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THE PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS MET IN COMMITTEE ROOM 2, PARLIAMENT HOUSE, HOBART ON TUESDAY 16 OCTOBER 2012.

MS ANNE McCONNELL, VICE PRESIDENT, TASMANIAN NATIONAL PARKS ASSOCIATION AND **Mr PETER McGLONE**, TASMANIAN CONSERVATION TRUST INC WERE RECALLED AND WERE EXAMINED.

THREE CAPES TRACK

CHAIR (Mr Harriss) - Members and Peter and Anne, we will commence the adjourned hearing for the Three Capes project.

Ms McCONNELL - I had largely finished speaking to the submission but had a couple of additional points to make. I think Greg had a query about infrastructure and sensitive huts. I don't know if people have had a chance to look at the hut designs but I have copied two of the proposed hut designs from the development application for Tasman Peninsula just to illustrate the fact that we do not believe that they are sensitive for a national park. They are very big, the design does not nestle into the place and they have quite a high visual impact. I would like to submit those. They just emphasise our concerns about the infrastructure. Also in the development application I noted that it said that there may also be colour but it was not specific. Again, there are some general design things that, in our view, make it clear that there is limited sensitivity to those huts being in a national park.

With the new staged approach there are a couple of issues the TMPA are concerned about. I think that I mentioned that we felt that there was not a lot of information about how the staged approach was going to work. One of our concerns was that the proposal was that people start by ferry across the bay to Denman's Cove, and there was a proposal to put the hut in at Surveyors Cove.

We are interested in this proposal because in our view it is a very short walk from Denmans Cove to Surveyors Cove and we question the necessity to put that hut in at Surveyors Cove. In the interests of limiting the infrastructure in the national park we suggest that probably is not needed and that it is not really a three-night walk but a two-night or three-day walk.

The other issue related to that is that the government in talking about the advantages of the Three Capes Track has said that it will be blended with day-walk opportunities so part of the proposal is to promote the day-walk opportunities.

One of our concerns - if it is staged - is that the Cape Hauy track has been upgraded as a day walk, so that's a better day walk and we've been happy with doing that. However, we are unhappy about the degree of work that's being done on it - we think it's too much. One of our concerns is that, if the Three Capes Track doesn't proceed beyond stage one and it's only the eastern half - a two capes track - then the Cape Raoul day walk won't be upgraded. We've been saying we believe the best economic opportunity for walks down

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on the Tasman Peninsula is through promoters of day walks. Even with a staged approach and even if only the eastern stage gets built initially, we would like to see a commitment to upgrading the Cape Raoul walk as well, so that shorter overnight walk, plus all the good day walks, can be promoted as a bundle.

That's largely it. As a concluding comment, TNPA's view is that there's potential for overnight walking there. We believe that what's being proposed is way too much, and I alluded to that in my submission. It's very much like the story of Cinderella and the ugly stepsisters - trying to squeeze their feet into a glass slipper. In our view, there are some other opportunities that would fit a lot better into that glass slipper.

Ms WHITE - Chair, can I ask a question of Anne. I have read the transcript from the last meeting. I apologise that I wasn't here but I've read your submission. I want to get a better understanding about who TNPA is. Are you a membership organisation?

Ms McCONNELL - Yes, that's right. We are an environmental non-government organisation. We have just over 100 members. In a way, we are the organisation that advocates on behalf of the reserved estate in Tasmania - the conservation areas. There are obviously a lot of environmental organisations in Tasmania but the organisation started in 2001 and, at that point, there was sort of a gap with no one really looking at parks' management. They were dealing with broader issues with a lot of focus on forestry. TCT, for example, covers a big range of issues and we felt that there wasn't enough scrutiny of what was happening in the conservation estate in Tasmania. So that's where we focused our energy, as well as on other conservation reserves. But, yes, because there's so much national park in Tasmania - we've got the wilderness and World Heritage areas.

Ms WHITE - Do people pay a subscription to become a member?

Ms McCONNELL - Yes, there's an annual subscription.

Ms WHITE - You've got 100 financial members?

Ms McCONNELL - Yes, we usually have somewhere between 100 and 150 members. I guess we regard ourselves as a fairly professional advocacy group with a lot of expertise in natural cultural values, and management of parks and planning. We can talk fairly professionally about a lot of issues that come up.

CHAIR - Maybe I should join.

Ms McCONNELL - Yes, you should.

Laughter.

Mr BOOTH - Briefly, your submission has been pretty broad and the evidence you've given is useful. I want to flesh it out a bit more - your suggestion that should become a project of state significance. Can you explain to the committee how that would make a difference in terms of potential outcomes, and whether you feel that the assessment has not been able to get to all the areas that should have been covered?

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Ms McCONNELL - Certainly. I guess our core concerns are that, as we mentioned before, this development proposal, as a project, has not had any external scrutiny. It's been entirely approved within Parks through their internal process, which they can do under the legislation and the way it has been set up to determine approvals. It's been unfortunate in this case because it's such a large proposal, such a large project, and I guess it's been contested, but there's been really no opportunity to have any of the decision reviewed at any level. In our view, and in the view of others, there are alternatives that should be considered. We think there are other alternatives that would have less impact on the environment, better social outcomes and definitely better economic outcomes for the Tasman Peninsula. Because of the concerns about the economics and other things, we believe there really should be some external independent review. We looked at the options that were available and we considered 'projects of regional significance' but in terms of how that mechanism works, we didn't feel that offered a sufficient independent review. Then we looked at 'projects of state significance' and we believe that it meets the criteria for a project of state significance. Certainly the tourism industry sees it as a really important tourism development of state significance and has stated so publicly. The mechanism for a project of state significance allows for a cross-section of experts to review the proposal and because that committee can set the terms of reference, it would enable alternatives to be looked at again.

Mr McGLONE - The minister, in response to our letter to the Premier, did not deny that project would meet the criteria for a POSS. He simply said that he didn't believe any additional assessment was required, and we disagree with that. He didn't deny that it ticked the boxes.

Ms McCONNELL - Yes. The minister's response was that it had gone through a rigorous approval process and we don't believe that's the case because it hasn't had any external review, no alternatives have been reviewed and the additional concern we have had recently is that it appears the only opportunity for public input to the process has been through commenting on the draft development proposal and environmental management plan. We have not seen a finalised DPEMP that takes into account, or comments on, any of the public comment that was received. We know that a lot of that public comment expressed a number of concerns. It has also been a concern to us that the draft DPEMP was submitted for public comment, rather than the finalised one. We think there are some issues there. The DPEMP also acknowledges that there are some environmental impacts and we think some of that should be reviewed further and that some of the environmental impact assessments need to be either completed or done more formally. For example, visual impacts on Port Arthur and the Aboriginal heritage assessments are not completed.

All those things, in our view, are grounds to say that the assessment process is not rigorous.

Mr BOOTH - Therefore, are you suggesting there would be a better outcome through a POSS process, whatever came out of it? It would enhance the project.

Ms McCONNELL - Yes, in our view, particularly if it allowed consideration of alternatives. We would be very happy if that process concluded that this was the best approach - we'd

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stand back and let it happen. But after all the assessments we have done of it, we think there are much better alternatives on all levels.

Mr McGLONE - Part of the problem is that there has been no independent scrutiny of the entire Three Capes project. Quite a lot of the assessments have either not been done or they have been done really poorly. There is a whole list of them. For example, one thing to emphasise is that the Aboriginal assessment was done by a non-Aboriginal organisation which recommended to the Parks service that, prior to construction, the Aboriginal community had to look at every site of significance and decide what they believed ought to happen. That never happened. Certainly we have seen no public acknowledgement of it.

Mr BOOTH - There has been no feedback anyway, available to those -

Mr McGLONE - I don't think there has been any involvement of the Tasmanian Aboriginal community at all, even though the consultant's report recommended it.

Ms WHITE - I don't believe that to be correct because we had a site visit to Cape Hauy. We were all there and we were informed at that stage that before the ban was in place, the Aboriginal heritage officers did go out and thoroughly assess that part of the track.

Mr McGLONE - It was incomplete. That is what I have been told. They literally had to put tools down when the order came out from their own organisation.

Ms WHITE - I don't think that is accurate.

Ms McCONNELL - Our understanding is that the final report and final conclusions have not been subject to community consultation.

Ms WHITE - We can ask that again of the department. But I don't believe that is entirely accurate.

Mr McGLONE - You are right, there was some Aboriginal assessment. Then again, the non-Aboriginal consultant's report said that where there were concerns, regarding the whole range of sites, those sites ought to be looked at by the Aboriginal community.

Ms WHITE - Remember, too, there was a ban on Aboriginal heritage officers conducting that work, so that may have also been a factor.

Ms McCONNELL - That is the reason why it wasn't completed in the normal way but it still means that the community haven't been consulted on the proposal and the final recommendations, which is the normal process, and it is because of the ban.

Mr McGLONE - It is interesting that one institution of the government, that I know of, has, since the ban, struck up a MOU with the Aboriginal community to recommence Aboriginal community assessments, and that is the Irrigation Board. If they can do it, I am wondering why the Parks service has not.

Mr BOOTH - Are you suggesting that assessment be done properly?

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Ms McCONNELL - Completed. Also, there has been a general assessment, a very informal assessment, of the visual impacts of the track and Surveyors Cove hut siting and things like that. It was done before the hut designs were finalised, as is my understanding, but there has been no formal professional assessment of that and, given that Port Arthur is a World Heritage area, I think that is a necessity.

We are not wedded to the project of state significance process as the way for an independent review. We would be happy with an alternative as long as it did have true independence and scrutiny by the right expertise and looked at the options.

Mr BOOTH - Rather than effectively a proponent assessing its own project; is that what you are suggesting?

Ms McCONNELL - Exactly. As we said right at the beginning, this is quite unusual and we think it warrants extra scrutiny because at this stage the proponent is the same person as the approving body and the regulator, so it is entirely in-house and it has had no real independent scrutiny. When the draft management plan was put up and there was public consultation on that which changed the Tasman National Park Management Plan to enable the Three Capes Track to happen, the RPDC then reviewed that and made comment but that was not a review of the project. There was only a feasibility study at that stage.

Ms WHITE - In fairness, it has had to go to the local planning authority, the council, and they have approved it so are you saying that the council is not an appropriate body to approve it?

Mr McGLONE - They are only required to look at a very narrow range of issues. They do not have the head of power to look at a whole range of issues to do with appropriate development in a national park, nor do they have the expertise to look at phytophthora management, wedge-tail eagle management, you name it, all those issues which the council, even if they wanted to, clearly don't have in-house expertise.

Ms WHITE - I am just trying to understand your concerns because I would imagine that the department has a good reputation and are good stewards of the land they look after and they are very cognisant of the issues that you have just raised around wedge-tailed eagles and other natural heritage landscapes. Do you doubt their ability to be able to manage this appropriately?

Mr McGLONE - With this case, yes.

Ms WHITE - You do not think they have the appropriate expertise within the department to do it?

Mr McGLONE - If they do they haven't utilised them. We have made it very clear in all of our submissions. I think for reasons that I don't really want to speculate on they have done a very poor assessment. There is a whole range of issues, some of which we haven't mentioned, that they haven't even looked at let alone assessed properly. It is ironic that wilderness values haven't been assessed even though the publicity that keeps coming out refers to it as being a wilderness experience.

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Ms WHITE - What do you define as a wilderness value?

Ms McCONNELL - There is actually a national wilderness mapping and it includes the Tasman Peninsular and how it affects the wilderness values.

Ms WHITE - Who did that mapping?

Mr McGLONE - I think it came out of the original regional forestry agreement.

Ms McCONNELL - One of our comments on the DPMP was that they hadn't actually assessed wilderness values and there is actually material there to do it against. At the previous meeting one of the things we raised was that this proposal is not actually in line with the recommendations of the 2006 scoping study so we don't know what is behind the proposal but it has been quite an unusual project development. There has been a complete disinterest in looking at any alternatives or looking at any criticism of the original process. There have been some adjustments made because of some of the comments that have come out of groups like the TNPA and from the local community but we don't believe they go far enough. It would seem to us that it is an unusual project and the impetus for it and the style of it is not necessarily entirely the design of the Parks staff if they had free will in it.

Mr BOOTH - Do you think that there are opportunities to develop an acceptable level of infrastructure at a far cheaper price and still deliver the same outcomes in terms of increasing visitation and looking after the values of the area and so forth?

Ms McCONNELL - We haven't assessed, for example, cheaper huts. We have had a track worker look at the costs of an alternative track which would be using the Pirates Bay to Fortescue Bay and then around to Denmans Cove section and have temporary platforms with toilets at a small number of camp sites. That way you could use Fortescue Bay, which already has facilities, and you would have a couple of extra ones. We believe that at a lesser standard than the current track you could probably have all that plus some car parking for between \$12 and \$15 million, but that would be temporary platforms, and it is only the eastern half of the peninsula.

Ms WHITE - What would the life of a track be?

Ms McCONNELL - We believe a track of that standard would probably have the same life as the current track. In the last meeting there was some discussion about that, but our view is that the current track, the Cape Haury upgrade, is extremely over-engineered, and a lot of money has gone into making it look nice rather than just having it meet the track standard for a long-lasting track. You have all seen the track, haven't you? There is a lot of very regular stonework, very neat edges and square shaped rock. That is not necessary for maintaining the track. You can do a somewhat less detailed job and still have a track of a good standard that will be long lasting. So we think there are some cost-savings, and with the hut designs - and this is not my area of professional expertise - we believe you could have a much more environmentally sensitive, smaller scale set of huts that would be cheaper to build.

Mr McGLONE - The other side of the ledger is whether this sort of proposal Anne has outlined would earn the same amount of money, and I do not think that we can speculate,

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nor can the Parks Service. We went into some detail last time and there were concerns about a business case, and the failure to measure likely market demand. Would a smaller, less expensive track earn us as much money? It is quite feasible, and the options should have been put out to some sort of independent financial analysis to determine real numbers of likely walkers, not just basing the number of people that Parks thinks will walk the Three Capes Track on the basis that 10 000 is the limit that can walk the Overland Track.

Ms McCONNELL - Our understanding of the costings from the feasibility study - and we haven't seen any later ones - is that the cost of establishing the track will never be recouped, and the fee for walking the track will pay for the ongoing running of the track and the maintenance of the infrastructure, and at that level we did not have a problem with it. But what it means is that for the people coming to spend six days on the Three Capes Track, bringing no additional money for that experience to Tasmania, certainly not to the Tasman Peninsula. The income that is going to be generated is largely from indirect spending by the additional days it is supposed those people will stay, but again our argument is that they have used a model which is exactly the Overland Track model and in our view the Three Capes Track is highly likely to be the second choice of most people. It means they have already been to Tasmania and they are less likely to spend the same amount of time and have the same spending patterns in general. There might be a few people that come for longer and this is another reason we think the economics need to be reconsidered. In terms of the alternative models and less cost, in our view it is the spending of day visitors who spend extra time on the Tasman Peninsula doing the day walks and things like that which is going to bring the money to the Tasman Peninsula. We are quite interested in seeing the day walks promoted and upgraded so that they can support additional visitor numbers.

CHAIR - At the moment, Kim, we are on projects of state significance, but if you want to go to another theme I will defer to Greg and then to Adam but if you are still on POSS we will stick with that theme.

Mr BOOTH - I suppose it goes to the areas that perhaps should be considered under a POSS, so it is on the same line. I have a couple more questions on that area. First of all whether the Parks Association feel that money spent on parks should be justifiable on the basis of a business case, a financial model, so that the parks are seen as a genuine contributor to the state's economy, for example, and a viable financial model and therefore, I suppose, flowing from that whether it would be the preference of the Parks Association to see the available budget for this track that is currently available, if it were able to be spent in other areas of parks management or maintenance around the state, and still create a \$15 million model - a track you were talking about there - would that be your preference, that the money would be better spent elsewhere and still be able to achieve what is intended?

Ms McCONNELL - It certainly would. We're conscious that Park's budget generally is pretty minimal and they have limited money. We know they are getting a lot of money to manage infrastructure, but they are still struggling to manage the infrastructure that they have. One of our concerns, and again we alluded to it last time, is that a lot of the economic figures that are being put about for the Three Capes Track in its current configuration, in our view are not well substantiated. They are not quite wishful thinking, but they are a very optimistic take on the numbers.

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Mr McGLONE - You are being very kind.

Ms McCONNELL - Our view has been that there are advantages to starting small and cheaply and, if the track experience proves to be something that interests people, then looking at expanding that. We are concerned that this is not going to get the 10 000 people per year, it will not be financially viable and Parks will be left with a white elephant that is going to sit in the park. It will be potentially an embarrassment and there will potentially be rehabilitation that is required, which will be an additional cost. In our view a much more sensible approach is to start small and grow it if it looks like a viable proposal.

We think that the day walks are really important, so promote the day walks, have a small overnight walk and see how that goes.

Mr BOOTH - You mentioned the economic modelling and I cannot find it here in the evidence, but I think it was Tourism Tasmania that had given that grandiose -

Ms WHITE - Tourism Industry Council.

Mr BOOTH - It was the Tourism Industry Council that had made a fairly serious mistake in terms of the value of the numbers they are expecting. That would be the sort of thing that you would want to see assessed properly through a cost process basis and those sorts of things. Peter, do you have a consolidated list of the areas that you feel have not been properly scrutinised through this process and could you provide that to the committee either now or later?

Mr McGLONE - Yes, I can get it. It's the letter we sent to the Premier.

Mr BOOTH - Are you able to put that into *Hansard* as evidence?

Mr McGLONE - I'll find it before I leave.

Mr BOOTH - The other thing, and I don't want to verbal you here so if this is incorrect say so - but it appeared to me that you indicated that there was some dissatisfaction amongst Parks staff or other members of Parks who may disagree with this. Is there a position that you would be suggesting that it is something that has been a political decision to build this track rather than a properly considered strategy of the Parks service? It's gone through a normal process; is there something unusual about this?

CHAIR - Peter, you mentioned you had written to the Premier. Is that the letter of 14 February of this year?

Mr McGLONE - Yes, did I send that to you?

CHAIR - If that's the case the committee has that as part of the submission, which the Tasmanian Conservation Trust has given us, so we don't need to read that into *Hansard*. We don't particularly need to go into a lengthy response either because we have that in its entirety.

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Ms McCONNELL - There is also a letter of July or August.

Mr McGLONE - To the Premier.

Ms McCONNELL - Yes, a follow-up letter.

Mr McGLONE - I'm happy to find them and table them as well.

Ms McCONNELL - Didn't we table them with the original submission?

CHAIR - Let us not try to guess what we did or didn't. The committee has what it has as Peter's submission and your submission likewise, Anne, but if there are other matters which you want to provide for us then that's your prerogative.

Mr BOOTH - Just a clarification, Chair, I was aware that we did have that in the written submission, but for people reading the transcript of this evidence it is useful for them to have it -

CHAIR - We won't be reading the letter into *Hansard*.

Mr BOOTH - No, not the whole letter, only the areas that require further assessment, not the entire letter.

CHAIR - Of course, the letter in its entirety will be on the website as part of our reporting process.

Mr BOOTH - Well, I'm in your hands, Chair, if you would prefer that be the case. Perhaps if we could make sure that if there are areas that you haven't been included in that previous letter that they be provided. A subsequent letter, perhaps, to be put up on the web as well.

Mr McGLONE - There was a question earlier about whether the Parks service ought to be earning money for the broader community et cetera. I think one of the key attributes of the POSS process is that it is very integrated. It looks at economic issues as well as environmental and social issues.

One of the things we were trying to emphasise last time with the criticisms about the failure to do a proper demand study is that really it is an issue for the community to decide, if they have all the facts, whether they think that the cost in terms of taxpayer investment plus the cost of local environmental impacts, if properly assessed, are outweighed by economic and social benefits. I can't think of too many environmental benefits.

That is really all we are asking for - whether it is through POSS or another process - that the community of Tasmania gets to see a proper integrated assessment that in effect does a cost benefit analysis that looks at social, economic and environmental impacts.

Without going back into failure of the environmental assessments, last time we discussed in some detail the lack of the demand study, which is crucial because you can't attempt to determine the likely income if you do not know how many people will walk it. Every bit

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of income that flows follows the number of walkers that actually decide to walk it, indirect and direct.

What we discovered last time with evidence from the project manager was that not only had the cost of the investment gone from \$33 million to \$40 million, and that they confirmed that that demand study had not been done, but we also found out that they estimate now that 6 000 walkers a year would be required before the project started to break even. That is important because the government from day one has promised that all the maintenance costs of all of the infrastructure would be paid out of walkers' fees.

I certainly find it hard to believe that 6 000 will walk this track in the first year and maybe for many years afterwards. That means Treasury would have to start handing out more money to the Parks service to maintain this infrastructure. Maybe we will never get to 6 000.

Mr BOOTH - What would the consequences be then of the thing not achieving the predictions? In other words, not earning sufficient money for sufficient staff on the track itself.

Mr McGLONE - Either the Treasury provides the balance of the funding that is required to maintain all the infrastructure - and the environmental management, I must add - and if they do not get the required money, buildings and tracks and environmental values will probably be left to deteriorate. People surveys won't get done, track repairs won't get done, hut repairs won't get done.

Mr HALL - Following on from Rebecca - and I hear your concerns - it seems you are concerned about the level of scrutiny in this project and I admit it is a large project. I think Rebecca mentioned it has been through Tasman Council even though Peter said they are a small council and did not have the expertise to properly assess matters. But then again I am just reading here that the Parks and Wildlife reserve activity assessment process has been done and also the process has gone through the Australian Government's EPBC act legislation. I hope you are not discounting this committee -

Ms McCONNELL - Not at all.

Mr HALL - as a scrutiny committee. This is up there in terms of dollars, but it is a democratic process: you are giving evidence and we weigh that against what Parks are saying and others. This committee has some experience in doing that, some of us over many years, so I am putting it to you that you should take into account that this is another level of scrutiny.

Ms McCONNELL - We accept that. We were not aware that it would happen so we are really pleased that this level of scrutiny is happening. Our concern is that there are a number of issues that haven't really been reviewed. So not to go into any detail, the federal government were only interested in environmental issues and they can only be interested in things that are related to matters of national environmental significance.

Mr McGLONE - Can I butt in there because the decision by the commonwealth government was that it was not a controlled action which required a full assessment. So they just did a preliminary assessment and decided, quite incorrectly we believe, that it was not likely to have significant impacts on EPDC values, and when clearly it was highly likely to.

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We won't go into the reasons for why that happened, but to say that there was an assessment at the commonwealth level is not telling the full truth.

Mr HALL - When did they do that?

Mr McGLONE - I don't have the dates in front of me.

MS McCONNELL - It was done in November last year I believe, round about the time that the drafting DPMP came out. Our view is that, while there have been some assessments, the ones you've mentioned, the Tasman Council doesn't have the expertise to look at any of the environmental issues. They haven't really looked at the economic ones and they just ticked it off from a Tasman planning scheme point of view. And in our view we are even concerned that some of the hut designs don't actually pass the Tasman planning scheme requirements because of their height above ground, but it seems to have been overlooked.

There has been no assessment of alternatives, although we have been saying that we believe that there are much better alternatives. There has been no expert assessment of the full environmental values and the quality of the environment impact assessments. And we haven't seen a finalised business case for any of it, including a revised one with staging. So in our view there should be a proper economic assessment and of a full business plan with this case. We don't believe any of those aspects have been assessed, and that is the core of our concern.

Mr McCONNELL - I can't find the date here, but I think it was early February this year, the commonwealth made the decision. I believe the Tasman planning scheme is probably the oldest in Tasmania; it dates back to 1979 I seem to recall. It is elementary in terms of the range of environmental issues that you would have thought a council would consider.

Mr BROOKS - I wanted to go back to one of the earlier comments. Could you elaborate more, for the public record and your benefit? You mentioned environmental constraints, and the visual impact, particularly for Port Arthur. Can you go through what you mean by that and what you think should be done?

MS McCONNELL - The draft DPMP has a section on potential visual impacts, but it was clearly not done by anybody with any expertise, either heritage or visual impact assessment. There is no appendix that has a reference report; there is no reference report, so we assume it was done largely in-house. And it makes general statements like, 'It is unlikely that it will have any impact.' In our view that is not good enough. I work in heritage and I work in landscape heritage as well as other areas so in my view there is some potential for impact and it does warrant a substantive assessment. Another issue with visual impact -

Mr BROOKS - What sort of impact?

MS McCONNELL - Visual impact. The heritage significance of Port Arthur is in relationship to its convict history. And if you have a modern infrastructure and people moving through the bush on the other side of the peninsula where it was technically wilderness country, unspoilt natural bush that people didn't want to escape into, then that is going to change the setting. Settings are an important aspect of the significance of a

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heritage place. And for something as important as Port Arthur and its world heritage significance, the setting of Port Arthur is quite critical to people's appreciation.

Mr BROOKS - You probably wouldn't have had tourists there years ago.

MS McCONNELL - Yes, I know.

Mr BROOKS - I understand what you mean, but surely the visual impact of Port Arthur, whilst it is wonderful with the heritage buildings that are there, there are some modernised facilities, including a big boat.

MS McCONNELL - This is more about the setting of Port Arthur. Yes, inside Port Arthur has changed, but if you want people to go to Port Arthur and feel what it was like for a convict and the convict experience, then it's really important that the surroundings are as close to the original surroundings as possible.

Mr McGLONE - And the landscape, the lawns mowed.

Mr BROOKS - With the exception of the big boat.

Mr BOOTH - Can I clarify that? Adam has asked a question about the effects. Are you saying you think there is likely to be a landscape impact that may reduce the heritage values of Port Arthur, and that could be ameliorated or be completely taken away by some relocation of what? The track or buildings or something like that? Is that the issue? This is not that you should not have the development but it is inappropriately sited in some cases - is that what you are getting at?

Ms McCONNELL - Potentially. The DPMP makes the claim it is unlikely there will be any impacts. We think because of the importance of Port Arthur and it is a world heritage site now, that that should be properly done. The claim also depends somewhat on the siting of the hut at Surveyor's Cove.

It depends on the track location and the density of trees, and where the track goes depends on the location of the hut at Surveyor's Cove and also on the design of the hut. When that assessment was done there were no design plans for those huts so in our view it is not appropriate to claim that, unless you have all that information and you have done a proper assessment.

Mr HALL - With respect, Anne, you are talking about Surveyor's Cove hut on this map.

Ms McCONNELL - Yes.

Mr HALL - You are at least six kilometres away from the built heritage of Port Arthur, the proposed hut. Surely that could be screened and would the hut be visible? You are still a number of kilometres and could I say you already have man-made sealed roads and everything else around the historical precinct and modern buildings. I find that difficult to sustain.

Ms McCONNELL - If you stand on the coastline of Port Arthur there are very few modern buildings that you can see. They have been quite careful in the design of Port Arthur

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with the recent visitors' centre. The visitors' centre is the one area that to try and screen the car parks and the modern roads, most of which sit around the back of it, so one of the key viewscapes from Port Arthur is across Long Bay to that undisturbed vegetation.

Mr HALL - There is no track down there at the moment? There is not a walking track?

Ms McConnell - No.

Mr HALL - There is nothing there at all?

Ms McConnell - Not visible and certainly not 60 people a day using it.

Mr Brooks - There is a walking track to the -

Ms McConnell - There is a walking track into Denman's Cove but it is an informal footpath, as I understand it. Port Arthur is not the core of the historic site, there is also the Isle of the Dead so I would agree that from Port Arthur the visual impacts are likely to be fairly limited because of the distance but from the Isle of the Dead and people doing Isle of the Dead trips then you get a lot closer to it.

In fact the DPMP has photos in it showing the sort of visual image of what it might look like and you can see from the Isle of the Dead that you are a lot closer. I go back to the minister having claimed it has been a rigorous assessment. We would say there are elements like this which have not had the rigorous assessment that is claimed.

Mr Brooks - There will still be tourists the other way from the Isle of the Dead as you look back towards Port Arthur. There are going to be families running around everywhere.

Ms McConnell - Yes. There won't -

Mr Brooks - I do not understand how the issue and concern is that it is okay on that side but on the other side it is not.

Ms McConnell - I think it is about infrastructure, not about people. Infrastructure is permanent, it is harder to remove, and it does create a much bigger visual impact. There would have been convicts wandering around as well so the people movements are probably less relevant.

Mr Brooks - Earlier in your evidence or recently you said it was people moving through the bush that would not have been there before.

Ms McConnell - That is on the other side where it is natural bush and historically people did not go that far as we are aware so that does make a difference.

The other aspect that has not been assessed in all of this is that it is highly likely, given the proximity of the track to the cliffs, that to maintain OH&S requirements there may need to be barriers along the cliff top.

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There is no design for those, there is no specification of where those go, but given that a lot of tourists go to the Tasman Peninsula and take those fantastic boat trips down to Tasman Island and back and they come either from Port Arthur or Fortescue Bay means there is potential for railings to be visible on the top of some of those cliffs and things like that, so you are removing some of the natural values of the area in creating a visual impact and that has not been assessed either.

Mr BOOTH - To clarify the point that Mr Brooks was trying to make there about the hut - what you are saying is the hut may be visible which would be a detrimental thing for Port Arthur and its landscapes but that you want to know whether you can see it and if you can, it might be that the hut is moved - not that there not be a hut at all and not that there not be a track but they should be placed in a way that they won't be seen and won't reduce the value of those other -

Ms O'CONNELL - That's right. If Parks is really concerned about managing that area for its natural values and minimising impacts, that is a very important aspect.

Mr McGLONE - With the issue of safety, there's no confirmation of whether they want viewing platforms with rail systems. There would probably be hundreds of metres where you could argue they ought to put in a rail system, if they decide to do that. If you put one stretch in and it's not sufficient, they will be liable because it is very easy for people to walk beyond that. In some of these areas such as Cape Raoul, which is one I am a bit more familiar with, you might need hundreds of metres.

Mr BOOTH - Like the railings around the Blowhole?

Mr McGLONE - Yes, chest height would be standard.

Mr BROOKS - There are dangerous tracks throughout the state. For example, Cradle Mountain - there are a lot of dangerous areas there.

Ms O'CONNELL - As Peter said, our concern is it hasn't been addressed in the DPMP and we would like to know whether it's going to be necessary or not. That will also impact on the costs, and they have not been costed in. We would hate to see a situation where it's not discussed and suddenly it becomes a new issue.

Mr McGLONE - The people being attracted are people who don't want the most arduous walk. These are tracks that are going to be made quite easy to walk on, so you are attracting people who probably don't really know what to expect.

Mr BROOKS - It wasn't that easy.

Mr McGLONE - I know from a lifetime of experience it can be extremely windy, for example, and you can be blown off your feet. You know that if you're an experienced bushwalker in Tasmania. People who have just got off the boat from the mainland with a pair of sneakers and a daypack probably don't expect that sort of thing.

Ms O'CONNELL - I guess one of our real concerns is that, so far, we have only seen a draft DPMP, so as the public we have no confidence in what this development will ultimately look like because we don't know whether there is going to be a finalised

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DPEMP that might change things. In our view, a finalised DPEMP is needed so there is some confidence about exactly what this track is going to look like and exactly how it's going to be managed. It is of concern to us that document hasn't appeared and been made public.

CHAIR - I am going to intervene because that's the second time today you have made reference to that. It is the third time in the hearing because reference was made last time. I am very conscious of repetition through this hearing. I've read the transcript and I have been looking back as we have been having this exchange, and from the members' point of view, and also the witnesses, I am very conscious of that. We have a lot of evidence on the record already so I would ask all of us to be conscious of that. I will continue to listen closely and, if need be, I will provide a ruling as to that process.

Mr McGLONE - I do not know that I have a lot more to add, but I will emphasise one thing as a snapshot. I talked before about our philosophy of how we ought to present the community with a full cost benefit analysis. When you consider all the environmental impacts and the failure to assess them properly, I think it is quite extraordinary that we're talking about the Parks Service here. I grew up always believing they were the white knights and I have discovered, not just with Three Capes, that they are anything but. As a snapshot, Three Capes involves the construction and clearing of native vegetation to construct 40 kilometres of new track, as well as the disturbance of vegetation for widening and re-routing a further 20 kilometres of track. There is also clearing for accommodation huts, plus all the other infrastructure, that amounts to nine small villages. You can estimate the total clearing by saying this is equivalent to 290 house blocks, spread out as it is. Vegetation clearing will include destruction of patches of three threatened forest communities and populations of three state-listed plant species. There will be an increase of walkers entering areas that previously they would not have entered in large numbers, with the potential to introduce *Phytophthora* into areas which are vulnerable. There will be the added impact of people walking in areas close to eagle nests - wedge-tailed sea eagle nests - where previously they wouldn't have. Even though there have been precautions taken, currently the situation is that many of these nests do not see any visitation at all. There is a diminishing of the wilderness values, as we mentioned before, the visual impacts, and if they proceed along the current plans there will be some destruction of, or damage to, Aboriginal values. All of this is being portrayed as an environmentally friendly development, which clearly it is not. And on top of that, the public are being asked to pay for it. Every year the cost goes up. It started off, I think, in 2007 at \$15 million. Last year it was \$33 million. This year it is \$40 million. They are being asked to absorb the potential added maintenance costs as well.

CHAIR - Could I just interrupt and ask where you get the \$40 million from, please.

Mr McGLONE - The presentation by the project manager at the last hearing. He said that, based on the costings for the currently completed track at Cape Hauy, his estimate was that it was \$40 million.

Ms McCONNELL - He did it in two stages of twenty-three point something million and sixteen point something million.

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Mr McGLONE - Which worked out to be precisely \$40 million. I don't want to add anything further, but I just want to put that on record. We are talking about a major environmental impact, some of it potential, I admit, but it is a major environmental impact in a national park, paid for by the taxpayers of Tasmania on the promise of an income that has not been justified. It could be that it will become a white elephant that costs the taxpayer more money to maintain.

CHAIR - I just have one overarching question. I go back to the project of state significance proposition that you put to the committee. Does that suggest you would accept the project as a POSS, or is it just a mechanism for the project to be more rigorously scrutinised, given that you feel it has not been rigorously scrutinised?

Mr McGLONE - It meets the criteria for a POSS, yes.

Ms McCONNELL - We believe that it is a project of state significance inasmuch as it is creating a precedent, not only in Tasmania, for a new form of walking track and overnight accommodation in national parks, but also at a national level. I know the project is being looked at with interest nationally. So from our point of view, given that we believe it has very high environmental impacts that are unacceptable in a national park context, we believe it needs the highest level of scrutiny.

CHAIR - So, if the project received the relevant approval, then it would be taken, given your evidence, that indeed it is a project of such significance?

Ms McCONNELL - Particularly if the economics backed that up as well.

CHAIR - All of that being equal, if it was approved - because that is the assessment - then indeed it is a project of state significance.

Mr McGLONE - It could be determined to be a project of state significance on other grounds apart from economic benefit, but one of the things we flagged in the letter to the Premier was that the Tourism Industry Association commented to the effect that it was probably the most important, infrastructure project currently on the table for the Tasmanian tourism industry. That sounds very much like they believe it ticks the economic criteria boxes.

Ms McCONNELL - I guess my answer is that it is a project of state significance because of the precedent it creates for other projects of the same type in Tasmania. It appears to be seen by government and the tourism industry as economically significant, at that level. If their numbers are to be accepted, then I guess it would be a highly significant project. Part of our concern is that those numbers are not valid, so it is hard to make a comment.

CHAIR - Okay. Thank you very much. We will ask you both to vacate the table and I am pretty sure we will be calling the departmental people back for further consideration, because we cut them short last time so we could hear from both of you. Thank you.

THE WITNESSES WITHDREW.

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Mr KIM EVANS, SECRETARY, DEPARTMENT OF PRIMARY INDUSTRIES, PARKS, WATER AND ENVIRONMENT, Mr ANDREW ROBERTS, DIRECTOR, COMMERCIAL AND BUSINESS SERVICES, PARKS AND WILDLIFE SERVICE, AND Mr COLIN SHEPHERD, PROJECT MANAGER (THREE CAPES TRACK), TASMANIAN PARKS AND WILDLIFE SERVICE, WERE RECALLED AND WERE EXAMINED. Mr PETER MOONEY, GENERAL MANAGER, PARKS AND WILDLIFE SERVICE, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR - Kim, you gave your introductory comments last time and we are going to focus with Colin again and maybe with some contributions from Peter.

Mr EVANS - That's right. If I could add that last time we set the context in terms of the background to the project, making the point that it didn't arrive out of thin air. We were funded to do a feasibility study in 2007 and on that basis both the federal and state government agreed to fund this particular project and from there we have proceeded to work the detail up and put it through the approvals processes.

We were asked at the last hearing to provide copies of the background paper, the scoping study, from which we came down to this particular project and also the feasibility study and we have provided both of those. We have provided the background information that was requested of us at that point and the rest of what we have to say can come out during questions.

Ms WHITE - You heard the evidence provided by witnesses who have left the table now, but one of the questions they did raise was around the Aboriginal assessments. Would you like to address that please, whether it was done or otherwise?

Mr SHEPHERD - We engaged Entura as our archaeologists and they were accompanied by an Aboriginal Heritage Officer and we were able to engage them prior to the ban being put in place. Before the ban was put in place they surveyed approximately 60 per cent of the whole track and they were surveying over an eight metre wide corridor based on their opinion that if they tried to assess over a wider corridor than that they would struggle. They did that work for us. The ban was put in place and although we wanted a full ground survey to be undertaken, as is best practice with the industry, we weren't able to do that because the ban was in place.

We spoke with the AHO, who had accompanied Entura, and the early feedback we received, both from the archaeologist and from the AHO, was that in most places ground visibility was very poor as soon as you left the established tracks. As has been pointed out by Mr McGlone and Ms McConnell, 40 kilometres is new track and 20 kilometres, or thereabouts, is existing track, so a large proportion of it was new track where the ground visibility was extremely poor. We are talking zero to 10 per cent or less. They said it was a difficult exercise at the best of times and even where they were trying to survey the eight metre wide corridor where there was existing track, ground visibility was poor once you got off the one or two metres of track that you could see. Their suggestion was that we should use an unanticipated discovery protocol to deal with Aboriginal heritage issues if and when they arose. We used that protocol out on Cape Haug. As part of the

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work we discovered two additional heritage artefacts and they were both assessed by an AHO and an archaeologist.

In all of the work that we have done we have the correspondence where we can clearly show that we approached both Tasmanian Aboriginal Centre and the Tasmanian Aboriginal Land and Sea Council. We provided them with copies of all of the reports that were done and we asked them if they would like to engage with us and provide us with a community position on the work we were doing and, because there was a ban in place, they declined.

Mr BOOTH - So it hasn't been done then?

Mr SHEPHERD - It hasn't been done. No, a heritage assessment with community involvement has not been done.

Mr EVANS - But a heritage assessment has been done.

Mr SHEPHERD - That's right. You need to understand, and I am sure you probably do, but you can do an archaeological assessment and then you can do a heritage assessment. The only people who are qualified to do the assessment of Aboriginal values are the Aboriginal community and whilst we were able to get some preliminary work done until the ban was put in place, not through want of trying, we have asked them on numerous occasions if they would like to engage and because there is a ban in place they have declined to do that and we respect that.

Mr BOOTH - After the ban has been lifted would you contemplate -

Mr EVANS - The ban is still technically in place. There are some AHOs who are back at work, but that is contrary to the Aboriginal community's view of the ban.

Mr BOOTH - Sorry, I was repeating something from prior evidence -

Mr SHEPHERD - As I have said in discussion with the AHO because the ground visibility was so poor he has provided me with advice where he says the use of an unanticipated discovery protocol, he thinks, is the correct way for us to move forward.

Ms WHITE - The community has given support to that, do you know?

Mr SHEPHERD - I do not know that the community has necessarily given support to that.

Ms WHITE - The AHO you engaged gave support to that?

Mr SHEPHERD - That's right.

CHAIR - Flowing from that, do you anticipate, in the event that the project is approved, any intervention by the Aboriginal community?

Mr SHEPHERD - I don't anticipate any intervention, no. We've been able to demonstrate that we upgraded Cape Haug and we are able to build quite sensitively over two heritage sites, which with the existing track in place were being impacted by walkers on the

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existing track. By building sensitively over the top of that we are able to protect those values that were identified and we have done it in such a way that the community seems comfortable, and they are aware of what we have done and they haven't raised any issues with us about the work that we have done today.

CHAIR - Colin, while you mention protection of values by an infrastructure process, is it a legislative requirement to support that?

Mr SHEPHERD - Under the Aboriginal Relics Act if you interfere with a relic you need to have a permit to do so. With the Cape Hauy section of the track we needed to have a permit to do the work that we wanted to do.

With the approach that we took, where we laid the geotextile fabric over the top of the existing track, thereby covering the surface artefacts that had been exposed, and then built over that using only hand labour, that permit allowed for us to do that and we've been able to protect those values that were there. That was the approach that we took based on the recommendations from the archaeologist and the AHO.

Under the legislative requirements, interference would usually mean something like 'disturb' so relocate or, potentially, destroy. We had two options based on their recommendations, we could pick the artefact up and move it to the side, or we could leave the artefact in situ and we could build over the top of it using the construction description that I have given you.

Mr BOOTH - Following on from that question, Chair, for clarification. You have described how you overcame the lack of a proper formal Tasmanian Aboriginal Heritage Officer assessment of the project. How do you anticipate dealing with that for the next stages of the track? Clearly you haven't got that assessment done, and presumably then you won't be able to achieve a permit to not defile an Aboriginal relic, a permit to destroy. How do you propose to move forward? I think that is what the Chair might have been getting at in terms of anticipating further issues arising.

Mr SHEPHERD - Permits are issued by the minister, and it would then be up to the minister, in the event of those finding any other material that requires a permit to disturb it, to make a decision as to whether he or she wishes to issue a permit.

Mr BOOTH - How would you assess it though, Colin? How would you find it?

Mr SHEPHERD - As Kim has said, we have AHOs who have returned to work -

Mr BOOTH - So you will have an AHO working with the track workers as the works proceed, and then something will be discovered or you will have the track workers identifying -

Mr SHEPHERD - The unanticipated discovery uses the track workers in the first instance to recognise something unusual, and we know that this works because it has happened twice with Cape Hauy. So they are very clearly able to identify an unusual style or colour of rock.

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Mr BOOTH - Just for the record, they have identified two of them. We don't know if there were a hundred that they didn't identify either, do we, because they are not AHOs, are they? The track workers notify -

Mr SHEPHERD - If you would just let me finish, that is not the process. The first process is that they will identify something that they consider unusual. At that point in time they shut down the works and they demark that area and nothing is to happen in that area until such time as an archaeologist, an AHO who has the expertise, as you quite rightly point out, will then come down and make a determination. That is what happened on Cape Hauy, so one of the artefacts that was discovered was recognised as being of Aboriginal heritage value, and the other one was described as a manuport, so it does not have Aboriginal heritage value but still has potential heritage value. So in both instances experts were brought in to make the determination. On the basis of what they recommended we were then able to move forward, and that is the process that we would anticipate to use for the rest of the track, and it was the process that was endorsed by the AHO who worked on 60 per cent of the track until such time as the ban was put in place.

Mr BOOTH - Right. I just make it clear that I have walked over what you have done and I think the work you are doing is very carefully done and there is no implication in what I am saying that you are not taking the utmost care. But there are areas now that are going to be traversed by new work that have not had an AHO looking at them, and so you are relying then on track workers who, with the best intentions in the world, are not indigenous people, they are not AHOs, they do not have any standing, so it is only when they discover something unusual that it will come to the attention and a proper assessment will be done, as you have said it is currently being done. I am putting the proposition that that is sort of an unusual way to rely on untrained people to discover something that they identify as being unusual rather than having a proper Aboriginal assessment done to identify places of Aboriginal significance or importance or whatever before the track work is done.

Mr EVANS - In an ideal world we would have done all of that work, but we have a ban in place and we have respected the spirit of that ban.

BOOTH - I understand the difficulty there, so if in fact there was no ban in place the way the track is progressed would be substantially different from the way it is now in that you would have an AHO working alongside the track workers throughout the whole project, or they would survey the route first and look for - could you perhaps explain?

Mr SHEPHERD - My understanding of the norm, if there is a development proposal, is that you would engage beforehand an archaeologist and an Aboriginal Heritage Officer to come through, and they would be able to do a surface assessment for any artefacts that might be present. They also at that point will try to - PADS or PASs - and they would then, on the basis of some of that, try to understand whether or not there might be an increased likelihood of subsurface relics or artefacts. But it all depends on the proposal that is going to be put forward. So if there is going to be no subsurface disturbance, then a surface assessment will be fine, so we would only ever have anticipated doing a surface assessment, and that is what we set out to do in the first instance: 60 per cent of that surface assessment was done, 40 per cent has not been completed. Because we are doing works that have subsurface impacts, obviously there is a risk that there could be some

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additional material disturbed and that is why we use the UDP, unanticipated discovery protocol, to deal with those.

Mr EVANS - Part of the approach here, as is the case with any linear infrastructure like irrigation pipelines, is that you can avoid with linear infrastructure because you can reroute linear infrastructure around any high risk areas or sites that you think might be prospective in terms of Aboriginal heritage.

Mr BOOTH - I guess the point I am making is that I could go out there and look for something interesting and I would be far less qualified than a track worker who probably has more experience, but neither of us would be qualified to actually make that assessment or have the relevant credentials.

CHAIR - Any further questions, members?

Mr HALL - If I can just move on to the proposed hut infrastructure. My first question is: will those proposed huts meet the building or planning requirements of the Tasman Council?

Mr SHEPHERD - By virtue of the DA being approved by the Tasman Council, the huts have met all of those requirements. Ms McConnell has given some evidence to say she had concerns about colour.

Mr HALL - I was going to ask you about all of that.

Mr SHEPHERD - One of the conditions of the development application approval is that the colour has to be approved by the general manager of the Tasman Council. My understanding of the DA approval -

Mr BOOTH - So if he likes pink that's okay.

Mr SHEPHERD - My understanding of the DA approval is that once the approval is given, obviously what we have submitted to council meets with their approval and therefore the project is able to proceed. The answer to your question is yes.

CHAIR - Just on that, though, I was just trying to recall the evidence of either Ann or Peter, I thought they said something to the effect that the plans or the huts were not available to the Tasman Council.

Mr SHEPHERD - I do not think that is what they said. I wouldn't want to put words into either Peter's or Ann's mouth, but I think what they said was the first opportunity that they had to see plans for the huts was when the development application was submitted to the Tasman Council. The council have had the design plans submitted with the DA.

Mr BOOTH - But they were different; I think they were saying to the original proposal, I think that is what they were saying.

Mr SHEPHERD - Again, I do not want to put words into either Peter's or Ann's mouth, but I don't believe that that is what they were saying because we didn't make available the designs of the huts until we submitted the DA because we simply weren't able to. We

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have had to go through a systematic process of approval. I have listened to their evidence and I have heard them say on a number of occasions that there was very limited scrutiny of this project, which I have to say I refute because through the EPBC approval we had to wait until we had the conditions that came with that before we could move towards working out what the design of the huts would be, otherwise we could have designed huts which when we received the approvals would have been effectively useless because there were conditions with the approval.

Through EPBC we gained approval about how we would deal with potential collisions from swift parrots and therefore that influenced what the designs of the huts would be. Similarly, we didn't want to start designing the huts until we gained approval from the general manager of Parks through the reserve activities assessment because again that would influence the design of the huts.

Through the RAA process it is not just Parks that does the assessment - there are a number of divisions within the Department of Primary Industries, Parks, Water and Environment who do the assessment, including the threatened species section experts and the resource management conservation division. As, hopefully, you can see, until we had the approval from EPBC and the RAA we couldn't really progress the final design of the huts because we were well aware that we were likely to get conditions about how the hut design had to end up looking, so we could deal with the values that needed to be protected within the park.

Mr HALL - I am just reading some of those conditions, non-reflective, and all that sort of stuff. Can you give an indication of the approximate dimensions of some of those huts? I don't think you provided us with those diagrams.

Mr EVANS - We had them available last time, but we ran out of time.

Mr HALL - Okay.

Ms WHITE - While you are doing that, one of the other things that was raised was lagoon platforms and barriers. Can we talk about how that matter might be considered?

Mr MOONEY - I can answer that. This track is no different from many other tracks we have in the state. We look after over 1 000 kilometres of walking track in Tasmania and we have very few barriers on most of those tracks. This track is not a track that we want to design for a lot of intrusive facilities and infrastructure like pool fencing. You go to Marion, lookout at Cradle Mountain, one of the most popular tracks, there is not one barrier on top of that landscape. Honourable member Greg knows the Walls of Jerusalem really well, Cradle Mountain park. There are no barriers at all in most of that park. There are in the very high day-use areas that are within two to three hundred metres of a car park, but we are talking about a completely different track here.

There is no expectation that there will be. We do risk assessments - we have on the Cape Haug track. We have very relevant brand new safety signs in place. They are very bold strategically placed that give very clear instructions and warnings to people about the potential difficulties further ahead, with high winds or sudden drop-offs, et cetera. We acknowledge that some of the people doing this track will be people that may be on their

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first two-hour venture. Hopefully there will be people on their first two-hour venture who get out there and enjoy it.

We have no record of anyone falling off any cliffs on the Tasman Peninsula. How long have people been walking on the Tasman Peninsula? Two hundred years.

Mr BOOTH - If they fell in the sea I suppose, you wouldn't have a record of them, would you? You mightn't find them.

Mr MOONEY - Well, there is no record of them.

Ms WHITE - Thank you for clearing that up.

Mr BOOTH - I think that is the point, isn't it, that it is inducing people who are inexperienced bushwalkers to go to places like that, and if you reference it to the fact that politicians can't go on an empty paddock without looking like Bob the Builder, carrying a shovel, because we are so concerned about safety issues.

You want to build the tiniest little development you have to put a big fence around it now, and so forth. This seems to be an extraordinary light touch, assuming that people who are going to be induced to go on a two-hour - potentially their first journey - to areas that do have - and I haven't stood on those cliffs so I am assuming - the fact that we didn't mention areas like the blow hole - I assume it's similar to that in that the edges of those cliffs are extremely dangerous and it would be quite easy for a kid or somebody wandering off to fall over the edge at the blow hole, which presumably is why they put a safety fence up. But something like that, there must be some sort of a -

Mr MOONEY - You do a risk assessment which uses a whole heap of material and criteria to come to a resolution. And you can't compare the blowhole or Devil's Kitchen with Cape Haug for example, because they have car parks within three metres of the facility.

Mr BOOTH - Sure, yes.

Mr MOONEY - So you would expect babies and strollers and elderly people to come right to the edge there.

Mr BOOTH - Yes, I accept that.

Mr MOONEY - You can't compare those two so you compare the actual situation for what it is, and in the risk assessment of Cape Haug and further along the track we are extremely conscious, and there is new harmonising legislation next year that will give us further consideration. It's an ongoing exercise; we don't do it once and forget about it, we are continually doing that. It's a consideration we have in the back of our minds all the time.

Mr BOOTH - I'm sure it goes on. It seems to be an area that's worth having a look at. Have you got that risk assessment on the table with the documents?

Mr MOONEY - No.

Mr BOOTH - Could we have that tabled for the committee?

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Mr MOONEY - We haven't got a risk assessment done for the whole track because it hasn't been built yet.

Mr BOOTH - What about the ultimate destination above the cliffs? You concurred that you had done a risk assessment, saying that you -

Mr MOONEY - We've done parts of it so far at Cape Hauy. Further on we haven't done it because the track hasn't been completed. There is a track in place now that will be upgraded and there is a brand new track that will be completed. So as it's been constructed we will do that assessment.

Mr BOOTH - But with respect, that does seem a bit arse about if you are going to build the track and then do the risk assessment. Does that mean that we could then -

Mr MOONEY - Part of the track placement you do do your risk assessment. In your final track location you will do that risk assessment. Obviously, you'll avoid some very potentially dangerous locations in that track location itself. With Cape Hauy, we followed a current track location. There were a few little re-routes done on Cape Hauy but that's all whereas as we go further into the future, we'll be building brand new tracks. That's where the risk assessment will be significantly important.

Mr BOOTH - So the ones currently, where you can go out and stand in the sea cliffs of Cape Hauy, -

Mr MOONEY - At the end of the Cape Hauy track?

Mr BOOTH - Yeah, at the end there. Have you done a risk assessment of increasing the visitation numbers and changing profile, the sort of people that will get there?

Mr MOONEY - We've done a risk assessment on the track.

Mr BOOTH - But specifically where people get to the end point, they're standing there looking at the view? We heard evidence before the committee, people can get blown over; not necessarily over the cliff but blown over because of the strong wind force.

Mr MOONEY - I don't know of anyone being blown over.

Mr BOOTH - You haven't done the risk assessment at the end point?

Mr MOONEY - I can get back to you; I can find out.

Mr BOOTH - Okay, perhaps we can take that on notice, Chair.

CHAIR - Yeah.

Mr SHEPHERD - Greg, I'm not sure how you're going for time. Do you want to go back to your question that I mentioned?

Mr HALL - I have to refer to the Chair because I think the bells are about to ring.

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CHAIR - As soon as the bells ring, we have no choice but to adjourn because we can't sit while either house is sitting. So if you can clear fairly quickly, we might have a 30-second assessment of whether we have some time to continue tomorrow. It would have to be at lunchtime. We'll take a couple of minutes. Colin, if you can come back in a couple of minutes to pick up that gear; that would be helpful.

THE WITNESSES WITHDREW