, Tamar Yacht Club, *Transcript of Evidence*, 26 November 2008, p. 81

¹⁵⁰ Mr Peter Neilson, Launceston Tamar Valley Tourism Association, *Transcript of Evidence*, 26 November 2008, p. 82.

¹⁵¹ Mr Errol Stewart, *Transcript of Evidence*, 6 February 2009, pp. 2 & 4.

Support for the concept of a single statutory authority also came from Mr Adrian Hardman in his verbal evidence. He told the Committee:

*'Yes, there needs to be one body that overlooks the whole management of the Tamar and is funded by the State and Federal governments. They do have a role to play with a public consultation process, as this committee is here. Something definitely needs to be done.'*⁵²



Yachts aground on silt in the North Esk marina

The Tasmanian Government, while not committing itself to supporting the establishment of a statutory authority, clearly indicated to the Committee that it had an open mind on the issue.

The Minister for Environment, Parks, Heritage and the Arts, the Hon. Michelle O'Byrne, told the Committee that:

*'Cabinet has not had consideration of the role of a statutory authority so there is no existing cabinet position that I can bring to the table here, which I think is probably good because it means we can look at a range of outcomes, including the outcomes of this inquiry. We will form our view based on the outcomes of a number of programs that are currently being implemented but we will also form our view dependent upon the outcome of this inquiry as well and the evidence that is presented to this inquiry.'*⁵³

⁵² Mr Adrian Hardman, *Transcript of Evidence*, 3 March 2009, p. 39.

⁵³ Hon. Michelle O'Byrne, *Transcript of Evidence*, 17 March 2009, pp. 1-2.

Later when speaking to the Committee, the Minister also said:

*'We will continue to work to improve the state and health of the river but I think that the problem we have had is that we have done things on a piecemeal basis; we need to get together and do it properly. Whether or not that requires a statutory body, let us wait and see but you know my views - that I prefer the collaborative model.'*¹⁵⁴

A similar position, with some reservations, was put in evidence to the Committee by the then Secretary of the Department of Environment, Parks, Heritage and the Arts, Mr Scott Gadd.

Mr Gadd told the Committee that:

*'I have a completely open mind on the authority but it would be an extremely complex process to put it in place. It would cut across every other statutory authority in the State - Parks, Local Government, potentially Police, Environment, Heritage. Where it overrides or defers to those various bodies would be an extremely lengthy and difficult process to work through in terms of that whole catchment.'*¹⁵⁵

Mr Gadd concluded his evidence by re-stating the Government's position on the question of a statutory authority.

He said:

*'I reiterate the minister's comments that the Government does have an open mind. We are looking forward to the outcomes of this committee. I don't think it is an easy question and any decisions we take going forward will certainly be informed by your work.'*¹⁵⁶

In spite of the overwhelming support for a statutory authority in the evidence gathered by the Committee, as well as the State Government's preparedness to consider the option, it would be wrong not to acknowledge that the support was not unanimous.

In its written submission to the Committee the Tasmanian Branch of Timber Communities of Australia said, in relation to the Tamar Estuary and Esk Rivers, that it *'considers that the [sic] both river systems are well managed but are also prone to natural phenomena such as siltation and flooding.'*¹⁵⁷

The submission noted that:

⁵⁴ O'Byrne, *Transcript of Evidence*, p. 17.

⁵⁵ Mr Scott Gadd, *Transcript of Evidence*, 17 March 2009, p. 8.

⁵⁶ Gadd, *Transcript of Evidence*, p. 31.

⁵⁷ Mr Barry Chipman, Timber Communities of Australia, *Written Submission LCSC/MTE/14*.

*'The Tamar and the North and South Esk catchments cover almost a sixth of the State and have a full range of land uses and tenures. There are already a large number of Government agencies and Authorities responsible for managing impacts on the river system.'*⁵⁸

The submission then goes on to outline the reasons for its opposition to the concept of a statutory authority to manage the rivers systems, stating:

*'TCA can see no immediate advantage to local communities of both catchments of creating a super single authority to manage the river system. It is feared that an unaccountable mega bureaucracy may be created that duplicates the functions of existing government agencies and will increase the level of red tape and costs to the community.'*⁵⁹



An example of the unsightly siltation in the Tamar Estuary

A similar view was put to the Committee by the Tasmanian Farmers and Graziers Association (TFGA) in its written submission.

The TFGA wrote:

'The TFGA believes that the establishment of a Statutory Authority for the Tamar Estuary and Esk Rivers is highly inappropriate. The fact that the TEER Programme is voluntary and has taken a collaborative partnership approach is exceptionally important to the TFGA.'

⁵⁸ Chipman, *Written Submission* LCSC/MTE/14.

⁵⁹ Chipman, *Written Submission* LCSC/MTE/14.

*Any attempt by the State Government to establish in its place a Statutory Body that regulates the water ways of the Tamar and Esk Rivers cannot be supported by the TFGA.*¹⁶⁰

The written submission from the TFGA concluded:

*'In summary the TFGA believes that there are no benefits to establishing a Statutory Body to manage the Tamar Estuary and Esk Rivers as it would duplicate the role of the TEER program, erode the trust of partners and individual landholders, and waste resources in establishing an unnecessary State organisation.'*¹⁶¹

The TFGA repeated its opposition to a statutory authority when its representatives gave verbal evidence to the Committee.

The then President of the Association, Mr Roger Swain, told the Committee, that:

*'... basically our initial response to your inquiry was that we did not support the establishment of a single statutory body the Tamar Estuary and Esk River. ... Generally, the farming community is the last bastion of private enterprise and a suggestion of a regulatory authority points to regulation. The TFGA does not support the introduction of further regulation on the farming community ...'*¹⁶²

However, later evidence from the TFGA representatives qualified the position of outright opposition to the concept of a statutory authority.

For example, the Policy Manager for the TFGA, Ms Catherine Murdoch, told the Committee:

*'I think the point here is that the TFGA are totally supportive of this inquiry's belief that there needs to be that coordinated and collaborative approach for the Tamar and Esk Rivers, there is no doubt about that because these issues will not be solved without that.'*¹⁶³

In addition, Mr Swain later said:

'To be really honest, I suspect our aspirations are the same as yours.'

¹⁶⁰ Mr Roger Swain, Tasmanian Farmers and Graziers Association, *Written Submission LCSC/MTE/10*.

¹⁶¹ Swain, *Written Submission LCSC/MTE/10*.

¹⁶² Swain, *Transcript of Evidence*, 6 February 2009, p. 12.

¹⁶³ Ms Catherine Murdoch, Tasmanian Farmers and Graziers Association, *Transcript of Evidence*, 6 February 2009. p. 14.

*We really want to see the same pristine looking river that is clean, tidy without mudflats and all those sorts of things. We have the same aspirations. I think our only difference of opinion here is the vehicle we use to get there, and I will go on further here.*⁶⁴

Mr Swain then told the Committee that the TFGA had undertaken research to determine whether a statutory body similar to that being investigated by the Committee already existed in Australia. He said that research had identified one such body, the South-East Queensland Healthy Waterways Partnership (SEQHWP).

In describing this organisation to the Committee, Mr Swain said:

*'It is a collaborative approach of all those players within that catchment. They have worked over considerable period of time to deliver the outcomes that we are all aspiring to here without that regulatory approach and that is why we are suggesting that that is the preferred approach that we are looking at and not the regulatory one.'*⁶⁵



Dredging of the narrow channel in the Tamar River

There is further discussion of the collaborative model, and SEQWHP in particular, later in this report.

⁶⁴ Swain, *Transcript of Evidence*, p. 17.

⁶⁵ Swain, *Transcript of Evidence*, p. 17.

However, it should be noted here that while not technically a statutory authority, SEQHWP is underpinned by legislation through its Regional Coordination Committee, which is a statutorily recognised committee under the local statutory regional land use plan and it is made up of relevant Queensland Government ministers and mayors.

The TFGA position on a statutory authority was further clarified during later evidence in response to questions from the Committee.

In particular, the following exchange between the Hon. Ivan Dean MLC and the TFGA Chief Executive Officer, Mr Chris Oldfield, is relevant:

'Mr DEAN - ... Let me put the hypothetical position that if an authority were set up and if there were no stronger regulations on farming, would your position change? ...

*Mr OLDFIELD – I think that is a fair point to the extent that farming bodies such as ours will always see regulation as the last step. We would much rather see collaborative, cooperative approaches but at times there needs to be regulation. We support regulation in these cases but it really is the last resort. So in answer to your question, if there were no regulatory powers against farmers or farming communities then that would help alleviate some of our concerns.'*⁶⁶

Bearing in mind, but notwithstanding the issues raised by TCA and the TFGA, the Committee believed it was appropriate to investigate possible options for structure of a statutory authority to manage the Tamar Estuary and Esk Rivers. These are discussed in the following chapters.

⁶⁶ Hon. Ivan Dean, MLC for Windemere, & Mr Chris Oldfield, Tasmanian Farmers and Graziers Association, *Transcript of Evidence*, 6 February 2009, p. 20.

It was clear from the written submissions and verbal evidence given to the Committee that there was strong and widespread support for a single statutory authority to manage the Tamar Estuary and Esk Rivers. This support was often expressed in general terms, but there was a variety of expectations expressed about the nature of such an authority and the way it should operate. Within this variety of expectations were a number of common themes that were put forward again and again by those who made presentations to the Committee. These common themes will be seen clearly in the following discussion of the possible options for a statutory authority to manage the Tamar Estuary and Esk Rivers.

In his written submission, Mr Jack Edwards, suggested an authority modelled on previous bodies which had managed aspects of the Tamar Estuary.

*'Such an authority might well be patterned upon the concept of the earlier Launceston Flood Protection Authority and Board, both of which were low cost operations utilising established resources and expertise wherever possible and which operated effectively from the 1950s to the 70s.'*¹⁶⁷

Mr Edwards expanded on his suggestion in his later verbal evidence to the Committee and this is discussed later in this chapter. However, he also noted in his written submission that the problems faced by the people of Launceston originated in large part from outside Launceston itself.

Mr Edwards wrote:

*'The adverse effects of flooding and siltation are concentrated at the junction of the three rivers in the City of Launceston – the sources of both problems originating almost wholly from areas outside of the Launceston City Council's area of jurisdiction Any worthwhile solutions must embrace the whole estuary and catchment.'*¹⁶⁸

Dr Owen Ingles wrote in his submission to the Committee that:

*'Establishment of such single statutory authority will necessitate that its decisions must have legal precedence (subject to appeal, e.g. to the RPDC) over all other authorities operating within the defined area of the Tamar and Esk Rivers catchment'*¹⁶⁹

¹⁶⁷ Mr Jack Edwards, *Written Submission*, LCSC/MTE/06, 13 November 2008.

¹⁶⁸ Edwards, *Written Submission*.

¹⁶⁹ Dr Owen Ingles, *Written Submission*, LCSC/MTE/07, 15 November 2008.

Mr Jim Collier was another who proposed a total catchment approach to the management of the Tamar Estuary and Esk Rivers. In his written submission, Mr Collier wrote that:

*'... a single Statutory Authority be established at the earliest opportunity to assume all over responsibility for the entire management of the Tamar and Esk Rivers. There are widespread influences on the Tamar and Esk Rivers therefore such a body must have the authority to exert influence on the undesirable land and management practices in the appropriate catchments in addition to control of the natural river flows from tributaries feeding into the Tamar's upper reaches.'*⁷⁰



Riverside parkland on the Barwon River, Geelong

Mr Collier's submission also included a number of specific suggestions about the make-up and operation of a statutory authority. He wrote that:

'... the Statutory Authority should consist of a representative from Local, State and federal Governments; one of which shall be designated chairperson. ... [it] will require federal intervention/assistance/funding therefore it is logical to include a commonwealth representative at an early stage. ... it is preferable the local government representative is a member of the Launceston City Council. The Authority should also consist of at least two members of the local community with local extensive knowledge of the rivers, as should all representatives.'

⁷⁰ Mr Jim Collier, *Written Submission*, LCSC/MTE/08, 18 November 2008.

*... The Authority should have regular access to engineering or specialized consultants though these need not be permanent members of the Authority.*⁷¹

Mr Collier also referred to the importance of consultation with the local community, suggesting that *“Authority members should ... be prepared to consult with, and listen to, community members ... as well as professionals in the appropriate field.”*⁷²

A total catchment approach was preferred by Greening Australia (Tas), which wrote in its submission that:

*‘A whole-of-catchment approach to studying, planning for and addressing the flooding, siltation and environmental health of the Tamar Estuary and Esk River Catchments is preferable to investigating each system independently.’*⁷³

As mentioned previously in this report, the vast majority of evidence received by the Committee was given in person at the public hearings held in Launceston and Hobart. It was in this verbal evidence that witnesses gave most of the suggestions and options for a statutory authority.

Mr Barry Blenkhorn strongly favoured an authority with total responsibility for the whole catchment of the Tamar Estuary and Esk Rivers.

He told the Committee that:

*‘I hope the outcome of this inquiry will bring about a single authority that has wide powers to work in the river and its banks for the entire length of it. I think it has to be far-reaching inasmuch as all of those other agencies should have someone to answer to if they're going to be there. I think the single authority ought to have the power to have all the say and very much involve their communities along the river and try to make the river work.’*⁷⁴

Mr Jack Edwards told the Committee that there were two key shortcomings with some bodies set up to manage issues affecting the Tamar Estuary and Esk Rivers. He said that:

‘The management shortcomings as I see it of those authorities is firstly the restricted area of jurisdiction. The whole catchment is important, which covers - including the Tamar catchment - about 15 per cent of Tasmania, going right back to the east coast. The whole estuary right to Low Head is important.’

⁷¹ Collier, *Written Submission*.

⁷² Collier, *Written Submission*.

⁷³ Greening Australia (Tas), *Written Submission*, LCSC/MTE/16, 21 November 2008, p. 1.

⁷⁴ Mr Barry Blenkhorn, *Transcript of Evidence*, 28 July 2009, p. 1.

*This is all flowing together into Launceston. Whatever authority is formed needs to have access and be able to manage that. The lack of statutory status I think is terribly important. There is no doubt with the flood authorities at least we could talk on an even playing field with departments. That is necessary as part of any new organisation.*⁷⁵



Another view of Barwon River parklands

In response to a question from the Committee about the size of the flood catchment which was outside the boundaries of the city of Launceston, Mr Edwards said:

*'It is very significant. I think it is about 90 per cent. I think the catchment from Launceston that flows into the Esk rivers and into the head of the Tamar, not further down the river, is probably less than 10 per cent.'*⁷⁶

Mr Edwards also addressed the issues of a strategic direction and resources for an authority, suggesting that:

'Firstly, it must use all the existing research. There is a wonderful databank of research. You can have paralysis by analysis. You can spend too much time analysing things and you end up doing nothing. I believe that there is a need now.'

⁷⁵ Mr Jack Edwards, *Transcript of Evidence*, 26 November 2008, p. 2.

⁷⁶ Edwards, *Transcript Of Evidence*, 26 November 2008, p. 4.

*We have some good information and, no doubt, there is need for more, but the first priority is to get things moving based on the research we have done. It needs autonomy and it needs resources, and be instructed as a priority to establish a direction. That is the main thing we need now - a positive direction.*¹⁷⁷

As far as membership of an authority was concerned, Mr Edwards told the Committee that:

*'The city council, I believe, must play a very prominent role in it because it is the recipient of all the damage. But a lot of it is horses for courses; it depends what you're doing. If it's going to affect forestry, for example, then I think you'd probably want somebody from the forestry on it. It could be flexible. It was flexible with the flood authority when we did design work; we had the chief investigations engineer from Hydro on it. He made a wonderful contribution, tangible and intangible, but then when the design was finished, the investigation was finished and he went off I think the Rivers and Water Supply Commission representative came on who again contributed to the construction side. So again, it's horses for courses. If the whole problem is dredging, you pick somebody who's got a bit of dredging experience and knowledge. I don't think you want more than four or five people who can get down and do something.'*¹⁷⁸

In relation to the important question of funding, Mr Edwards told the Committee that:

*'I've always found that if you know where you're going and you've got a good argument, the funding comes like that but you can't fix the problem just by dollar bills; you've got to know where you're going. The direction is important.'*¹⁷⁹

Mr Jim Collier supported Mr Edwards in his suggestion that a small board for an authority was preferable. Mr Collier told the Committee that:

*'I estimate that there only needs to be five people. If you make it too big it is going to be unwieldy, keep it to five and they can have access to all the engineering and research facilities of the State Government that they need.'*¹⁸⁰

In verbal evidence to the Committee, businessman and former Launceston City Council Alderman, Mr Ian Routley, strongly supported the concept of community involvement in an authority.

¹⁷⁷ Edwards, *Transcript of Evidence*, p. 3.

¹⁷⁸ Edwards, *Transcript of Evidence*, p. 8.

¹⁷⁹ Edwards, *Transcript of Evidence*, p. 8.

¹⁸⁰ Mr Jim Collier, *Transcript of Evidence*, 26 November 2008, p. 66.

He said:

*'I think that if an authority was to be established, we also have to ensure that it has a strong community component. The community have to have ownership. They really do have to have some ownership of it so that they are committed to it, to assisting, because we are looking at something now and we can look at the catchment area and the size of the catchment area. The improvements will only occur if people are re-engaged in the process.'*⁸¹

Mr Laurie Crerar also strongly favoured community involvement in any proposed statutory authority, giving verbal evidence that:

*'... if your committee is going to consider a proposed structure, our considered view is that part of that structure should have a strong community depth to it and its regional positioning from St Marys to Great Western Tiers to Kelso will be the success of getting the structure right so you get a hands-on approach.'*⁸²

He went on to tell the Committee that:

*'... that authority needs to be an umbrella authority so it groups the rivers and waters, the Esk Water Authority and councils, but more importantly it groups the community in a way that fashions a Landcare approach, if you like, to working within the catchment framework.'*⁸³

The Mayor of Launceston, Alderman Albert Van Zetten, gave verbal evidence that he supported an authority with a small, representative board. He said that:

*'I am probably a little bit like Jack Edwards on that - smaller, within reason. I think seven. He was saying five. I think about seven is probably a good number for an authority. I think there definitely needs to be a representative from the Government on it.'*⁸⁴

In response to a question from the Committee about representation of local government, Ald. Van Zetten said:

'No, because you are going to end up with a very big committee, a lot of mayors or representatives from local government and that is not what the committee should be about.'

⁸¹ Mr Ian Routley, *Transcript of Evidence*, 10 December 2008, p. 53.

⁸² Mr Laurie Crerar, *Transcript of Evidence*, 26 November 2008, p. 19.

⁸³ Crerar, *Transcript of Evidence*, p. 23.

⁸⁴ Mayor Albert Van Zetten, Launceston City Council, *Transcript of Evidence*, 26 November 2008, p. 12.

*You really need people who are experts in the field who know the engineering, the flood risk, the siltation. They are expert areas and we need those sorts of people to work together ...*⁸⁵

Ald. Van Zetten was supported by the General Manager of the Launceston City Council, Mr Frank Dixon, who added that:

*' ... whilst you can have an overarching authority, there are other mechanisms for engaging people who need to be involved and the TEER program and NRM, which has the membership of all the councils, are mechanisms where you can be delivering programs and have accountability to the authority so that you do actually engage and involve all of the players who need to be involved but they do not need to all sit around the table.'*⁸⁶



The Barwon River in central Geelong

Mr Peter Newman, who gave evidence on behalf of the Grammar Boat Club and the Tamar Yacht Club, told the committee in relation to membership of an authority board that:

'It needs a separate authority with probably five or six people with expertise in all areas of social, recreational and managing the river. It is badly needed and it has to happen.'

⁸⁵ Van Zetten, *Transcript of Evidence*, p. 15.

⁸⁶ Mr Frank Dixon, Launceston City Council, *Transcript of Evidence*, 26 November 2008, pp. 15-16.

*.... We need a separate authority with a cross-section of interests, expertise and funding and that is going to be quite a job.*⁸⁷

Mr Newman also addressed the funding of an authority, suggesting that:

*'I was looking through some old papers a while back. We used to have a river levy on our rates and taxes. I think we can have a look at that again. I would be quite happy to put \$100 out of my rates towards the river. It is an asset to the city. We have to do something but we have to get the money.'*⁸⁸

The importance of community support was raised by Mr Stewart Hallam in his verbal evidence. He told the Committee that:

*'I think central to all of this is that the body that is in charge of it should have a very open and clear method of communication to all levels of governance and to the ratepayers and the constituents to give them a very clear picture of what is going on, so that the whole community gets behind the body and there is no interference or time wasting through insignificant areas that could or could not come up. So, the State Government has to put their hat on and get into this.'*⁸⁹

Ald. Graeme Beams, addressed the make-up of an authority board in his evidence to Committee, saying that:

*'You don't need a lot of people but you would perhaps need various components of the river. I wouldn't put any more than a dozen on it, and I say that straightaway. You might need one from local government, one from State government, and you might try to get somebody from the Federal Government here in some way. You might look at the Hydro having somebody there, because of the dam. You would possibly want a couple of community people on there - I don't think you need any more. It needs to be can-do people with engineering experience, people that will get up and do something. Let's not have it if it is going to be a club.'*⁹⁰

Ald. Beams also commented on the issue of funding, noting that *'with power comes funding. They go hand-in-hand.'*⁹¹

⁸⁷ Mr Peter Newman, *Transcript of Evidence*, 10 December 2008, pp. 15 & 16.

⁸⁸ Newman, *Transcript of Evidence*, p. 22.

⁸⁹ Mr Stewart Hallam, *Transcript of Evidence*, 26 November 2008, p. 48.

⁹⁰ Ald. Graeme Beams, *Transcript of Evidence*, 26 November 2008, p. 59.

⁹¹ Beams, *Transcript of Evidence*, p. 59.

On the importance of financial arrangements, the then Director of Water and Sewerage at Launceston City Council, Mr Geoff Brayford, told the Committee that:

*'What is clear in my mind is that there has to be a real alignment in whatever happens between a functional responsibility and a financial responsibility. If you get those responsibilities out of sync, if one person is responsible for a function but another party is responsible for financing there is a tendency for nothing to happen and it has to be really clear that those things have to be aligned. An analogy for that has been the 1975 flood levee agreement where council had the responsibility but the financial responsibility was elsewhere. Unless you get those aligned, nothing will happen because you cannot deliver a function without the finances. It must be clear: there has to be an aligned responsibility, otherwise it is a blame game after the event - 'We couldn't deliver our function because you never gave us our finances,' or 'We did not give you the finances because you never told us what you needed.'*⁹²



Catchment Management Authority facilities on the Barwon River

⁹² Mr Geoff Brayford, Launceston City Council, *Transcript of Evidence*, 6 February 2009, p. 31

The Minister for Environment, Parks, Heritage and the Arts, the Hon. Michelle O'Byrne, gave verbal evidence and, while emphasising that the Tasmanian Government did not have a fixed view on the question before the Committee, did offer some personal views, as did some of the government officials who gave verbal evidence with her.

Minister O'Byrne told the Committee that:

*'I note the authority around the Derwent is a very collaborative one; there is no great stick used to get those people to the table and I think that has worked very well. At this stage I have not yet been convinced that a statutory authority is needed, however I am still open to be convinced on that if that case can be made.'*⁹³

The Minister emphasised in her evidence that she favoured a collaborative approach to the management of the Tamar Estuary and Esk Rivers, stating that:

*'I think if there is an opportunity to do this collaboratively rather than with a big stick then that would be the path to go. I have said, though, that I would like TEER [the Tamar Estuary and Esk Rivers Program] to be able to run its course, to go through that process to get that point. I think there is a pathway that is being followed and I think it is a model that could take that ownership but do it in a much more collaborative way.'*⁹⁴

This position was elaborated on by the Chairman of the Tamar Estuary and Esk Rivers Program (TEER), Mr Scott Gadd, who told the Committee that:

*'The very first thing we recognised at TEER was that we had to build a foundation of information to inform any decision making that we were going to undertake, whether that be through some sort of authority, voluntary body or whatever. ... Then we will be in a position to work out how that would be best coordinated. It might be some existing structure, such as TEER, some other government committee, some other partnership-type body or it might be some new structure. As the minister said, the Government has an open mind at this stage, but we recognise the problems with the Tamar. We think the Derwent Estuary model is a good one and so we have applied that and we probably have another year or two before we are in a really good position to say, 'This is what we have to do. Here's the plan to sort the Tamar out.'*⁹⁵

⁹³ Hon. Michelle O'Byrne, Minister for Environment, Parks, Heritage and the Arts, *Transcript of Evidence*, 17 March 2009, p. 2.

⁹⁴ O'Byrne, *Transcript of Evidence*, p. 3.

⁹⁵ Mr Scott Gadd, Chairman, Tamar Estuary and Esk Rivers Program, *Transcript of Evidence*, 17 March 2009, p. 4.

Assistant State Planning Adviser, Mr Brian Risby, also favoured a collaborative model when he spoke to the Committee.

He said:

*'I think it is a very complicated matter when you take into account all the issues that can impact on a catchment area. It is very hard to know where to draw the line between, for example, a subdivision being approved in the Meander Valley which might have some run-off issues into the catchment or, as you mentioned earlier, agricultural activity, dams and so forth. There is an array of activity and issues. If one were to think about a single authority, it is a question of which of those issues would be picked up and which would still be left with other authorities. I think the approach that the Government is trying to take on these matters, as the minister has alluded to, is a cooperative approach across a range of issues to try to capture all of those which are already dealt with by existing jurisdictions or existing legislative regulatory regimes.'*⁹⁶

Mr James McKee, who also represented TEER at the hearing with Minister O'Byrne, said the organisation was aware of a number of different models used by other States in managing their waterways.

In his very informative evidence at this hearing he told the Committee that:

*'Certainly some of those models change regularly and they're all very different models. For example, in Victoria and particularly New South Wales you have bodies which have both statutory and regulatory responsibilities. There are one or two in Victoria that have flood protection roles but they're fairly few and far between. ... I think West Gippsland CMA. I may have to correct that but it's one of the Gippsland CMAs. When you go somewhere like South Australia, it's a very different model where you have levies from land managers supporting the CMA process. They're statutory but that they have only minimal regulatory responsibilities. Queensland has a completely different system that has no statutory or regulatory responsibility.'*⁹⁷

Mr McKee then went on to identify a particular management model that TEER itself had followed.

⁹⁶ Mr Brian Risby, Assistant State Planning Adviser, *Transcript of Evidence*, 17 March 2009, p. 7.

⁹⁷ Mr James McKee, Tamar Estuary and Esk Rivers Program, *Transcript of Evidence*, 17 March 2009, p. 19.

He said that:

*'The simple answer is we have looked at those different models and in particular the Moreton Bay partnership in south-east Queensland which is effectively addressing the same issues we're facing in the Tamar, by and large, maybe not quite the same siltation issues. It has become one of our primary mentors in developing the TEER program. That's been one of the most successful voluntary, collaborative approaches around Australia where they've not only leveraged millions each year but have brought together significant other authorities in that collaborative approach. As I say, the TEER program is using those and the CMA process in Queensland as one of our mentors for the TEER program.'*⁹⁸

The Committee notes here that the official title of the organisation referred to by Mr McKee is the *South-East Queensland Healthy Waterways Partnership*, about which more is said in the next chapter of this report.

⁹⁸ McKee, *Transcript of Evidence*, p. 19.

It was clear from the evidence presented to the Committee that there was overwhelming support for the establishment of a Statutory Authority to manage the Tamar Estuary and Esk Rivers. Included in this evidence were a number of preferences as to the nature of such an Authority and the powers it should have. Principal among these were the need for the Authority to have responsibility for managing the entire catchment of the Tamar and Esk system; for it to be based on consultation and co-operation; that it be properly funded; and, that it have appropriate regulatory powers.

The Committee was aware from the evidence it received and from its own research that there were a number of similar catchment management bodies operating in other States. Of particular interest were the catchment management model operating in Victoria and the *South-East Queensland Healthy Waterways Partnership* model which had been mentioned specifically in evidence given by representatives of the Tasmanian Government.

As a result, the Committee met with the representatives of the Corangamite and East Gippsland Catchment Management Authorities in Victoria, the Department of Sustainability and the Environment in Victoria and the South-East Queensland Healthy Waterways Partnership (SEQHWP) in Brisbane. It is on the basis of the information gathered in meeting these organisations that the Committee has developed an outline for a preferred model for a Tamar and Esk Catchment Management Authority. This chapter discusses that preferred model and the basis on which it has been developed.

The South East Queensland Healthy Waterways Partnership describes itself as a collaboration between the Queensland Government, local governments, industries, research organisations and community groups. These partners work together to improve the management of the catchments and the health of the waterways in South East Queensland.

Many of these partners were responsible for jointly developing and implementing the South East Queensland Regional Water Quality Management Strategy and have recently developed the South East Queensland Healthy Waterways Strategy 2007-2012.

The philosophy underlying the SEQHWP's approach rests on two foundations, namely: a commitment to working in a partnership where all partners can be heard, contribute to decision-making and implement agreed actions; and, ensuring strategies for managing waterways are based on sound science, rigorous monitoring and adaptive learning.

The work of the Partnership is facilitated through the South East Queensland Healthy Waterways Partnership Office.

The Partnership's stated vision is that, by 2026, its waterways and catchments will be healthy ecosystems supporting the livelihoods and lifestyles of people in South East Queensland, and will be managed through collaboration between community, government and industry.



Committee Members tour Barwon River reserves in Geelong

The catchment area managed by the partnership is very large. In describing the area under the control of SEQHWP, its Project Director, Ms Di Tarte, told the Committee that:

*'It is 22 000 kilometres, so we start up at Noosa and we go down to the Tweed and we go west to Toowoomba. It is a big area. It's dominated by the Brisbane River. In terms of waterways, it is very much dominated by the Brisbane, but there is a very significant river system here called the Logan, so they are the two big ones. But with these coastal flood plains - we have a number of quite major river systems here and also down here on the coast. ... Our hallmark and our major product each year is an annual public, independent report card on how these waterways are tracking, both the fresh water and the estuary and marine systems.'*⁹⁹

On the partnership itself, Ms Tarte told the Committee that:

⁹⁹ D. Tarte, Project Director, South-East Queensland Healthy Waterways Project (SEQHWP), *Transcript of Meeting 4* June 2009, p. 8

*'The partnership is a verb rather than a noun. It is an involvement with, in particular, key departments in the State, all local government in south-east Queensland - which was originally 19 but after amalgamations that is down to 10 - a range of major industry partners - like Insofec, oil refineries, the port and the airport - plus rural primary producers, people like the fruit and veggie growers et cetera.'*¹⁰⁰

She went on to tell the Committee that:

*'Essentially we have the bodies and mayors right up the top end. We then have the CEOs' committee. All of these committees are not just one grouping; it is government and non-government. Non-government is inclusive of the research community, the industry community and the more familiar community. So we keep trying to have these collaborative, inter-interest, intersectoral get-togethers because that is the only way you actually start to make progress in problem-solving, because often it will be that an industry will have a technical breakthrough or a land-holder will have a technical breakthrough or one particular local government will be doing really well on this particular area, so it is an opportunity to share know-how and experience.'*¹⁰¹

In response to a question about the management regime in place prior to the setting up of the partnership, Ms Tarte said that:

*'It was a total mish-mash, a classic example of nobody talking about the river, nobody focusing on waterway issues, everybody just doing their own thing and no coherence.'*¹⁰²

At the time of the Committee's meeting with the SEQHWP representatives, the partnership was *'going through a bit of a change'* to its organisational structure, which is headed by a committee recognised under Queensland legislation.¹⁰³

'That is the Regional Coordination Committee, which is a statutorily recognised committee under our statutory regional land use plan and it is made up of ministers and mayors. We used to also have a policy council of ministers and mayors, a Healthy Waterways Policy Council, which reported to that. That was really our head of political power. This is a re-jig of that because people felt there were too many committees with the same people attending all the time.'

¹⁰⁰ Tarte, *Transcript of Meeting* 4 June 2009, p. 5.

¹⁰¹ Tarte, *Transcript of Meeting* 4 June 2009, p. 10.

¹⁰² Tarte, *Transcript of Meeting* 4 June 2009, p. 5.

¹⁰³ Tarte, *Transcript of Meeting* 4 June 2009, p. 7.

*But this is not working particularly well and in fact the Brisbane Lord Mayor just recently met with the new Environment minister and I think we will get a re-establishment of something like the old policy council of a senior, high-level political forum that comes together.*¹⁰⁴

In relation to its membership, Ms Tarte said the partnership had very strong links to scientific expertise that played a major role in policy development and decision –making.

She told the Committee that:

*'That has been one of the very important parts of this partnership - our very close collaboration with the research community, both within south-east Queensland and tentacles beyond, and their involvement in our policy-setting management forums. So we have a very strong link between science informing policy informing management.'*¹⁰⁵

Another significant relationship she highlighted was with the local Natural Resource Management body, known as NRM, which was also a member of the partnership.¹⁰⁶

Ms Tarte said that:

*'...they use a lot of our science and we collaborate with them. They have a very good network of local community groups on water quality monitoring. We have worked with them and developed a major training scheme for community groups, which is an accredited certificate program for water quality monitoring, and that data will start to inform our regional programs.'*¹⁰⁷

A fundamental aspect of the operation of SEQHWP is its total reliance on consultation, co-operation and consensus.

¹⁰⁴ Tarte, *Transcript of Meeting 4 June 2009*, p. 7.

¹⁰⁵ Tarte, *Transcript of Meeting 4 June 2009*, pp. 7-8.

¹⁰⁶ The National Resource Management (NRM) initiative was developed by the Commonwealth Government to support individuals and groups in managing Australia's natural resources. The delivery of NRM is a coordinated effort, relying on the cooperation of governments at all levels (Commonwealth, state and local), as well as that of regional bodies, which were specifically established to ensure delivery of NRM at the regional level. Local councils and organisations also play a vital role. The planning and implementation of these NRM initiatives is based on regional needs. Across Australia, 56 NRM regions have been identified. Each region has produced integrated regional NRM plans and investment strategies, which helped identify and coordinate actions that addressed issues specific to a particular region. Each region's funding from the National Action Plan for Salinity and Water Quality and the Natural Heritage Trust is driven by these NRM plans and investment strategies. For further information about NRM see www.nrm.gov.au.

¹⁰⁷ Tarte, *Transcript of Meeting 4 June 2009*, p. 7.

Ms Tarte told the Committee, in relation to the power of the partnership, that:

*'It is power to influence as opposed to the power to regulate and I think that is where you get the trust and relationships being built. You want the power to trust a good substantive conversation around finding a problem and whether the problem is going to be solved through regulation, a range of incentives, reprioritisation of investments or through opportunities that are going to occur as a result of something else happening.'*¹⁰⁸



Committee Members discuss issues with Corangamite CMA officials

The Scientific Co-ordinator for SEQHWP, Associate Professor Eva Abal, provided a similar perspective to the Committee. She said that:

*'It is non-statutory body. It is non-legislated. We influence the existing roles of our partners. Here, it really did work well. The Brisbane River Management Group really died because it sat in State government. So it was, to some extent, capped by the structure and the logistics of State government. They have to go through press release approval systems and all that. To negotiate with the scientists they have to go through a process, whereas we have shortened that. We have built the trust and credibility. So for any legislative levers we use them as partners and they are quite happy to do that because that is their role.'*¹⁰⁹

¹⁰⁸ Tarte, *Transcript of Meeting* 4 June 2009, p. 11.

¹⁰⁹ Assoc. Prof. Eva Abal, SEQHWP Scientific Co-ordinator, *Transcript of Meeting* 4 June 2009, p. 11.

Assoc. Prof Abal also made a telling point about the importance of appropriate funding for any body set up to manage waterways.

She said that:

*'Perhaps a statutory body would be the most conducive avenue just to make sure that everything is in place but to also garner the funding that is required because, at the end of the day, even if you have a statutory body without any funding they still will not be able to do anything and it has to be done.'*¹¹⁰

The Committee found much to like about the catchment management model used in south-east Queensland. However, it did note that the size of the catchment area and the population of the area did result in a large number of consultative committees, working groups, forums and councils. This gave the appearance of a complex and, at times, even unwieldy organisation. In addition the lack of any regulatory or enforcement powers seemed to be a limiting factor. Having said that, there is no doubt that it has been very successful in achieving its aims.

The catchment management model used in Victoria has many similarities with the partnership approach that has been adopted in Queensland. There is, however, one important and fundamental difference between the two, namely the regulatory powers that have been given to the Victorian catchment management authorities. This issue is a significant aspect of the discussion that follows.

The Victorian Catchment Management Authorities (CMAs) were established under specific legislation, the *Catchment and Land Protection Act 1994* (the CaLP Act).

Under the CaLP Act, Victoria is divided into ten catchment regions and a Catchment Management Authority is established for each region. These CMAs form a major part of the framework for achieving sustainable management of Victoria's land and water resources.

The Victorian Government's expectations of CMAs in the performance of their functions and the exercise of their powers under the CaLP Act to achieve integrated and sustainable catchment management are specified in Statements of Obligations, which commenced on 1 July 2007.¹¹¹

The Committee visited two Victorian CMAs, namely the Corangamite and East Gippsland Authorities and met with the Chief Executive Officers of both. It is instructive to describe the catchments currently being managed by these two CEOs.

¹¹⁰ Abal, *Transcript of Meeting* 4 June 2009 p. 26.

¹¹¹ For further information about the Victorian CMAs see www.dse.vic.gov.au.

The Corangamite CMA has a total area of 13,340 square kilometres within a boundary stretching from Geelong to Ballarat and along the coast to Peterborough. About 350,000 people live in the catchment which includes all or part of the municipalities of the Cities of Ballarat and Greater Geelong, the Borough of Queenscliffe, the Shires of Moorabool, SurfCoast, Corangamite, Golden Plains, Colac Otway and Moyne.

The CEO, Mr Don Forsyth, described the Corangamite catchment to the Committee, telling it that:

*'... ours is probably one of the smallest, whilst it is one of the largest in respect of population, taking into account that we go from Little River, taking in all of Geelong and 95 per cent of Ballarat and down the coast to Peterborough, so we have the Otways and the Great Ocean Road. It is a very complex region because it has rainfall that varies from, in the old terms, 17 inches up to 85 inches at the top of the Otways, very diverse soils so very diverse land use, but very valuable for domestic water supply catchments. There are a lot of issues within the whole catchment and a lot of different people with conflicting views and aspirations, which makes all our consultations extremely difficult but, nonetheless, worthwhile.'*¹¹²



Signage highlights Catchment Management Authority achievements

¹¹² D. Forsyth, CEO Corangamite Catchment Management Authority, *Transcript of Meeting* 31 March 2009, p. 3.

The East Gippsland Catchment Management region comprises 2.13 million ha of land, lakes and coastal waters out to 5.5 km, in the easternmost part of Victoria. The region covers about 10% of the State and within the Region over 1.70 million ha is public land, with 268,000 ha of this being National Parks. Private land in the Region (419,300 ha) is concentrated on red gum plains, coastal plains, mountain plateaux and fertile river valleys. The main agricultural enterprises include dairying, wool production, cattle and sheep production and vegetable production. The region's lakes, forests, rivers and alps are a key feature in underpinning an increasing tourism industry. The extensive natural resources of the region also supports the timber, fishing and mining industries.

The region includes the Mitchell, Tambo, Snowy and Far East Gippsland river basins within Victoria including; the Bemm, Cann, Thurra and Genoa Rivers. These river systems flow to the Southern Ocean through extensive and very important estuarine systems, including the Gippsland Lakes the estuaries of the Snowy and Bemm Rivers, the Inlets of Tamboon and Mallacoota.

These East Gippsland rivers are amongst the most highly variable in the world: from very low flows for extended periods to enormous flood flows for short periods. Flood flows can rapidly erode river beds and banks, producing sediment that is deposited within river channels and estuaries, or on the floodplain downstream.

The region includes the city of Bairnsdale along with the coastal towns of Paynesville, Metung, Lakes Entrance, and Mallacoota and the hinterland towns of Dargo, Bruthen, Buchan, Omeo, Swifts Creek, Orbost, Cann River and Genoa.

The Chief Executive Officer of the East Gippsland CMA, Mr Graeme Dear, told the Committee that the area under its jurisdiction was not typical of the CMAs in Victoria.

He said that:

*'In other parts of Victoria, councils share those catchments so there can be five to 10 councils in one catchment area. We are a peculiar blot in Victoria where we have one council and they virtually have the whole catchment. That catchment is 80 per cent crown-owned so there is virtually no infrastructure that is council managed in that catchment. Instead of a council being their partner, the State Government is council's partner in those catchments. You have a lot more council ownership and management but in ours, whilst the region of the shire is in a catchment, a lot of it is State government land.'*¹¹³

¹¹³ G. Dear, CEO of East Gippsland Catchment Management Authority, *Transcript of Meeting* 1 April 2009, p. 5.

Both Mr Dear and Mr Forsyth told the Committee that all Victorian CMAs worked closely with their local communities.

As Mr Dear explained to the Committee:

*'The Catchment and Land Protection Act particularly says our role is to work with our partners to plan for natural resources on behalf of everyone in East Gippsland, and on behalf of the minister, and to recommend to the minister from those plans the type of actions we have to take in our region to look after our natural resource.'*¹¹⁴

However, in a marked difference with the way the SEQHWP is empowered, Mr Dear also told the Committee that:

*'We have particular roles under another act, called the Water Act [Water Act 1989], and that gives us powers on a statutory basis to have input into planning matters associated with rivers, like housing or building developments on the flood plain, and we are a specific referral authority for that purpose. We also have the role under the Water Act to plan for the health of the rivers.'*¹¹⁵

It is notable that, notwithstanding these powers, the Victorian CMAs have a consultative and consensus mandate that is similar to the way SEQHWP operates. As Mr Dear explained to the Committee:

*'There are specific powers that we have in the Water Act but the most important aspect of our role is working with community to get cooperative programs put on the ground so that we have our community working with us. We are not fighting with our community.'*¹¹⁶

Mr Dear elaborated on this theme of working with the community when he told the Committee that:

*'You may have a statutory basis for that but it's the partnerships that are the key. If we came in with a takeover mentality, we would fail. It has to be a partnership model. We consult with those farmer groups regularly, like VFF, Victorian Farmers Federation and groups of farmers who are set up to try to get better productive outcomes and we deal with farmers one-on-one a lot. The fact is that farmers border a lot of our rivers and if you do not have them as partners, you are in a bit of trouble when it comes to implementing that.'*¹¹⁷

¹¹⁴ Dear, *Transcript of Meeting* 1 April 2009, p. 2.

¹¹⁵ Dear, *Transcript of Meeting* 1 April 2009, p. 2.

¹¹⁶ Dear, *Transcript of Meeting* 1 April 2009, p. 2.

¹¹⁷ Dear, *Transcript of Meeting* 1 April 2009, p. 3.

A similar view was put by the CEO of the Corangamite CMA, Mr Don Forsyth. Mr Forsyth told the Committee that:

*'So a lot of our work is about communicating with the community and getting them to do work and brokering funding through the State and Australian governments to work in partnership with the community to do a lot of the erosion control stuff in the upper catchment areas and improve land use management.'*¹¹⁸

In relation to the powers of the CMAs in Victoria, Mr Forsyth also noted their role in flood management. He told the Committee that:

*'We also have a statutory responsibility for flood plain management whereby we are a formal referral authority to local government for areas subject to inundation from a flood point of view so, as a formal referral authority we give the advice and it is mandatory for them to go with that advice. However, applicants have the Planning Appeals Tribunal rights, where they can appeal against any decision. So we are a formal flood plain referral authority.'*¹¹⁹

Another aspect of the Victorian CMAs that differs from the Queensland model is that the former operate as the regional NRM body. As Mr Dear said to the Committee:

*'We are the NRM body. That function for us is under the Catchment and Land Protection Act. The Commonwealth use us as that NRM body. They don't have to, they could choose another, but we are really the only true option for them within Victoria. So the Commonwealth use us like they use your NRM boards in Tasmania to distribute their money, but we are happy to do that.'*¹²⁰

In relation to funding matters, both Victorian CMAs said that the majority of their funding came from the State Government. Mr Dear told the Committee that:

*'Our budget now is about \$14 million a year. Half of that budget is spent particularly on river health initiatives and half of the budget is spent on the broader catchment initiatives. On the broader catchment initiatives, we nearly 100 per cent use partners - Landcare, Greening Australia, Trust for Nature - to deliver on the land.'*¹²¹

¹¹⁸ Forsyth, *Transcript of Meeting* 31 March 2009, p. 3.

¹¹⁹ Forsyth, *Transcript of Meeting* 31 March 2009, p. 4.

¹²⁰ Dear, *Transcript of Meeting* 1 April 2009, p. 5.

¹²¹ Dear, *Transcript of Meeting* 1 April 2009, p. 4.

Only a small part of the financial support for the East Gippsland CMA came from Federal Government programs. Mr Dear said to the Committee that:

*'... the State Government fund us \$11 million out of that \$14 million and the Federal Government fund us \$3 million. I believe the Federal Government will only ever be a small partner in the catchment works because a lot of our work is State responsibility. The Federal Government, I believe, want to be seen to be helping in an NRM sense, natural resource sense, but they do not want to be the dominant partner. So in our case it is about 80:20. I think, into the future, that is probably more realistic. I do not think we can expect the Commonwealth to be the major partner, especially for catchment-type activities.'*¹²²

A similar situation applies in the Corangamite CMA, where Mr Don Forsyth told the Committee that:

*'In the last four years our budget has averaged about \$17 million-\$18 million. Our projection for next year is about \$10.7 million, which is a 35 per cent reduction in budget. The next year we are anticipating that the State component will be the base and statutory of about \$5.3 million, the State other money from the environmental levy and water bills is \$2 million, and the Australian Government 'Caring for Country' money is \$2.8 million. We have another \$500 000-odd and we usually gather a bit through interest. We have various other partners such as Barwon Water, where we do work in their catchments and they give us some money to help fund that. So we get a little bit of that and we try to get philanthropic and other grant funds in such as the recreational fishing fund, which is a fund established from licence fees from recreational anglers.'*¹²³

It is important to note that, on this question of funding, neither of the Victorian CMAs is funded by local government for their river management responsibilities. As Mr Dear commented in relation to local government:

*'They do not fund it but local government are recipients of some of our funding. So we use them, like anyone else, as a partner. We try to help them out as much as we can. I think that is fair too because local government have responsibilities to look after their own land and their own community, so they will be doing some work themselves anyway and to ask them to do more work means, just like a farmer, you need to be a partner and say, 'We'll help you out with a little bit of resource if you will do this work'.'*¹²⁴

¹²² Dear, *Transcript of Meeting* 1 April 2009, p. 4.

¹²³ Forsyth, *Transcript of Meeting* 31 March 2009, pp 19 & 20.

¹²⁴ Dear, *Transcript of Meeting* 1 April 2009, p. 5.

The source of the State Government funds for the CMAs proved to be as important a factor as the actual quantum of that funding.



On-site inspection in Geelong by Committee Members

When they were established the Victorian CMAs had the power to impose a levy or a tariff on water users within their catchment, but, as a result of a State Government decision, this system was changed after one year.

The current situation is a mixture of funding, as indicated above, with the majority coming from the Victorian Government. Mr Forsyth outlined some further details of this funding mix, telling the Committee that;

'Most CMAs in Victoria get about \$900 000 as a base commitment to the corporate governance, the management of the board, the CEO and so on. That is probably not enough money. We get another about \$4.3 million from our river health program, which is a State program. While competitive, the principal objective is to maintain statutory responsibilities. Tossed in with that is some funding that is competitive, that is an initiative based on river health. That money actually comes from a water tariff.

*About 18 months ago, State Government imposed an environmental levy on every water bill in Victoria. I think it was a 5 per cent surcharge. So it went up by 5 per cent and that money was to be for environmental work. We get a little bit of that for some of the river health work, but not all of it. Water authorities get a bit because part of their environmental program is re-use, recycling treatment and those sorts of things.'*¹²⁵

¹²⁵ Forsyth, *Transcript of Meeting* 31 March 2009, p. 18.

Mr Graeme Dear gave the Committee a more detailed explanation of the environmental levy funding mechanism, saying that:

*'... in Victoria everybody pays a percentage of their water bill as an environmental levy. If you have a \$100 water bill, 5 per cent of that - \$5 - goes to the State Government and they use that money to help fund some of that catchment work. So instead of a council-based levy, it is a water-user-based levy. There is all sorts of talk in our State about whether you should use council-based levies, whether you should have the statutory authority setting up a levy or whether there are mechanisms such as the cost of water. In Victoria they have chosen the cost of water, and that funds some of our natural resource work. It is called the 'environmental levy'. It is going to the State Government and it is distributing that money across Victoria into the highest priorities for catchments. I think that is quite fair. All the communities are beneficiaries of a healthy catchment and all communities should pay to look after it.'*¹²⁶

In addition to the macro settings for an authority, the Victorian model in particular provides a valuable example at the administrative level of catchment management.

For example, as Mr Dear points out, *'you don't necessarily have to develop a great big authority.'*¹²⁷

He went on to tell the committee that:

*'Our delivery model in East Gippsland is that we have \$14 million in annual budget, we have only 25 staff, so most of our delivery is done with partners, with contractors. We are not trying to deliver everything ourselves. That's our model. If you try to deliver everything yourself, you usually fail, because you just can't do everything.'*¹²⁸

In response to questions from the Committee Mr Dear gave further detail on the staff and administrative arrangements in place for the East Gippsland CMA.

He told the Committee that:

'The core governance group is a business manager - and if you are managing that much money it needs someone with accounting skills - the CEO, one or two administration people, and someone with natural resource skills.'

¹²⁶ Dear, *Transcript of Meeting* 1 April 2009, p. 6.

¹²⁷ Dear, *Transcript of Meeting* 1 April 2009, p. 3.

¹²⁸ Dear, *Transcript of Meeting* 1 April 2009, p. 3.

*If you set up a core group you only need five and that will get you to your first stage, which is getting the plan written. Depending on the complexity of the business, from thereon at a project level you need to work out what other skills you need to deliver projects. If I were to run a natural resource planning group, I would only need about six people. It is when you start to implement projects that you need the others. I have 10 people employed directly on our river health operations program. That is 10 people delivering on \$7 million. There are six with administrative skills and the other 21 all have skills associated with projects and project management. They cover Landcare facilitation, operations work on the river and broader natural resource skills such as vegetation skills - it is all project related. The key is to understand what you need to run a business. In our case it is about six business types, and then everyone else's skills are based on the projects you're delivering.'*¹²⁹



Flood marker on the Barwon River in suburban Geelong

Mr Dear was also asked, based on his many years of hands-on catchment management experience, what his preferred model for a catchment management authority would be.

In his comprehensive, yet straightforward, answer to the Committee he said that:

¹²⁹ Dear, *Transcript of Meeting* 1 April 2009, p. 11.

'For a start, if you are going to form an authority you need to start it small because if you're setting up an authority, you need to properly plan from a government perspective and an authority perspective about what you are going to do. So if I were to set one up from scratch, government needs to have a firm idea of what they want from that authority, and that idea needs to be documented in an act of parliament.

To set one up, basically you need a business management-type CEO, you need an accountant, a business manager to look after any of the money properly; you need a governing board that is skills based, with a mixture of NRM skills and broad governance skills, so you might have people with qualifications like councillors who are quite good at governance usually; and also you need an NRM person. If you are talking about a river health authority that looks after those rivers and which helps you deal with your problems of sediment and so on, you need a natural resource manager with river health skills.

*That is all you need to start with because I think the first task is to write a plan on behalf of government on what you need to do to look after that catchment. You can set up the core with probably six or seven people and say to them, 'Your first role is to write a plan to tell us or advise us how we should look after this river'. The next step is about project implementation, so if government says our top priority is getting rid of willows, our second priority is stabilising those banks with vegetation and fencing, it is then that you develop a project jointly with government that says we're going to deliver this project over a period of five years. It is only then that you may need to grow the authority size, or the number of people, or use people that are already in government departments that can do the work for you.'*¹³⁰

As mentioned above, the fundamental difference between the Victorian catchment management model and that used in south-east Queensland is the regulatory powers available to the Victorian authorities. However, it cannot be emphasised too strongly that, like the Queensland model, the priority in Victoria is for the CMAs to work co-operatively with their local community partners. Consultation and consensus are the hallmarks of both models and are highly recommended by this Committee.

The CEO of the Corangamite CMA, Mr Forsyth, told the Committee that:

'There are powers under the Catchment and Land Protection Act whereby we can impose conditions on land use and restore damage done.

¹³⁰ Dear, *Transcript of Meeting* 1 April 2009, pp. 2-3.

*It is very, very rarely done but there are powers there. Certainly, in respect to our statute responsibilities like licensing works on waterways and flood plain management, we have powers there to enforce works or reclamations.*¹³¹

However, he summarised the basic philosophy, when he told the Committee that:

*'As far as partners and so on are concerned, we partner with lots of people. That is why CMAs were established: to inspire and bring people together, to work together to good outcomes, to broker funding and so on. So it is all about partnership stuff.'*¹³²

The CEO of the East Gippsland CMA, Mr Graeme Dear, made similar comments to the Committee about the regulatory powers available to his CMA.

He said that:

*'Have no doubt, we have powers in those acts but we choose the partnership approach first. For anybody who has the frontage to the river, if they are damaging that river, if they're impacting that river and they won't enter into a partnership with us, we have the powers to take the frontage away. So we can use powers. We have powers under the Catchment and Land Protection Act and the Water Act, but we very rarely get to that ultimatum. In fact I have not used those powers once yet.'*¹³³

CONCLUSION

The comprehensive and wide-ranging evidence gathered by the Committee and set out above, clearly shows that a statutory authority is required to manage the Tamar and Esk catchment and that there is widespread support for such an authority.

The evidence also shows that there are successful working models that can be used by the Tasmanian Government to establish such an authority.

The flood threats in northern Tasmania during the winter of 2009 have also demonstrated that the need for action is urgent. It is notable that these flood threats have reinforced the overwhelming evidence given to this Committee by a large number of witnesses.

¹³¹ Forsyth, *Transcript of Meeting* 31 March 2009, p. 11.

¹³² Forsyth, *Transcript of Meeting* 31 March 2009, p. 5.

¹³³ Dear, *Transcript of Meeting* 1 April 2009, p. 7.

The evidence given to the Committee also indicates that it would not be a difficult task for the Tasmanian Government. Many of the components are already in place. All that is needed is political will and a sense of urgency.

In summary, the Committee's conclusions based on the evidence it has received are as follows:

- There is a lack of adequate management structure and defined responsibilities;
- The current management structure is fragmented and fails to impose accountability and responsibility;
- The management structure is poorly funded and its fragmentation does not make the best use of existing funds;
- Current funding and operations do not reflect the extensive catchment-wide origin of the problems of the Tamar Estuary and Esk Rivers;
- The imprecision and inadequacies of the current management structure have contributed to the parlous state of the Tamar Estuary and Esk River systems, especially the significant and environmentally damaging siltation problem and the defectiveness of flood mitigation infrastructure in Launceston;
- The steps designed to address management shortcomings through the TEER Program, NRM North and the Launceston Flood Authority are commendable, but fail to overcome the fragmentation of the current responsibilities and management structure;
- Rapid action is essential to reform the catchment management structures;
- Useful and effective models in other Australian States can be used as a basis for reforming the management structures;
- Any new authority must have consultative, regulatory and enforcement powers, with the last-mentioned being an option of last resort as used in Victoria;
- Any new authority must have adequate recurrent funding to meet its obligations;
- Flood mitigation and the long-term health of all waterways in the catchment must be the primary objectives of any management structure;
- Any remediation and management projects must be based on best practice for waterways management and solidly grounded in science.

In light of these conclusions, and the evidence on which they are based, the recommendations of the Committee are virtually self-evident.

The Committee recommends that:

1. That the Tasmanian Government establish a statutory authority to manage the Tamar Estuary and Esk Rivers and their catchments;
2. That the Authority be responsible for the environmental management, flood mitigation and health of all waterways within these catchments;
3. That the Authority operate on the fundamental principle of stakeholder and community involvement and consultation, in line with the catchment management models in Victoria and South-East Queensland;
4. That the statutory model used for the Authority be similar to the Catchment Management Authority (CMA) model currently operating in Victoria and that it be provided with similar powers granted to the Victorian CMAs;
5. That the Authority have a board composed of specialists in areas such as environmental management, land-use planning, engineering, business management, financial management, agricultural practice, and forestry practice;
6. That initial funding to establish this Statutory Authority be provided by the Tasmanian Government;
7. That funding for the Authority be provided by the Tasmanian Government and other appropriate and available sources of funding, including Federal and Local Governments;
8. That the Authority be given powers to bid for relevant funding from Federal, State and Local Government programs;
9. That the Authority be required to prepare a catchment management plan within twelve months of being established;
10. That the Authority provide an annual report to the Tasmanian Parliament;
11. That existing legislative and regulatory powers and planning control mechanisms be transferred to the Authority in line with the catchment Management Authority model operating in Victoria;

12. That any planning or development application made to local government within the Tamar and Esk River catchments or floodplains, which would have an impact on any waterway within those catchments or floodplains, must be referred to the Authority for its approval, as part of the local government planning process;
13. That the Authority be established with the relevant regulatory powers already in place and under the control of existing agencies;
14. That the Authority incorporate the existing roles and functions of NRM North and continue to carry out the roles and functions of that body;
15. That the Authority incorporate the existing roles and functions of the TEER Program managed and funded by the Tasmanian Government and continue to carry out the roles and functions of that body;
16. That the Authority incorporate the existing roles and functions of the Launceston Flood Authority and continue to carry out the roles and functions of that body;¹³⁴
17. That the Authority share with landowners the costs of any remedial or land and water management projects it considers necessary for the health and well-being of waterways within the catchment;
18. That the Authority have the power to commission or contract-out projects it considers necessary for the health and well-being of waterways within the catchment.

¹³⁴ The Launceston Flood Authority officially began operations on 1 July 2009 after being established under the management and auspices of the Launceston City Council. The Authority is jointly funded by the Council and the Tasmanian Government.

Incidental Matters**Chapter 6**

There are no incidental matters upon which the Committee wishes to report.

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Prof. Doug Foster et al., (Water Research Laboratory, University of New South Wales): “*Tamar River Siltation Study – Technical Report No. 85/07 (October 1986).*”

Mr Barry Chipman, Timber Communities of Australia, Submission LCSC/MTE/14.

Mr Ken Gourlay, *Transcript of Evidence*, 10 December 2008.

Mr Peter Newman, *Transcript of Evidence*, 10 December 2008.

Mr Garry Blenkhorn, *Transcript of Evidence*, 28 July 2009.

Mr Kerry Dawkins, *Transcript of Evidence*, 10 December 2008.

Cdr. Richard Fisher, *Transcript of Evidence*, 26 November 2008.

Mr Ed Vincent, *Transcript of Evidence*, 26 November 2008.

Mr Peter Neilson, *Transcript of Evidence*, 26 November 2008.

Mr Gary Atkinson, *Transcript of Evidence*, 6 February 2009.

Mr Jack Edwards, Submission LCSC/MTE/06.

Hydro Tasmania, Submission LCSC/MTE/15.

Mr Stewart Hallam, *Transcript of Evidence*, 26 November 2008.

Ald. Graeme Beams, *Transcript of Evidence*, 26 November 2008.

Mr Geoff Brayford, *Transcript of Evidence*, 6 February 2009.

Mr Frank Dixon, *Transcript of Evidence*, 26 November 2008.

Mr Laurie Crerar, Submission LCSC/MTE/12.

Mr Andrew Scanlon, Hydro Tasmania, *Transcript of Evidence*, 17 March 2009.

Mr Errol Stewart, *Transcript of Evidence*, 6 February 2009.

Mr Adrian Hardman, *Transcript of Evidence*, 3 March 2009.

Mr Barry Blenkhorn, *Transcript of Evidence*, 28 July 2009.

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Dr Owen Ingles, Submission LCSC/MTE/07.

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Mr Jim Collier, *Transcript of Evidence*, 26 November 2008.

Mr Basil Fitch, *Transcript of Evidence*, 26 November 2008.

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Hon. Ivan Dean, MLC for Windemere, & Mr Chris Oldfield, Tasmanian Farmers and Graziers Association, *Transcript of Evidence*, 6 February 2009.

Mr Jim Collier, Written Submission, LCSC/MTE/08, 18 November 2008.

Mr Ian Routley, *Transcript of Evidence*, 10 December 2008.

Mr Laurie Crerar, *Transcript of Evidence*, 26 November 2008.

Mayor Albert Van Zetten, Launceston City Council, *Transcript of Evidence*, 26 November 2008.

Mr Brian Risby, Assistant State Planning Adviser, *Transcript of Evidence*, 17 March 2009.

Mr James McKee, Tamar Estuary and Esk Rivers Program, *Transcript of Evidence*, 17 March 2009.

D. Tarte, Project Director, South-East Queensland Healthy Waterways Project (SEQHWP), *Transcript of Meeting* 4 June 2009.

Website: www.nrm.gov.au.

Assoc. Prof. Eva Abal, SEQHWP Scientific Co-ordinator, *Transcript of Meeting* 4 June 2009.

Website: www.dse.vic.gov.au.

D. Forsyth, CEO Corangamite Catchment Management Authority, *Transcript of Meeting* 31 March 2009.

G. Dear, CEO of East Gippsland Catchment Management Authority, *Transcript of Meeting* 1 April 2009.

List of Witnesses

Attachment 1

Mr David Lewis

Mr Ken Gourlay

Mr Jack Edwards

Dr Owen Ingles

Mr Jim Collier

Mr Ian Routley

Mr Roger Swain, Ms Catherine Murdoch, Mr Chris Oldfield of the Tasmanian Farmers & Graziers Association.

Mr Laurie Crerar

Mayor Albert Van Zetten and Mr Frank Dixon of Launceston City Council

Mr Peter Newman

Mr Kerry Dawkins

Mr Mac Kidd

Mr Basil Fitch

Mr Max Plummer

Mr Stewart Hallam

Ald. Graeme Beams

Mr Edward Vincent

Cdr Richard Fisher of the Tamar Yacht Club

Mr Peter Neilson

Mr Errol Stewart

Mr Geoff Brayford of the Launceston City Council

Mr Gary Atkinson

Mr Ross Broomhall

Mr Les Dick

Mr Adrian Hardman

Mr Graeme Dear of the East Gippsland Catchment Management Authority

Mr Don Forsyth, Mr Trent Wallis and Mr Tony Jones of the Corangamite Catchment Management Authority.

Ms Di Tarte, Assoc. Prof. Eva Abal and Ms Mara Wolkenhauer of the *South-East Queensland Healthy Waterways Partnership*

Dr Jane Doolan of the Victorian Department of Sustainability and Environment

Ms Ingrid Duncan of NRM Victoria

Mr Christian Chesterfield of Melbourne Water

Mr Barry Blenkhorn

Mr Garry Blenkhorn

The Hon. Michelle O'Byrne MHA, Minister for the Environment, Parks,
Heritage and the Arts

Mr Scott Gadd of the Tasmanian Department of the Environment, Parks,
Heritage and the Arts

Mr Brian Risby of the Tasmanian Department of Justice

Mr Alan Harradine of the Tasmanian Department of Primary Industry and
Water

Mr Chris Locke of Tasmanian Department of Treasury and Finance

Mr David Jeffrey of Hydro Tasmania

Mr Andrew Scanlon of Hydro Tasmania

Written submissions taken into evidence

Attachment 2

Mr David Lewis

Mrs June Gourlay

Mr Ken Gourlay

Mr Robert Crews

Mr E. W. (Murray) Grose

Mr Jack Edwards

Dr Owen Ingles

Mr Jim Collier

Mr Ian Routley

Tasmanian Farmers and Graziers Association

Natural Resource Management (NRM) North

Mr Laurie Crerar

Launceston City Council

Timber Communities Australia (Tas)

Hydro Tasmania

Greening Australia (Tasmania)

Documents taken into evidence**Attachment 3**

- The Big Picture: As close to Nature as possible.
- Tamar River Improvement Project Committee: Report on Operations for the period July 1995 to December 1998.
- 'Pledges on Tamar silt', The Examiner, 3 August 1998, pp. 1 & 2.
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- Untitled item by Richard Cooke, Invermay, The Examiner, 13 November 2008, page unknown.
- Aerial Photograph, Tasmanian Institute of Agricultural Research.
- Notes for public consultation on Tamar River Siltation.
- Management of Tamar and Esk Rivers Terms of Reference.
- South East Queensland Healthy Waterways Partnership Annual Report 2007-2008.
- Tamar and North Esk River Confluence: River Banks as of 1882 from Map by Napier Bell.
- Current Aerial Photograph of Confluence of Tamar and North Esk River with overlay of River Banks as of 1833 from Map by Thomas Scott.
- Photocopy of Broadsheet: 'Locking The Tamar', Launceston July 1911.
- Information Package - Corangamite Catchment Management Authority.
- Executive Summary – Corangamite River Health Strategy August 2006-2011.
- "Applying for a Planning Permit under the Flood Provisions: A guide for councils, referral authorities and applicants."
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- Extracts from the Water Act 1989 (Victoria) as at 24 April 2008 – Divisions 4 -7.
- Extracts from Building Regulations 2006 (Victoria) as at 10 October 2006 – Part 8.
- CCMA By-Law No. 165 - Barwon River.
- Statement of Obligations issued by the Minister for Water (Victoria) to Catchment Management Authorities on 19 October 2006.
- Statement of Obligations issued by the Minister for Water, Environment and Climate Change (Victoria) to the Corangamite Catchment Management Authority on 20 June 2007.
- Information Package – East Gippsland Catchment Management Authority.
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- Hydro Tasmania Water Management Review: South Esk-Great Lake Catchment, “Scientific Report on Tamar Siltation August 2003.”
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- University of Wollongong and Australian Maritime College PowerPoint Presentation: “Sedimentation in the Tamar Estuary (January 2006)”.
- Department of Primary Industries and Water Website Information on Estuaries (Accessed 13 February 2009, 9.21 am).
- B. Jones, University of Wollongong: “Sedimentation in the Tamar Estuary (January 2006)”.
- Extracts from the Draft Bega River Estuary Management Plan: Chapters 1 & 6.
- Bega Valley Shire: “Estuary Program Information Sheet 2008”.

- Government of South Australia “Estuaries of South Australia: Our Vision for the future (2005).”
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- Launceston City Council: “GHD Report for Upper Tamar River Siltation Study – Preliminary Options Analysis (April 2009).”
- Launceston City Council: “Report for Tamar Siltation Project – Stakeholder Engagement Outcomes Paper (December 2008).”
- Professor D. Foster et al., (Water Research Laboratory, University of New South Wales): “Tamar River Siltation Study – Technical Report No. 85/07 (October 1986).”
- D. Patterson & Dr I. Teakle, (BMT WBM Pty Ltd): “Tamar Estuary: Review of Foster (1986) Report on Sedimentation Processes (November 2008).”
- Our Water Our Future: Water Industry & Partners.
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LEGISLATIVE COUNCIL SELECT COMMITTEE**MANAGEMENT OF TAMAR AND ESK RIVERS****MINUTES OF MEETING**

Monday, 6 October 2008

The Committee met at 11.00 via phone link.

Members Present: *Mr Dean, Mr Finch and Mr Wing* (Members' Rooms at Henty House)

In Attendance: *Mr David Pearce*, Clerk of the Legislative Council (at Parliament House)

Order of the Council:

The Order of the Legislative Council appointing the Committee dated 3 October 2008, having been circulated, was taken as read.

Election of the Chair:

Mr Finch was elected Chair and took the Chair.

Business:***Resolved:***

- (a) That witnesses be heard under Statutory Declaration.
- (b) That evidence be recorded verbatim unless otherwise ordered by the Committee.
- (c) That advertisements be inserted in the early general news pages of the three daily Tasmanian newspapers on Saturday, 11 October 2008 and that receipt of written submissions be conditioned for closure on Friday, 21 November 2008.

The draft advertisement was agreed to subject to amendment (Mr Wing) by leaving out the words 'no later than' in the final paragraph.

- (d) That the Secretary send invitations to make submissions to individuals and organisations to be detailed on a separate list and forwarded to the Clerk of the Council by Mr Wing.

That further invitation lists be provided by Committee Members.
That the letter of invitation to make a submission contain a form of words (to be provided by Mr Wing) making it clear what focus the Select Committee has, that is, the desirability and appropriateness of a single statutory authority being appointed to investigate the issues.

Future Program

Mr Finch to meet with Mr Tom Wise at 2.15 pm on Monday 13 October 2008 (informally). Mr Wing and Mr Dean to meet with Mr Wise on Tuesday 14 October 2008 (informally).

Other Business :

Committee to discuss with Mr Wise:

- the matter of letters to Ministers and Departmental officers;
- contact with Amanda Locatelli;
- research from around the world relating to river management by statutory authorities.

Adjournment

At 11.24 am the Committee adjourned until Wednesday 15 October 2008 at 1.00 pm - Mr Dean and Mr Wing in Hobart and Mr Finch by telephone in the Launceston Office.

MINUTES OF MEETING

Wednesday, 15 October 2008

The Committee met at 1.00 pm via phone link.

Members Present: *Mr Dean and Mr Wing* (Mr Wing's Office, Parliament House); *Mr Finch* (Members' Rooms at Henty House, Launceston)

In Attendance: *Mr Tom Wise*, Committee Secretary (Parliament House)

Minutes:

Resolved:

That the Minutes of the previous meeting of the Committee (Monday, 6 October 2008) be confirmed as being true and correct.

Business Arising from the Minutes:

Mr Finch reported to the Committee that he had issued a media release about the Committee's inquiry to coincide with the placing of newspaper advertisements in the three daily newspapers.

Mr Finch also reported to the Committee that he had been in contact with Amanda Locatelli who had agreed to write to those who had attended the recent forum organized by the Tamar Estuary and Esk Rivers Program (TEER).

Mr Finch agreed to provide the Committee with a copy of the list of people who attended the forum and the letter sent to them by Ms Locatelli.

Mr Finch advised the Committee that Ms Locatelli's phone numbers were (03) 633 7783 and 0439 103 773 (mobile)

General Business:

Resolved:

1. That the Secretary draft a response to the email from Mr Philip Osborne clarifying the Committee's Terms of Reference and suggesting he submit a revised submission to which his original email would be attached. The letter to include the form of words drawn up by Mr Wing.
2. That the Secretary contact the Members' support staff regarding possible dates for Committee hearings in December.
3. That the Secretary arrange for research to be undertaken into the management arrangements for estuaries and associated rivers in Vancouver, the Mississippi delta, the Netherlands, Charters Towers and the Thames. Also that the Secretary contact Mr Bryan Stait (Parliamentary Library Research Service) for assistance in regard to this research.
4. That Mr Wing provide the Secretary with a further list of people and organisations to be invited to make submissions to the Committee.
5. That consideration of any travel interstate or overseas be held over until submissions have received and hearings have been held to gather evidence.

Other Business :

The Secretary informed the Committee that he would be interstate from Sunday 23 November 2008 till Saturday 29 November 2008.

Adjournment

At 1.40 pm the Committee adjourned until Wednesday 29 October 2008 at 1.00 pm in the Ante Chamber at Parliament House, Hobart subject the sitting of the Legislative Council and other commitments of Members.

MINUTES OF MEETING

Wednesday, 26 November 2008

The Committee proceeded to business at 9:25 am in the Level 4 Conference Room, One Civic Square, Launceston.

Members Present:

Mr Dean, Mr Finch (Chair) and Mr Wing.

In attendance:

Mr Nathan Fewkes, Acting Secretary

1. Minutes of the Previous Meeting

Minutes of the previous meeting held on Wednesday 15 October 2008 were adopted.

2. Matters Arising

Mr *Wing* advised that he would be absent from the meeting for a period of time from 10:45am on this day.

The Acting Secretary advised that with less than three Members present, a quorum would be lost, and read Standing Order 182 (1).

3. Correspondence

The Committee considered inward correspondence and **RESOLVED** to receive all inwards correspondence as listed:

- Senator Guy Barnett (received 21 Nov 2008)
- Ms Jodie Campbell MHR (received 21 Nov 2008)

4. Submissions and Requests

The Committee **RESOLVED** that Submissions No. 1 to 16, as listed below, be received.

- LCSC/MTE 01 – Mr David Lewis
- LCSC/MTE 02 – Mrs June Gourlay
- LCSC/MTE 03 – Mr Ken Gourlay
- LCSC/MTE 04 – Mr Robert Crews
- LCSC/MTE 05 – Mr E. W. (Murray) Grose
- LCSC/MTE 06 – Mr J. K. Edwards
- LCSC/MTE 07 – Dr O. Ingles
- LCSC/MTE 08 – Mr Jim Collier
- LCSC/MTE 09 – Mr Ian Routley
- LCSC/MTE 10 – Tasmanian Farmers & Graziers Association (TFGA)
- LCSC/MTE 11 – Natural Resource Management (NRM) North
- LCSC/MTE 12 – Mr Laurie Crerar
- LCSC/MTE 13 – Launceston City Council
- LCSC/MTE 14 – Timber Communities Australia
- LCSC/MTE 15 – Hydro Tasmania
- LCSC/MTE 16 – Greening Australia Tasmania

5. Business

Public Hearings

- **Mr Jack Edwards**

At 9:31am, Mr Jack Edwards made the statutory declaration and was examined.

The Acting Secretary left his place at 9:40am and returned at 9:46am.

The Acting Secretary left his place at 9:55am and returned at 9:56am.

The Witness withdrew at 10:03am.

- **Launceston City Council (13)**

At 10:04am, Mayor Albert van Zetten and Mr Frank Dixon made the statutory declaration and were examined.

The Acting Secretary left his place at 10:28am and returned at 10:29am.

The Witnesses withdrew at 10:31am.

The Gallery was cleared.

Deliberations

The Acting Secretary advised that if Mr *Wing* were to leave his place, the Committee would not have a quorum, and as such, any proceedings would lose privilege.

The Acting Secretary advised that if the remaining Members were to nevertheless proceed to meet with a Witness as scheduled, any proceedings would not be privileged and would be justiciable.

The Acting Secretary further advised that if such a meeting were to take place, Members should inform the Witness of the absence of privilege and the informal nature of the occasion, and seek the Witness' consent to meeting under such circumstances.

Mr *Wing* was permitted to leave the meeting for a period of time.

Proceedings were suspended at 10:37am, due to the absence of a quorum.

The Committee resumed at 11:33am.

Public Hearings (resumed)

- **Mr Mac Kidd**

At 11:34am, Mr Mac Kidd made the statutory declaration and was examined.

The Witness withdrew at 12:14pm.

- **Mr Basil Fitch and Mr Max Plummer**

At 12:16pm, Mr Basil Fitch and Mr Max Plummer made the statutory declaration and were examined.

The Witness withdrew at 12:51pm.

- **Mr Stewart Hallam**

At 12:52pm, Mr Stewart Hallam made the statutory declaration and was examined.

The following document was Tabled:

- *The Big Picture: As close to Nature as possible* (LCSC/MTE/Doc. 01)

The Witness withdrew at 1:31pm.

The Gallery was cleared.

Deliberations

The Committee deliberated.

The Committee suspended at 1:35pm.

The Committee resumed at 2:07pm.

Public Hearings (resumed)

- **Ald Graeme Beams**

At 2:07pm, Ald Graeme Beams made the statutory declaration and was examined.

The following document was Tabled:

- *Tamar River Improvement Project Committee: Report on Operations for the period July 1995 to December 1998* (LCSC/MTE/Doc. 02)

The Witness withdrew at 2:47pm.

- **Mr Jim Collier**

At 2:48pm, Mr Jim Collier made the statutory declaration and was examined.

The following documents were Tabled:

- 'Pledges on Tamar silt', *The Examiner*, 3 August 1998, pp. 1 & 2 (LCSC/MTE/Doc. 03)
- 'Flood needed to clear silt from Tamar', *The Examiner*, 6 January 2007, p. 12 (LCSC/MTE/Doc. 04)
- 'Launceston's three rivers of shame', *The Examiner*, 20 October 2008, p.?, (LCSC/MTE/Doc. 05)
- Untitled item by Richard Cooke, Invermay, *The Examiner*, 13 November 2008, p.?, (LCSC/MTE/Doc. 06)

The Witness withdrew at 3:07pm.

Suspension

The Committee suspended at 3:07pm.

The Committee resumed at 3:10pm.

Public Hearings (resumed)

- **Mr Edward Vincent**

At 3:11pm, Mr Edward Vincent made the statutory declaration and was examined.

The Witness withdrew at 3:34pm.

The Committee suspended at 3:34pm.
The Committee resumed at 3:45pm.

- **Tamar Yacht Club**

At 3:45pm, Commodore Richard Fisher made the statutory declaration and was examined.

The following document was Tabled:

- *Aerial Photograph, Tasmanian Institute of Agricultural Research (LCSC/MTE/Doc. 07)*

The Witness withdrew at 4:15pm.

The Committee suspended at 4:15pm.

The Committee resumed at 4:21pm.

- **Mr Peter Neilson**

At 4:26pm, Mr Peter Neilson made the statutory declaration and was examined.

The Acting Secretary left his place at 4:26pm and returned at 4:28pm.

The Witness withdrew at 4:50pm.

The Committee suspended at 4:50pm.

The Committee resumed at 4:59pm.

6. **Other Business**

The Committee **RESOLVED** that transcripts of this day's hearings be published.

The Acting Secretary was instructed to arrange for transcripts to be posted on the Committee's Internet page.

The Committee **RESOLVED** that submissions 1 to 16 be published.

The Acting Secretary was instructed to:

- Inform senders of submissions 1 to 16 of the Committee's intent to publish them; and
- Thereafter arrange for submissions to be posted on the Committee's Internet page.

The Acting Secretary was instructed to invite the following individuals and organisations to participate in the inquiry –

- Errol Stewart
- Geoff Brayford
- Les Dick
- Ross Broomhall
- Richard Ireland
- TIERS
- The State Premier (to seek a whole of government response)

The Acting Secretary was instructed to ascertain the willingness of the following individuals and organisations to attend as witnesses –

- TFGA
- Dr Owen Ingles
- Ken Gourlay
- TCA
- Hydro Tasmania

The Acting Secretary was instructed to seek the following documents –

- Deed of Agreement between the Launceston City Council and the State Government
- An agreement (separate to that above) between the LCC and State Govt
- Report written by Brian Jones

The Acting Secretary was instructed to conduct research into the authorities responsible for managing the Thames River (UK) and the Mississippi River (USA).

The Acting Secretary was instructed to investigate the procedures necessary for Tabling a report to the President outside of a sitting day.

Proceedings were suspended at 5:51pm, due to the absence of a quorum.

The Committee resumed at 5:53pm.

The Committee discussed the proposition of travelling interstate during mid-February 2009 to meet with representatives of interstate river authorities. The Acting Secretary was instructed to ascertain the willingness of appropriate interstate river authorities to meet with the Committee.

The Committee discussed possible dates for further public hearings in Tasmania, though did not settle on specific dates following a discussion.

Proceedings were suspended at 5:57pm, due to the absence of a quorum.

The Committee resumed at 5:59pm.

7. Next Meeting

The Committee **RESOLVED** to meet informally in Hobart on Thursday 4 December 2008 at noon.

8. Close of Meeting

At 6:00pm the Committee adjourned.

MINUTES OF MEETING

Wednesday, 10 December 2008

The Committee proceeded to business at 10.55 am in the Level 4 Conference Room, One Civic Square, Launceston.

Members Present: Mr *Dean*, Mr *Finch* (Chair) and Mr *Wing*.

In attendance: Mrs Sue McLeod, Acting Secretary

Confirmation of Minutes:

Minutes of the previous meeting held on Wednesday 26 November 2008 were confirmed as a true and accurate record.

Public Hearings:

At 9:31am, DR OWEN INGLES was called, made the Statutory Declaration and was examined.

The witness withdrew at 11.36 am.

At 11.37 am, MR PETER NEWMAN was called, made the Statutory Declaration and were examined.

The witnesses withdrew at 12.12 am.

The Committee suspended at 12.12 pm.
The Committee resumed at 12.15 pm.

The Committee discussed issues for research and for interviews with the media.

The Committee resumed at 12.25 pm.
The Committee resumed at 2.30 pm.

Public Hearings, continued:

At 2.30 pm MR KERRY DAWKINS was called, made the Statutory Declaration and was examined.

The witness withdrew at 3.04 pm..

At 3.05 pm, MR KEN GOURLAY was called, made the Statutory Declaration and were examined.

Tabled Document:

Notes for public consultation on Tamar River Siltation (3)

The witness withdrew at 3.34 pm.

At 3.35, MR IAN ROUTLEY was called, made the statutory declaration and was examined.

Tabled Document:

Meeting Report – re Tamar River Siltation – 12 November 2008 (9)

The witness withdrew at 4.16 pm.

Other Business:

Resolved, That –

- The transcripts of today's hearings be published on the Committee website.
- The Secretary provide research in relation to the Clarence Floodplain Project and the \$3m federal Funding for siltation in New South Wales (a major flood resolved the issue).
- The following people be requested to give verbal evidence on 6 February –
 - Errol Stewart
 - Geoff Brayford, Director, Water and Sewerage, LCC (site inspection and evidence)
 - Gary Atkinson
 - Ross Broomhall
 - Les Dick
 - TFGA
 - State Government
- The Secretary contact Mr Frank Dixon at the LCC to arrange an inspection of the Tea Tree Bend Sewerage Treatment Plant.

At 4.38 pm the Committee adjourned until 10.00 am on February, 6 February 2009.

MINUTES OF MEETING

Friday, 6 February 2009

The Committee met at 10.08 am in the Conference Room, 4th Floor, Henty House, Civic Square, Launceston.

Members Present: Mr *Dean*, Mr *Finch* (Chair) and Mr *Wing*

In attendance: Mr Tom Wise, Secretary

Confirmation of Minutes:

The Minutes of the meeting held on Wednesday, 10 December 2008 were confirmed as a true and accurate record.

Condolence:

The Committee expressed its condolences at the recent and unexpected death of Mr Laurie Crerar who had given evidence to the Committee at a previous hearing in 2008.

Suspension:

At 10.15 am the Committee suspended proceedings to allow the resolution of technical problems with the newly-installed Hansard recording system.

Public Hearings:

At 10.28 am MR ERROL STEWART was called, made the Statutory Declaration and was examined.

Tabled Document:

- *Management of Tamar and Esk Rivers Terms of Reference (01)*

The witness withdrew at 11.07 am.

At 11.07 am MR ROGER SWAIN, MS CATHERINE MURDOCH AND MR CHRIS OLDFIELD were called, made the Statutory Declaration and were examined.

Tabled Document:

- *South East Queensland Healthy Waterways Partnership Annual Report 2007-2008 (02)*

The witnesses withdrew at 11.43 pm.

The Committee suspended at 11.43 am.

The Committee resumed at 11.54 pm.

Public Hearings, continued:

At 11.54 am MR GARY ATKINSON was called, made the Statutory Declaration and was examined.

The witness withdrew at 12.31 pm.

At 12.33 pm MR GEOFF BRAYFORD was called, made the Statutory Declaration and was examined.

Tabled Document:

- *Tamar and North Esk River Confluence: River Banks as of 1882 from Map by Napier Bell (03)*
- *Current Aerial Photograph of Confluence of Tamar and North Esk River with overlay of River Banks as of 1833 from Map by Thomas Scott (04)*
- *Photocopy of Broadsheet: 'Locking The Tamar', Launceston July 1911 (05)*

The witness withdrew at 1.13 pm.

The Committee suspended at 1.15 pm.

Site Inspection:

The Committee resumed at 2.15 pm at the Tea-Tree bend Sewerage Treatment Plant for a formal inspection of its operations .

The Committee suspended at 3.45 pm.

The Committee resumed at 4.00 pm at Henty House, Launceston.

Other Business:

- The following people be requested to give verbal evidence in Launceston on 3 March 2009 –

- Mr Ross Broomhall
 - Mr Les Dick
 - Mr James McKee
- Mr *Dean* to contact Mr Les Dick requesting he attend the hearing on 3 March.
 - Mr *Wing* to contact Mr Ross Broomhall to attend the hearing on 3 March if there was no contact between the latter and the Secretary within a week.
 - The Secretary to arrange for Government Ministers and their officers and representatives of Hydro Tasmania to appear at hearings during the week commencing 16 March 2009.
 - The Secretary investigate and advise on the possibility of hearings interstate during the week commencing 30 March 2009. The hearings to be arranged in New South Wales, Victoria and South Australia. It was agreed that any such hearings should commence on Tuesday 31 March to allow for all Members to travel on Monday 30 March.

Next Meeting:

The Committee resolved to meet again at 10.00 am on Tuesday 3 March 2009 at Henty House in Launceston

Adjournment:

The Committee adjourned at 4.25 pm.

MINUTES OF MEETING

Tuesday, 3 March 2009

The Committee met at 10.05 am in the Conference Room, 4th Floor, Henty House, Civic Square, Launceston.

Members Present: Mr *Dean*, Mr *Finch* (Chair) and Mr *Wing*

In attendance: Mr Tom Wise, Secretary

Confirmation of Minutes:

The Minutes of the meeting held on Friday, 6 February 2009 were confirmed as a true and accurate record.

Business Arising from Minutes:

Following the on-site inspection of the Launceston City Council's sewerage treatment plant at Tea-Tree Bend on 6 February 2009 and advice from Mr Dean that the Council had received the report on Tamar siltation it had commissioned from consultants GHD, the Committee resolved that the Secretary write to the Council General Manager, Mr Frank Dixon, requesting an in-confidence copy of the report.

Hansard:

The Committee noted that the recently installed Hansard system in the Henty House Conference Room was not functioning, but resolved to proceed using the back-up tape system.

Public Hearings:

At 10.14 am MR LES DICK was called, made the Statutory Declaration and was examined.

At 11.10 am the Committee resolved to accept the suggestion from Mr Wing that the next witness, Mr Ross Broomhall, if he were agreeable, should join Mr Dick at the table so they could give evidence together.

At 11.15 am MR ROSS BROOMHALL was called, made the Statutory Declaration and was examined.

The witnesses, Mr Broomhall and Mr Dick, withdrew at 11.48 am.

At 11.49 am MR JAMES McKEE AND MR RICHARD IRELAND were called, made the Statutory Declaration and were examined.

The witnesses withdrew at 12.13 pm.

At 12.14 pm MR ADRIAN HARDMAN was called, made the Statutory Declaration and was examined.

The witness withdrew at 12.31 pm.

Adjournment:

The Committee adjourned at 12.33 pm and resolved to reconvene in Hobart on Tuesday 17 March 2009 to hear evidence from Government witnesses.

MINUTES OF MEETING

Tuesday, 17 March 2009

The Committee met at 10.05 am in Committee Room 2, Parliament House, Hobart

Members Present: Mr *Dean*, Mr *Finch* (Chair) and Mr *Wing*

In attendance: Mr Tom Wise, Secretary

Confirmation of Minutes:

The Minutes of the meeting held on Tuesday, 3 March 2009 were confirmed as a true and accurate record.

Public Hearings:

At 10.06 am the Minister for the Environment, Parks, Heritage and the Arts, the Hon. Michelle O'Byrne, was called and was examined.

The Minister was accompanied by Departmental Officers MR SCOTT GADD (Secretary, Department of Environment, Parks, Heritage and the Arts); MR CHRIS LOCKE (Director, Economic Policy, Department of Treasury and Finance); MR BRIAN RISBY, Assistant State Planning Adviser, Department of Justice); MR ALAN HARRADINE (General Manager, Water Resources, Department of Primary Industries and Water); and MR JAMES McKEE (representing the Tamar Estuary and Esk Rivers Program).

These Departmental Officers were called, made the Statutory Declaration and were examined along with the Minister.

The Minister withdrew at 11.20 am.

The Departmental Officers withdrew at 11.45 am.

The Committee SUSPENDED at 11.46 am

The Committee RESUMED at 12.03 pm.

At 12.03 pm MR ANDREW SCANLON AND MR DAVID JEFFREY were called, made the Statutory Declaration and were examined.

The witnesses withdrew at 1.02 pm.

Interstate Visit

The Secretary tabled a draft budget and itinerary for a proposed visit to Victoria to take evidence from the Corangamite Catchment Management Authority, based in Colac and the East Gippsland Catchment Management Authority, based at Bairnsdale.

The Committee RESOLVED to visit Victoria to meet Catchment Management Authorities at Colac and Bairnsdale.

The Committee RESOLVED that the Secretary send a letter from the Chairman to the President of the Legislative Council seeking her approval for the travel from Monday 30 March 2009 to Thursday 2 April 2009 at a total **approximate** cost of \$4400.00.

The Committee RESOLVED that the Secretary make all necessary arrangements for the visit to Victoria following approval of the travel by the President.

The Committee RESOLVED that, following the visit to Victoria, it would consider a tele-conference or video-conference with the South-East Queensland Healthy Waterways Partnership based in Brisbane.

Committee Report

The Committee RESOLVED that drafting of the Committee report should begin after Easter and after any evidence may taken from the South-East Queensland Healthy Waterways Partnership, with a view to reporting to the Legislative Council in June at the earliest.

Adjournment:

The Committee adjourned at 2.00 pm.

MINUTES OF MEETING

Tuesday, 31 March 2009

The Committee met at 11 am in the Board Room, Barwon Water Offices, 61-67 Ryrie Street, Geelong.

Members Present: Mr *Dean*, Mr *Finch* (Chair) and Mr *Wing*

In attendance: Mr Tom Wise, Secretary

Business:

The Committee met with the following representatives of the Corangamite Catchment Management Authority:

- **Mr Don Forsyth**, Chief Executive Officer
- **Mr Trent Wallis**, Manager, River and Catchment Program
- **Mr Tony Jones**, Sub-program Manager, River Health Statutory Functions

The meeting concluded at 2.30 pm for the purposes of an on-site inspection of the Barwon river and environs.

The onsite inspection concluded at 4.30 pm.

Adjournment:

The Committee **RESOLVED** to meet again in Bairnsdale at 1 pm on Wednesday 1 April 2009.

The Committee adjourned at 4.35 pm.

MINUTES OF MEETING

Wednesday, 1 April 2009

The Committee met at 1 pm at the Offices of the East Gippsland Catchment Management Authority, 574 Main Street, Bairnsdale.

Members Present: Mr *Dean*, Mr *Finch* (Chair) and Mr *Wing*

In attendance: Mr Tom Wise, Secretary

Business:

The Committee met with the following representative of the East Gippsland Catchment Management Authority:

- **Mr Graeme Dear**, Chief Executive Officer

The meeting concluded at 1.30 pm for the purposes of an aerial inspection of the East Gippsland catchment area.

The aerial inspection concluded at 4.00 pm.

Adjournment:

The Committee **RESOLVED** to meet again in Bairnsdale at 8.30 am on Thursday 2 April 2009.

The Committee adjourned at 4.15 pm.

MINUTES OF MEETING

Thursday, 2 April 2009

The Committee met at 8.30 am at the Offices of the East Gippsland Catchment Management Authority, 574 Main Street, Bairnsdale.

Members Present: Mr *Dean*, Mr *Finch* (Chair) and Mr *Wing*

In attendance: Mr Tom Wise, Secretary

Business:

The Committee met for discussions with the following representative of the East Gippsland Catchment Management Authority:

- **Mr Graeme Dear**, Chief Executive Officer

The meeting concluded at 10.30 am.

Adjournment:

The Committee **RESOLVED** to meet again in Hobart on Thursday 21 May 2009.

The Committee adjourned at 10.35 am.

MINUTES OF MEETING

Thursday, 21 May 2009

The Committee met at 9.08 am in Committee Room 3, Parliament House, Hobart

Members Present: Mr *Dean*, Mr *Finch* (Chair) and Mr *Wing*

In attendance: Mr Tom Wise, Secretary

Re-appointment of Member:

The Committee NOTED the re-appointment of Mr Dean to the Committee by the Legislative Council following his re-election.

Apologies:

There were no apologies

Confirmation of Minutes:

The Minutes of the meeting held on Tuesday, 17 March 2009; Tuesday, 31 March 2009; Wednesday 1 April 2009; and Thursday 2 April 2009 were confirmed as a true and accurate record.

Business Arising from the Minutes:

The Committee NOTED the \$3855.00 total cost of its visit to Victoria in late March/early April, which was \$545.00 below the budget amount approved by the President of the Legislative Council.

The Committee RESOLVED that the Secretary prepare a draft itinerary and budget for travel to Brisbane for the purpose of taking evidence from the South East Queensland Healthy Waterways Partnership and to Melbourne to take evidence from Dr Jane Doolan, Executive Director, Sustainable Water, Environment and Innovation, Office of Water, Department of Sustainability and Environment, Victoria.

The Committee FURTHER RESOLVED to consider the draft itinerary and budget later in the day, at a time to be fixed.

Correspondence

The Committee RESOLVED to receive the following correspondence tabled by the Secretary:

- Letter from the Hydro Tasmania, dated 6 May 2009, providing answers to questions taken on notice at the hearings on 17 March 2009.
- Letter from the Minister for Environment, Parks, Heritage and the Arts, the Hon. Michelle O'Byrne, dated 15 May 2009, providing answers to questions taken on notice at the hearings on 17 March 2009.

Documents for Tabling

The Committee RESOLVED to receive the following documents tabled by the Secretary:

Corangamite CMA Hearing:

- Information Package. (LCSC/MTE/33/01)
- Executive Summary – *Corangamite River Health Strategy August 2006-2011*. (LCSC/MTE/33/02)
- “*Applying for a Planning Permit under the Flood Provisions: A guide for councils, referral authorities and applicants.*” (LCSC/MTE/33/03)
- “*Applying the Flood Provisions in Planning Schemes: A guide for councils.*” (LCSC/MTE/33/04)
- Extracts from the *Water Act 1989* (Victoria) as at 24 April 2008 – Divisions 4 -7. (LCSC/MTE/33/05)
- Extracts from *Building Regulations 2006* (Victoria) as at 10 October 2006 – Part 8. (LCSC/MTE/33/06)
- *CCMA By-Law No. 165 - Barwon River*. (LCSC/MTE/33/07)
- *Statement of Obligations* issued by the Minister for Water (Victoria) to Catchment Management Authorities on 19 October 2006. (LCSC/MTE/33/08)
- *Statement of Obligations* issued by the Minister for Water, Environment and Climate Change (Victoria) to the Corangamite Catchment Management Authority on 20 June 2007. (LCSC/MTE/33/09)

East Gippsland CMA Hearing:

- Information Package. (LCSC/MTE/34/01)
- East Gippsland Catchment Management Authority: *Regional Catchment Strategy: Improving Natural Resource Outcomes in East Gippsland*. (LCSC/MTE/34/02)

Background Papers and Research Material:

- Hydro Tasmania Water Management Review: South Esk-Great Lake Catchment, “*Scientific Report on Tamar Siltation August 2003.*” (LCSC/MTE/35/01)
- Department of Primary Industries and Water - Water Resources Policy: *Generic Principles for Water Management Planning* – Policy #2005/1. (LCSC/MTE/35/02)
- Extracts from *Water Management Act 1999* (Tasmania), as at 13 February 2009 – Part 4, Water Management Plans. (LCSC/MTE/35/04)

- Australian National Resource Atlas: “*Estuary Assessment Framework for Non-Pristine Estuaries – Estuary 555 (Tamar River)*”. (LCSC/MTE/35/04)
- University of Wollongong and Australian Maritime College PowerPoint Presentation: “*Sedimentation in the Tamar Estuary (January 2006)*”. (LCSC/MTE/35/05)
- Department of Primary Industries and Water Website Information on Estuaries (Accessed 13 February 2009, 9.21 am). (LCSC/MTE/35/06)
- B. Jones, University of Wollongong: “*Sedimentation in the Tamar Estuary (January 2006)*”. (LCSC/MTE/35/07)
- Extracts from the Draft *Bega River Estuary Management Plan: Chapters 1 & 6*. (LCSC/MTE/35/08)
- Bega Valley Shire: “*Estuary Program Information Sheet 2008*”. (LCSC/MTE/35/09)
- Government of South Australia “*Estuaries of South Australia: Our Vision for the future (2005)*”. (LCSC/MTE/35/10)
- Department of Environment and Heritage (South Australia): “*Onkaparinga Estuary Information Package (2005)*”. (LCSC/MTE/35/11)
- Province of British Columbia (Canada): *The Estuary Management Plan for the Fraser River - “A Living Working River (2003)*”. (LCSC/MTE/35/12)
- Clarence Valley Council (NSW): “*Clarence Floodplain Project Background Information (January 2009)*”. (LCSC/MTE/35/13)
- Launceston City Council: “*GHD Report for Upper Tamar River Siltation Study – Preliminary Options Analysis (April 2009)*”. (LCSC/MTE/35/14)
- Launceston City Council: “*Report for Tamar Siltation Project – Stakeholder Engagement Outcomes Paper (December 2008)*”. (LCSC/MTE/35/15)
- Professor D. Foster et al., (Water Research Laboratory, University of New South Wales): “*Tamar River Siltation Study – Technical Report No. 85/07 (October 1986)*”. (LCSC/MTE/35/16)
- D. Patterson & Dr I. Teakle, (BMT WBM Pty Ltd): “*Tamar Estuary: Review of Foster (1986) Report on Sedimentation Processes (November 2008)*”. (LCSC/MTE/35/17)

Other Business:

The Committee RESOLVED to suspend the meeting and re-convene at 4 pm to consider the draft itinerary and budget to be prepared by the Secretary.

Committee meeting suspended at 9.45 am**Committee meeting re-convened at 4.15 pm in the Legislative Council Ante-Chamber.**

The Committee considered the draft itinerary and budget and RESOLVED that, in light of the discussions between the President of the Legislative Council, the Chairman and the Secretary, a revised itinerary and budget would be presented to the President for approval.

The Committee RESOLVED to amend the draft itinerary and budget to allow for travel to Brisbane on Wednesday 3 June 2009 for the purpose of taking evidence from the South East Queensland Healthy Waterways Partnership on Thursday 4 June 2009.

The Committee RESOLVED that it would take evidence by video-conference on Friday 26 June 2009 from Dr Jane Doolan, Executive Director, Sustainable Water, Environment and Innovation, Office of Water, Department of Sustainability and Environment, Victoria.

The Committee RESOLVED that the Secretary revise the budget and itinerary and present it to the President for approval as soon as possible.

The Committee RESOLVED that the Secretary make appropriate arrangements for it to take evidence by video-conference in Hobart from Dr Jane Doolan on Friday, 26 June 2009 following the final meeting of Estimates Committee B on that day.

Hansard Transcripts:

The Committee RESOLVED that the Hansard transcripts of all public hearings, other than those which took place interstate, may be published on the Committee web page.

Committee Report:

The Committee RESOLVED that it would set a meeting date to consider the outline of its report and possible recommendations after it had concluded taking evidence from Dr Jane Doolan.

Next Meeting:

The Committee RESOLVED to meet again in Hobart at 10.30 am on Friday 26 June 2009 prior to the video-conference with Dr Jane Doolan.

Adjournment:

The Committee adjourned at 4.35 pm.

MINUTES OF MEETING

Thursday, 4 June 2009

The Committee met at 8.30 am at the Offices of the South-East Queensland Healthy Waterways Partnership, Level 4 Hitachi Building, 239 George Street, Brisbane.

Members Present: Mr *Dean*, Mr *Finch* (Chair) and Mr *Wing*

In attendance: Mr Tom Wise, Secretary

Business:

The Committee met for discussions with the following representatives of the South-East Queensland Healthy Waterways Partnership:

- **Ms Di Tarte**, Project Director
- **Associate Professor Eva Abal**, Science Director
- **Ms Mara Wolkenhauer**, Science Projects Officer

The meeting concluded at 1 pm for the purposes of an on-site inspection of the Brisbane River and its lower catchment.

The on-site inspection concluded at 3 pm

Adjournment:

The Committee **RESOLVED** to meet again in Launceston on Thursday 26 June 2009.

The Committee adjourned at 3.05 pm.

MINUTES OF MEETING

Friday 26 June 2009

The Committee met at 10.35 am in Library Meeting Room, Launceston General Hospital, Charles Street, Launceston

Members Present: Mr *Dean*, Mr *Finch* (Chair) and Mr *Wing*

In attendance: Mr Tom Wise, Secretary

Apologies:

There were no apologies.

Confirmation of Minutes:

The Minutes of the meetings held on Thursday 21 May 2009 and Thursday 4 June 2009 were confirmed as a true and accurate record.

Business Arising from the Minutes:

The Committee RESOLVED to defer consideration of a meeting date to consider the outline of its report and possible recommendations until after another hearing to be held in Launceston on a date to be fixed.

Correspondence

No correspondence was tabled

Documents for Tabling

The Committee RESOLVED to receive the following documents tabled by the Secretary:

Victorian Department of Sustainability and Environment:

- Our Water Our Future: *Water Industry & Partners* (LCSC/MTE/35/01)
- Victoria's Catchment Management Authorities (LCSC/MTE/35/02)
- Our Water Our Future: *Progress Towards Securing Our Water Future* (LCSC/MTE/35/03)
- Victorian Department of Natural Resources and Environment: *Healthy Rivers, Healthy Communities and Regional Growth – Victorian River Health Strategy* [August 2002] (LCSC/MTE/35/04)

The Examiner newspaper:

- Article by Claire Van Ryn: *Call for a State authority over Tamar River* [28 May 2009] (LCSC/MTE/39/18)

Suspension:

The Committee RESOLVED to suspend the meeting for the purpose of a video-conference discussion with Dr Jane Doolan (*Department of Sustainability and Environment, Victoria*); Ms Ingrid Duncan (*NRM Victoria*) and Mr Christian Chesterfield (*Melbourne Water*).

Committee meeting suspended 11.05 am

Committee meeting resumed 12.35 pm

Other Business:

The Committee RESOLVED to call the following witnesses to appear at its next meeting:

- Mr Barry Blenkhorn
- Mr Garry Blenkhorn
- Mr Ian Dickenson
- Mr Geoff Richardson

The Committee FURTHER RESOLVED to recall Mr Jack Edwards, who previously gave evidence at a hearing on 26 November 2008, to provide further information and to provide detailed comment on the evidence received by the Committee since his first appearance.

The Committee RESOLVED that Mr Edwards would appear in the afternoon of the next meeting to allow up to two hours for detailed discussions and the other witnesses would be invited to appear in the morning, with up to 45 minutes being allowed to each for their evidence.

Next Meeting:

The Committee RESOLVED to meet again (subject to confirmation) at Henty House in Launceston at 10.00 am on Tuesday, 14 July 2009, with the first witnesses not to called to give evidence before 10.30 am.

Adjournment:

The Committee adjourned at 1.45 pm.

MINUTES OF MEETING

Tuesday, 28 July 2009

The Committee met at 10.15 am in the Conference Room, 4th Floor, Henty House, Civic Square, Launceston.

Members Present: Mr Dean, Mr Finch (Chair) and Mr Wing

In attendance: Mr Tom Wise, Secretary

Confirmation of Minutes:

The Minutes of the meeting held on Friday, 26 June 2009 were confirmed as a true and accurate record.

Business Arising from Minutes:

The Secretary informed the Committee that two of the witnesses they had asked to appear were not available. Mr Geoff Richardson had recently passed away and Mr Ian Dickenson was overseas for several weeks.

Committee Report:

The Committee **RESOLVED** to defer consideration of the Draft Report Framework until after the examination of witnesses.

Hansard:

The Committee noted that the recently installed Hansard system in the Henty House Conference Room was not functioning, but resolved to proceed using the back-up tape system.

Public Hearings:

The Committee **RESOLVED** that the two witnesses scheduled to appear in the morning be permitted to present their evidence together.

At 10.40 am MR BARRY BLENKHORN and MR GARRY BLENKHORN were called, made the Statutory Declaration and were examined.

The witnesses withdrew at 11.45 am.

At 12.05 pm a witness was called, made the Statutory Declaration and gave evidence in camera.

The witness withdrew at 1.20 pm

Suspension:

The Committee **RESOLVED** to suspend the meeting and re-convene at 2.15 pm.

The Committee re-convened at 2.15 pm

Business:

The Committee **RESOLVED** that the Hansard transcripts of all public hearings and interstate meetings should be placed on the Committee web page.

The Committee considered the Draft Report Framework and **RESOLVED** that work begin on drafting the report itself, including draft conclusions and recommendations as discussed.

Adjournment:

The Committee adjourned at 3.26 pm and **RESOLVED** to consider the initial draft report at the next meeting on a date to be fixed.

MINUTES OF MEETING

Wednesday, 12 August 2009

The Committee met at 9 am by tele-conference.

Members Present: Mr *Dean*, Mr *Finch* (Chair) and Mr *Wing*

In attendance: Mr Tom Wise, Secretary

The Members present were in the Conference Room, 4th Floor, Henty House, 1 Civic Square, Launceston. The Secretary was in Committee Room 3, Parliament House, Hobart.

Business:

The Committee considered the draft report, including the draft conclusions and recommendations.

The Committee **RESOLVED** that a further, amended draft be prepared for consideration at its next meeting.

Next Meeting:

The Committee **RESOLVED** to meet again by tele-conference at 3 pm on Tuesday, 15 September 2009.

Adjournment:

The Committee adjourned at 12.30 pm.

MINUTES OF MEETING

Tuesday, 15 September 2009

The Committee met at 3 pm by tele-conference.

Members Present: Mr *Dean*, Mr *Finch* (Chair) and Mr *Wing*

In attendance: Mr Tom Wise, Secretary

The Members present were in the Conference Room, 4th Floor, Henty House, 1 Civic Square, Launceston. The Secretary was in Committee Room 3, Parliament House, Hobart.

Business:

The Committee considered the revised draft report.

The Committee **RESOLVED** that a further, amended draft be prepared for consideration at its next meeting.

Next Meeting:

The Committee **RESOLVED** to meet again by tele-conference at 2.30 pm on Monday, 28 September 2009.

Adjournment:

The Committee adjourned at 5.40 pm.

MINUTES OF MEETING

Monday, 28 September 2009

The Committee met at 2.30 pm by tele-conference.

Members Present: Mr *Dean*, Mr *Finch* (Chair) and Mr *Wing*

In attendance: Mr Tom Wise, Secretary

The Members present were in the Conference Room, 4th Floor, Henty House, 1 Civic Square, Launceston. The Secretary was in Committee Room 3, Parliament House, Hobart.

Business:

The Committee considered the revised draft report.

The Committee **AGREED TO** the Conclusions and Recommendations.

The Committee **AGREED TO** the Chairman's Foreword and Executive Summary.

The Committee **RESOLVED** that a final draft be prepared for consideration at its next meeting.

Next Meeting:

The Committee **RESOLVED** to meet again at a time and date to be fixed.

Adjournment:

The Committee adjourned at 5.10 pm.

MINUTES OF MEETING

Wednesday, 14 October 2009

The Committee met at 4.00 pm in Committee Room 3, Parliament House, Hobart

Members Present: Mr *Dean*, Mr *Finch* (Chair) and Mr *Wing*

In attendance: Mr Tom Wise, Secretary

Apologies:

There were no apologies

Confirmation of Minutes:

The Minutes of the meetings held on Tuesday, 28 July 2009; Wednesday, 12 August 2009; Tuesday, 15 September 2009; and Monday, 28 September 2009 were confirmed as true and accurate records.

Business Arising from the Minutes:

There was no business arising from the confirmed Minutes.

Correspondence

The Committee **RESOLVED** to receive the following correspondence tabled by the Secretary:

- Letter dated 12 October 2009 from Ald. Albert van Zetten, Mayor of Launceston, requesting details of the timeframe for the tabling of the Committee's report.

The Committee **RESOLVED** to approve the draft response in the Chairman's name as tabled by the Secretary.

Documents for Tabling

The Committee **RESOLVED** to receive the following documents tabled by the Secretary:

- Abal, E. et al., *Healthy Waterways Healthy Catchments: Making the connection in South-East Queensland, Australia*, Morton Bay Waterways and Catchments Partnership, Brisbane, 2005.
- South-East Queensland Regional Water Quality Management Strategy Team, *Discover the Waterways of South-East Queensland*, Morton Bay Waterways and Catchments Partnership, Brisbane, 2001.
- South-East Queensland Healthy Waterways Partnership (2008), *Annual Report 2007-2008*, Brisbane, Australia, 24pp.
- South-East Queensland Healthy Waterways Partnership, *South-East Queensland Healthy Waterways Strategy 2007-2012: Overview*, Brisbane, December 2007.
- South-East Queensland Healthy Waterways Partnership, *Interim Business Plan for Regional Work Program 2008-2009 to 2010-2011*, Brisbane, August 2008.
- South-East Queensland Healthy Waterways Partnership, *Report Card 2008 for the waterways and catchments of South-East Queensland: Grades and Overview*, Brisbane, October 2008.

Final Draft Report:

The Committee considered the final draft report.

The Committee **AGREED** to the report as follows:

The Committee **RESOLVED** that the words "or floodplains" be inserted after the word "catchments" in line two and line three of Recommendation 12 on Pages 8 and 68 of the draft report.

Moved by Mr Wing and **Seconded** by Mr Dean: *That the Table of Contents; Chairman's Foreword and Executive Summary; Conclusions; and Recommendations as amended stand part of the report. CARRIED.*

Moved by Mr Wing and **Seconded** by Mr Dean: *That Chapter 1 as amended stand part of the report. CARRIED.*

Moved by Mr Dean and **Seconded** by Mr Wing: *That Chapter 2 as amended stand part of the report. CARRIED.*

Moved by Mr Wing and **Seconded** by Mr Dean: *That Chapter 3 as amended stand part of the report.* **CARRIED.**

Moved by Mr Dean and **Seconded** by Mr Wing: *That Chapter 4 as amended stand part of the report.* **CARRIED.**

Moved by Mr Wing and **Seconded** by Mr Dean: *That Chapter 5 stand part of the report.* **CARRIED.**

Moved by Mr Dean and **Seconded** by Mr Wing: *That Chapter 6 stand part of the report.* **CARRIED.**

Moved by Mr Wing and **Seconded** by Mr Dean: *That the List of References and Attachments 1 to 4 as amended stand part of the report.* **CARRIED.**

Moved by Mr Wing and **Seconded** by Mr Dean: *That the Minutes of the Meeting note the Committee's appreciation of the Secretary's contribution to the work of the Committee, in particular in relation to the preparation of the report.* **CARRIED.**

Other Business:

The Committee considered a date for the tabling of the report in the Legislative Council.

The Committee **RESOLVED** that the Chairman table the report in the Legislative Council on Tuesday, 27 October 2009.

The Committee considered the draft media release presented by the Secretary.

The Committee **RESOLVED** that the media release be agreed to with amendment.

The Committee **RESOLVED** to hold a media conference at 1 pm on Tuesday, 27 October 2009.

Adjournment:

At 4.30 pm the Committee adjourned *sine die*.
