



PARLIAMENT OF TASMANIA

Parliamentary Standing Committee of Public Accounts

TRANSCRIPT

Inquiry into the TT-Line Spirits Project

Monday 18 November 2024

MEMBERS PRESENT

Hon Ruth Forrest MLC (Chair)
Mr Josh Willie (Deputy Chair)
Mr Simon Behrakis MP
Hon Bec Thomas MLC
Mr Mark Shelton MP

APOLOGIES

Hon Luke Edmunds MLC

DISCLAIMER

This transcript has been edited for readability and clarity.

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<https://www.parliament.tas.gov.au/Committees/joint-Committees/standing-Committees/public-accounts-Committee/inquiries/tt-lines-spirits-project/broadcasts/18-november-2024>

[inaudible] is used when audio words cannot be deciphered.

[audio malfunction] is used when words are lost due to a technical malfunction.

[interjections] is used when members or witnesses speak over one another.

LOCATION

Venue: Committee Room 2 – Parliament House, Hobart

WITNESSES PRESENT

15:00 – 17:00 Hon Kerry Vincent MLC (Minister for Infrastructure)
Mr Craig Limkin (Secretary, Department of State Growth)
Mr Ben Moloney (Director Project Review and Assurance)
Mr Peter Gemell (Strategic Infrastructure Development and
Procurement Adviser)

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THE PARLIAMENTARY STANDING COMMITTEE OF PUBLIC ACCOUNTS MET IN COMMITTEE ROOM 2, PARLIAMENT HOUSE, HOBART

The hearing commenced at 3:04 pm.

Hon KERRY VINCENT MLC, MINISTER FOR INFRASTRUCTURE, WAS CALLED AND WAS EXAMINED.

CHAIR (Ms Forrest) - Welcome, minister, for what is, I think, your first public hearing as Minister for Infrastructure. We will possibly go gently on you.

This is a public hearing the Public Accounts Committee into the TT-Line, *Spirit of Tasmania* replacement vessels and the associated infrastructure. Everything that you and members of your team say before the Committee is covered by parliamentary privilege that may not extend beyond the room. Just to keep that in mind for those who may speak about this matter outside the Committee hearing. If there is anything of a confidential nature you wish to share with the Committee, you could make that request and the Committee would consider it. Otherwise it will be public.

Do you, or any of your members, have any questions before we start? No, okay.

Minister, I will ask your team at the table to take the statutory declaration and introduce themselves. Then I will invite you to make some opening comments before we go to questions. Thank you.

Mr CRAIG ANTHONY LIMKIN, SECRETARY, DEPARTMENT OF STATE GROWTH, **Mr BEN MOLONEY**, PROJECT DIRECTOR, DEPARTMENT OF STATE GROWTH, AND **Mr PETER ROSS GEMELL**, STRATEGIC INFRASTRUCTURE DEVELOPMENT AND PROCUREMENT ADVISER, DEPARTMENT OF STATE GROWTH WERE CALLED, MADE THE STATUTORY DECLARATION WERE AND EXAMINED.

CHAIR - Thank you. Minister, I note that we will go over information that occurred before your time - it was even before your time as a member of parliament - on the matters that occurred during the caretaker period during the election, which included the additional funding for the new vessels and then the related infrastructure in Berth 3 and implications on that. We will be going right through that matter.

Mr VINCENT - Thank you, Chair. I would like to make some opening comments as the Minister for Infrastructure. This is a ministry that I was sworn into on 23 October this year, a little under four weeks ago: it seems a lifetime ago at the moment. Being a minister is a great honour and one that I take very seriously and one in which I will work very hard in to deliver the infrastructure needed for all Tasmanians.

One of the most important infrastructure projects in recent years in Tasmania has been the berthing infrastructure for the new *Spirit of Tasmania* vessels, which is under scrutiny by this Committee. I commend the Committee for its breadth and depth of its investigations.

While the TT-Line vessels and the berthing infrastructure at Berth 3 in Devonport fall under the ministerial responsibilities of the Minister for Transport, and always have, the

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Minister for Infrastructure is also involved in this project, given the responsibilities for TasPorts.

In June [2024], the former minister issued a co-directive with the Minister for Transport to TasPorts to take all necessary action to ensure the completion of Berth 1E and Berth 2E at Devonport required to support the new vessels as near-term loading and unloading facilities. Similarly, a direction was also issued to the Board of TT-Line to take all necessary action to ensure the timely completion of its permanent Berth 3 infrastructure and the required refuelling infrastructure for the new vessels, due to its failure to have completed this infrastructure in time for arrival of the first *Spirit*.

I'm pleased that the Committee has requested the appearance of Mr Peter Gemell today. Mr Gemell was appointed as the Project Interrogator by the former minister following a meeting convened on 10 November 2023 with key response representatives of both TT-Line and TasPorts as a result of the increasing concerns that the landside project of Berth 3 was falling behind time.

CHAIR - I think he's the integrator, not the interrogator. I made the same mistake. I did it first.

Mr VINCENT - Yes, well done. I'm happy to have him swap roles whenever you like.

Mr Gemell's first report, dated 12 February [2024], was tabled for the Committee. It sets out his findings at the time, very clearly, on the issues identified and the recommended path forward. Since then, Mr Gemell has been assisted by Mr Ben Moloney, who is also at the table today, and who worked to produce their report in October this year. That report contained the key findings that modifying berth 1E and 2E would provide limited benefits, cost the taxpayer up to \$60 million, and would require time-consuming and costly compensation and renegotiation of agreements, as well as safety risks.

It is important to note that TasPorts' investigation into alternative contingency berthing arrangements at 1E and 2E did not delay TT-Line's project to provide permanent berthing facilities at Berth 3.

With the decision on permanent berth arrangements now clear, the responsibilities for delivering both the ships and their berthing infrastructure sit with TT-Line.

My role as Minister for Infrastructure is solely as a member of the sub-committee of Cabinet charged with the role of project oversight, including to ensure any interfaces with TasPorts' QuayLink project are managed. As I've said, my time as Minister is in its infancy, and while I can't comment on the decisions made before my time, I can be clear on my expectations for the future.

This whole situation is extremely regrettable and I'm focused on getting on with the job. I expect our Government business to perform well, be accountable for their actions and ensure that both their customers and all Tasmanians remain front of mind. Tasmanians should be at the top of their organisational chart, and that's what I want to see under my watch.

With that, I welcome any questions of myself, the Secretary of the Department, Mr Gemell and Mr Moloney. Thank you, Chair.

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CHAIR - Thanks, Minister. You made the comment that you can't comment on any decisions before your time. Where can we direct those questions? There are still unanswered questions around the time that the Premier was Minister for Infrastructure and the former Minister, then-Minister Ferguson.

Mr VINCENT - If there are any questions, I will be looking for guidance from the Department Secretary. That may well be partly with him or Peter or Ben.

CHAIR - You're not saying you won't answer the questions - you'll try to get answers at the table?

Mr VINCENT - Yes.

CHAIR - We'll start with the project update. As you would know, there's been varying views about what has happened regarding access to Berth 3 and the work that was done mainly by Mr Gemell into assessing the project and trying to bring the two parties together.

It seems to me that there are still some contested views on that matter, and that the TT-Line, who are the main proponents of the above-wharf infrastructure, were not consulted on the final report, so there were comments in that report that they disagree with.

I don't know whether you want to comment or not, or whether Mr Gemell would prefer to take those questions.

Mr GEMELL - Yes, Chair. Were there specific questions you would like me to answer?

CHAIR - Yes, there is a number. First, did TT-Line and/or TasPorts have an opportunity to comment on your draft report before it was provided to Government, in relation to its accuracy and how things actually had occurred?

Mr GEMELL - Would it be better for me just to go through a timeline of the process which will give you that sort of feedback?

CHAIR - As long as you don't read the whole report.

Mr GEMELL - No, I'm just trying to do it in the most efficient way. If I just start and I'll be very quick.

On 18 December 2023, I was advised by Ben Goodsir from Infrastructure Tasmania and DSG of the role that they sought me to undertake as an integrator in that process. He also attached a memo that had the role of the integrator, which I assume you've probably seen.

CHAIR - We've seen the report.

Mr GEMELL - The role that Minister Ferguson or Mr Goodsir advised me was the role of the integrator.

CHAIR - I'm not sure that we have seen that. I don't recall seeing that. If you have a copy, you might like to provide it to the Committee.

Mr GEMELL - I will do, I have it there. That's the role of the Project Integrator that came with the email of mine. I'll progress on very quickly.

On 21 December [2023], I had a briefing by phone with Minister Ferguson and his office, and with Ben Goodsir. That was by phone.

On 22 December 2023, immediately before the Christmas shutdown, I had a phone meeting with each of the two CEOs - TT-Line and with TasPorts - and then a joint phone call about planning how I undertook that proposed role.

On 5 January [2024], I had a meeting with the TasPorts team in Launceston. I was unable to meet at that same time with TT-Line. There were no people present.

The following week, on 10 and 11 January [2024], I had a meeting with the TT-Line CEO and the team, and then with the TasPorts team as well.

CHAIR - Was that up in Devonport?

Mr GEMELL - Devonport, yes.

CHAIR - Not on site? In their offices?

Mr GEMELL - Not on site, in their offices. Just while you say that, I think my second meeting with TasPorts was still in Launceston, whereas the meeting with TT-Line was in Devonport.

Between 15 and 19 January [2024], I had various phone discussions regarding the process with the various participants, the people I had been introduced to, including the project managers for each of the entities. Then over that three-week period, I addressed various issues. I looked at their resources, I looked at various documents and reports, and then sort of discussed preparatory views. It was an interactive process.

On 6 February [2024], sitting in Infrastructure Tasmania's office - I did the drafting in ITas's office for that document because it was going to be a Cabinet notice, so there was obviously process to follow there. I did preparatory findings and conclusions in notes, and briefed the Minister on 7 February [2024] about what my thoughts were and how best to present it: was it to be in a structured, sequential way, or does it need to be separated between the two different entities, the response to the different participant organisations? I did that.

On 8 February [2024], I'd prepared the report and I briefed the CEO of TT-Line face-to-face about the issues. I took him through it - I had no right to authorise or issue the document - but took them through the issues at that time.

CHAIR - Notionally, what you were finding?

Mr GEMELL - What I was finding and what my recommendations were.

CHAIR - You'd basically talk them through the report.

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Mr GEMELL - I talked them through the report, item by item.

CHAIR - That was TasPorts?

Mr GEMELL - That was TT-Line first, face to face, and TasPorts. I'd returned back to Sydney the following day. I couldn't get Anthony that day, so I briefed him over the phone the following day.

Then we finalised the reports. My final issue was closed out by me, I think, on the 12th on the integrator report. I'd been advised then, because one of the recommendations of the report was that they didn't require an integrator. It was a different problem to the relationship between the two parties - that was one of the main conclusions of my report at that point.

The report sought to - what was very obvious was that neither the systems, nor the experience and nor the processes that TT-Line were employing were adequate for a project of this character, of this nature and these risks. That was the outcome of the report.

One of the recommendations of the report was, that in terms of the integrator's role - and apologies for the highlight but these were just done to remind me to be as efficient as I could be in this environment - but it was about coordinating the two parties to be efficient and effective. The two parties at a project level were communicating properly and appropriately. That wasn't where the problem was. The problem was, as I saw it, that the TT-Line personnel, processes, systems weren't - I won't say they weren't suitable. They didn't exist for the purpose of delivery of a complicated civil engineering project of the character we're talking about.

To get to the point, on the 14th of the second, by email, I confirmed that the integrator role was not continuing, which is what Mr Ferguson had confirmed to me on that basis. I just needed to give you the response I made and the reason for having to talk to Mr Ferguson on the 6th was that I disagreed that there was any benefit in the integrator role and, in fact, the problem was far more fundamental as I saw it.

Excuse me, they were my opinions. My opinions were based on discussions, interrogations, sorry, there's an interrogating role. I've been in civil engineering for 45 years. Like you would have been in your own sphere, you very quickly recognise there was just no - and the people were all well-intentioned. There was no issue about not being appropriately intended.

The real fundamental issue was they hadn't done it before. They didn't know really what was happening next. I assume you've seen the report from the integrator. My great concern was that in a business where you are really trying not to upset the people, you're very conscious of the fact they've been empowered to do a role. The conclusion I came to was that they were not capable of doing the role in an effective, industry standard way.

My words might be different, but please refer to my words in the report if I've said something a bit misrepresenting. That was where it came from.

CHAIR - Just to go back to the point you made about briefing both companies. You said you went through it basically line by line with each of the points.

Mr GEMELL - Correct.

CHAIR - Did the parties provide counter arguments to some of the points at the time when you did that?

Mr GEMELL - No, neither.

CHAIR - They just sat and listened.

Mr GEMELL - No. Sorry. When I made the point to Mr Dwyer about his face to face, and I think if you look at the conclusions there, it gives a number of options, but it includes doing a joint team with TasPorts. It includes an option to get TasPorts to deliver the project -

CHAIR - Which was TT-Line's request outset, as we understand it.

Mr GEMELL - I don't know that, so it wasn't -

Mr LIMKIN - Chair, may I add that since the Department received the report, just to finish the timeline, the Department provided, or the CEO of ITAS, who is a Department employee, discussed the report with TT-Line CEO on 5 March 2024. I am advised that the CEO of TT-Line did not raise any issues.

The CEO of TasPorts also discussed the issues after the Department had received the report the week commencing 26 February [2024] and the Department received no information or concerns following that.

The other thing I would add is I received an email from the previous CEO of TT-Line on 26 April [2024] where Mr Dwyer indicated 'the Gemell report is now well out of date and several measures have been implemented since'. Since the Department received Mr Gemell's report, I have no evidence -

CHAIR - What date was that.

Mr LIMKIN - We received it on 12 February [2024]. As I said in my previous evidence, I received it on 19 March [2024]. The Department has received no advice from the previous CEO of TT-Line that there were issues with Mr Gemell's report, apart from that several measures had already been implemented which the Department's view, based on further work, was that further work actually needed to be done, such as appointing a project director on the project.

CHAIR - What date did you say you had the discussion with Mr Dwyer?

Mr LIMKIN - I didn't have the discussion with Mr Dwyer. It was the CEO of ITAS who is one of our department staff. I am advised that discussion was 5 March 2024. The email I received personally from Mr Dwyer is dated 26 April 2024.

CHAIR - We've received information from TT-Line that outlines a number of concerns around matters. I don't know whether they needed more time to consider what was being explained to them by you, Mr Gemell, in terms of the work being done. For example, to put one point here, it says you recommended on page 6 of your report:

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As reasonably required, implement TasPort's proposal to progress early tenant works under the TasPort's contract with a HBJV to avoid any delays.

TT-Line has said to us quite frequently around these matters that that was impossible - the geotechnical work being done and they couldn't adequately access the site to do the geotechnical work. A further comment from them was that TasPorts would never have agreed to that. We know from evidence that we've received that, at the outset, TT-Line wanted TasPorts to deliver the project as they contracted Geelong Port to do the Port of Geelong infrastructure.

This goes back a long way obviously, but you were saying that they were working fine together, or am I misunderstanding what you're saying?

Mr GEMELL - In terms of communicating, in terms of information, in terms of the exchange and the cooperative process, what they had is a landlord/tenant type arrangement where they had landlord works being the basic wharf and the tenant works were by far the most complicated component of the extra work being the lifting structure. It's a massive lifting structure with three link span decks on it, as you know.

As you'll see from my report, I was surprised by some of the issues of which TT-Line complained. I wasn't surprised they were complaining about the geotech, but I'll get to the geotech in a moment. But there was a whole series of lease issues such as professional indemnity insurance, a project program, a cost management and issue management system, people who'd done work like this before. None of that existed when I got to that site on that particular time.

However, the communication between the two parties, they were talking. But the issue about access, those particular issues, yes, it needed that, and that occurred a little bit after that cause a barge was in the location. I don't think there was an expectation of that hard rock layer that's caused the geotech complexity in the space of where the gantry is and the linkspan. That's like a floating hard layer. On projects I've done in Tasmania, we haven't encountered that. We've had that hard, igneous type rock.

CHAIR - The variable nature of the river bed.

Mr GEMMEL - It tends to be a massive thing that you can land on and stay on. To have it only a limited thickness and then have to go through soft material below - sorry, I'm trying to do it really quickly - it's a complexity that's unusual.

For example, I haven't had personal experience with a down-hole hammer. I have done lots and lots of piling, but I had to then ask advice of somebody, a contact in Canada, to brief me on what it meant and what that particular issue created. I think everyone was surprised by that. I don't think that's a pivotal issue. It was an issue that, yes, they needed to resolve the design of those piles and they needed to come up with the methodology, but the fact that the contract wasn't executed back in January [2024], then they're talking about a bit of post-contract information that we're going to have to deal with anyway. It was a fact they were going to have to do that later, but they didn't do -

CHAIR - I'm trying to clarify, then. What you're saying is TT-Line should have had a contract and process in place prior to the need to finalise the geotechnical work?

Mr GEMMEL - I'll take a step sideways. The issue was, they were always going to have to verify their geotech report, just as new Bridgewater Bridge did the same. It changed the pile designs on new Bridgewater Bridge as well. When you do geotech studies around an area, you're not able to do every pile. Firstly, you don't know where they are when you're doing the investigation, Secondly, you're looking at what represents that area. I understand that at that time, there was no recognition of a specific geotech abnormality, if you like, just for the purpose of the discussion.

It's normal in a marine environment to then go and do a test hole at your key locations to validate the assumed design - but it's post-contract because the contractor does that, typically. The complication we have here in this particular project, and what made it so much more difficult for TT-Line, was they retained design management. On Bridgewater Bridge, it's a design and construct contract. The contractor does it on a design and construct basis, so he takes the design from the concept and takes it forward.

In this instance - and please, I'm giving opinion in this, in all cases - the caveat for me is that I could see no mechanism they were managing the design. I could see that it was there - sorry, this is closing out the design issues in January 2024, when the contract wasn't signed. There was outstanding design, there was outstanding insurances, there was a bunch of land-based project plans to be done - all of which are normal land or tenant requirements (just using the terms used in these contracts). Basically, the landowner versus the person who does the work.

In this case, there was definitely- the encountering of the material was unexpected, but in my opinion, that is not what precluded a contract being executed with the joint venture, the Hazell-Brady joint venture. In fact, prior to that, a letter of - the terminology they use there is 'commitment' - had been made - not a letter of intent, but commitment. Commitments to spend certain amounts of money. There was definitely intent to close out the contract. Throughout January they were saying 'the contract's imminent, the contract's imminent'. When I asked for a pathway, what pathway they were following to do it, everything was reactive to events occurring that were impediments to the contract. That was, to me, a really strong indicator that they had either been poorly advised or just didn't have the knowledge of the process to be able to resolve it. That, I understand, progressed then. I had no dealings with them between 8 February and May [2024].

All I'm saying is that, yes, it was an unfortunate event finding that geotech and then committing to the down-hole hammer solution, but I don't know where they were with the contract at that point, because by the time I came back in May [2024] the preferred proponent had changed.

CHAIR - I'm going to ask you an opinion here, and you might not want to take it or express it. Knowing what you know now, what should have happened at the outset?

Mr GEMELL - What should have happened at the outset? A shipping company should never have taken on a complicated civil engineering construction process. If 'by the outset' you mean right at the contract, at the inception of the proving of the contract?

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CHAIR - Yes. Obviously, there's a decision made that we needed a new berth because the new vessels weren't going to fit at Berth 1, and that was known for quite a long time, as I understand it. If I'm wrong, feel free to jump in.

Mr GEMELL - I didn't know this.

CHAIR - There was a decision to build a new berth for the new vessels.

Mr GEMELL - Yes.

CHAIR - I'm not sure exactly what date that was, but in any event, that was the decision made. We have evidence from TT-Line saying they asked TasPorts to deliver it because they are a ferry operator, not a port infrastructure developer. TasPorts said no. If the evidence we've received under oath at this Committee is true, then that was where the problem started.

Mr GEMELL - I can't help you. My first knowledge of the project happened in December [2023] when I was advised about the integrator role.

CHAIR - Maybe we could go to the Department Secretary then. He might have an idea about that, since you were not involved at that point.

Mr WILLIE - TasPorts weren't saying no: they weren't able to come to terms. They were willing to do it, but they couldn't come to terms.

CHAIR - To an agreed term, yes.

Mr LIMKIN - I'm not going to give you an opinion. What I will say is there are very different views here. I received an email from Mr Dwyer on 26 April [2024] in relation to this saying -

CHAIR - 26 April, what year?

Mr LIMKIN - In 2024. The email said:

As TasPorts have again rejected funding the infrastructure they will eventually own, we want to keep total control of the timeline and costs to ensure the best outcome for TT-Line and the State. We see no need to change the current management of this component.

My view, based on the information that I have heard in both the steering committees that I have chaired, and also conversations with TasPorts' CEO and TT-Line's CEO, is that they could not come to terms on the delivery. TasPorts was happy to deliver it, TT-Line wanted it delivered under certain circumstances, and the two of them couldn't make any -

CHAIR - This is back at the beginning? We are not talking about this year -

Mr LIMKIN - I cannot give an opinion on something before my time as secretary. All I can tell you is that conversations about delivery occurred in April 2024 about the most appropriate way to ensure this is delivered for the Tasmanian people, and TT-Line still refused to come to terms with TasPorts at that stage.

CHAIR - It's very late in the piece, then. The boats - the first ship is almost on its way, the first one was handed over not long after that. You can't build this sort of infrastructure in a month or two. I know you weren't the secretary back then. Maybe we need to call past secretaries, I don't know. However, in order for this Committee to understand how to avoid this occurring in the future, is it the case that a ferry operator should never have been contemplated to build on-wharf infrastructure?

Mr LIMKIN - One of the mechanisms the Government has, and put in a few years ago, to ensure the appropriate delivery of infrastructure projects throughout the life of them is called the 'gateway process'. It is something that DSG provides - the information is available on the web. A gateway process is a process used originally from the UK, which is now used in all Australian jurisdictions, to ensure projects are delivered on time and on budget. There are six gates. The first gate commences with what's known as the gate zero. It's project initiation. At that stage, projects go through an assessment of who should be delivering it, potential costs, does it align to strategic objectives of government, et cetera, et cetera.

The gateway process is now more fully used by our State in projects. Bridgewater Bridge has gone through it, Brighton High School has gone through it. A number of projects have gone through it to ensure that.

All I can say, Madam Chair, is that is the process that ensures the questions that you're asking are teased out and tested well in advance. Then we actually end up into a delivery scale, and we're still debating those original things. That process is available, and we are looking at how we continue to roll that out across a whole-of-government to ensure that it's delivered. The Department of State Growth uses it quite significantly on our roads and bridges projects and other types of projects we deliver.

Ms THOMAS - That gateway process wasn't used from the very start on this particular project, only in recent times?

Mr LIMKIN - That's correct. One of the things the Government has announced, based on our advice, is that we would have regular six-month health checks on this project. A health check is a point between gates to really have independent people test and project-assure those outcomes.

Ms THOMAS - Thank you. I have some questions on a different topic, if I can, or do you want to continue on that line?

Mr LIMKIN - I am advised that the development of Terminal 3 was a joint agreement between TasPorts and TT-Line, under a formal agreement for a lease, which was signed in July 2022. That lease actually outlined tenant responsibilities and landlord responsibilities, and that's how the project's been governed since that time.

CHAIR - It has, but we've heard that's had some limitations to it, because of access to the berth pocket to do the geotechnical drilling that was needed to complete the project, which takes us back to where we were. Unless you want to say anything about that?

Mr GEMELL - I just have to say, from an industry perspective, and what's normal - if a tourism and transport organisation would typically undertake that sort of role, it would engage

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a party to manage it and deliver it on their behalf - typically. That's an industry norm. I am just cautious that, while that separates the responsibilities, that didn't preclude TT-Line from either engaging and employing the right entity to deliver it, or putting in the people, the system and the process. The challenge a transport company has for a single-person project is attracting the good people, because there's not a career path in engineering that follows with it. You almost have to outsource it, as GeelongPort did with APP for the delivery and the management of the Geelong development. GeelongPort employed a project management organisation to deliver that.

All I'm saying is the agreement doesn't mean that you would have picked that up at that time, the issue of the gateway. That's all. They could have offered a management team and processes to satisfy that need and pass the gateway processes back in 2022. That's all.

Mr WILLIE - That's one option. Couldn't another option have been - the Government obviously was having TT-Line saying, 'We're having trouble with TasPorts' - they could have directed TasPorts to do it.

Mr GEMELL - I know this is sort of ad hoc, but when I did discuss this with Bernard Dwyer on - I said the date, I'm just cautious about - I think it was 8 January [2024].

CHAIR - 10 or 11 January?

Mr GEMELL - It was 8 January when I briefed him.

CHAIR - You said 10-11 January you briefed TT-Line. Have you spoken to Mr Dwyer separately?

Mr GEMELL - I spoke to him individually, where I briefed him on the report, on Thursday, 8 February at Salamanca -

Ms THOMAS - On 8 February [2024]?

Mr GEMELL - On the 8th, when I briefed him, I went through the issues of the shortcomings of the systems processes, the management skills, and the necessity to either TasPorts and all those things. His response to me wasn't negative - it was positive, in the sense that he said, 'What if the Chairs were to resolve this between them?'. I said, 'I can't comment, but I assume that that would be an appropriate way to do it'.

At that point, there was no resistance to the recognition that I thought - or sorry, my opinion, at that point, - obviously, that they weren't equipped to do it, either through systems, experience, processes.

CHAIR - I think Mr Dwyer basically said that to the Committee by his own admission, they're a ferry company, they didn't have those skills.

Mr GEMELL - There was a point I made to Mr Dwyer standing on the side of the vessel in Devonport during the prior week was why? But my role was to look forward to the way to resolve it. I really stayed out of the interrogation of the past for -

CHAIR - We are trying to look back as well as look forward.

Mr GEMELL - Well, the issue was we were where we were. The instruction from Mr Ferguson was we've got a problem, we think it's between the two parties. Then when I went back to Mr Ferguson I said I think the problem is the capability of the party responsible is essentially the difference.

Mr LIMKIN - As Mr Gemell said that we can't go back and change history and while TT-Line is a ferry company and this is their first infrastructure projects, there are ways about where they can mitigate that risk. One of the key areas that have come out of the recent project assurance work by the Department, Mr Gemell and Mr Moloney, is that they do need a specialist project director with that ferry and port experience to ensure they are able to identify issues, mitigate risks and those things.

It's a very common practice. Mr Moloney was on the Bridgewater Bridge, the Health projects because of his experience in other jurisdictions. When I led a museum project, we actually engaged the project director from Abu Dhabi who had actually done the Abu Dhabi museum for the V&A. You ensure if you do not have that experience, what you do is go and find the best around the nation to be able to do that. TT-Line -

CHAIR - Are you aware whether they tried to do that or not, whether they tried to find that expertise?

Mr LIMKIN - I can't comment about times before my period, Madam Chair, but what I can say is recently TT-Line has taken the Department's advice and actually gone out to market and obtained an experienced project director, who was the project director who did Port of Geelong, who has been available and who is now providing that expertise to the Board.

We are buffering the Board with increased oversight, but also with a trapeze capacity and skills to be able for them to succeed in managing this project.

Mr GEMELL - On that, I won't take a long time, but on that particular issue, not only is that introducing a person with a skill and experience, there was no project program prepared by the owner. He was relying on a program provided by the contractor, which had not been provided at the time. I'm just going through the history of it. No cost management or issue management system. No cost control. Those fundamental elements.

Not only is the project director doing the implementation of the system. Essentially now there's a number of concurrent projects. One is to ensure that we get the design sorted because there was design omissions still listed and not all located related to that piling, that particular rock issue. The design was incomplete in a whole bunch of areas that's got to be managed. That's one project.

The second project is to get the right team and systems in the place. The third project is being, as far as I, Ben and everyone else could do, is to make sure that Berth 3 continued uninterrupted without being disrupted by the thinking and what was going on for berth 1 and temporary operation options. Berth 3 had to focus and keep on track as hard as we could in that space.

The other separate and distinct isolated project was where it's obviously looking at the operational options that were or weren't available.

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CHAIR - We have a perfectly functioning port in Geelong, that will take the new vessels. Surely there's a model over there. I know that the riverbed and all that's different -

Mr GEMELL - It's not the same configuration, it's bow in and it's just different.

CHAIR - You can't sort of think, well we know what the overall requirements are for a terminal and the gantry and all of that. It's all different?

Mr GEMELL - It goes bow into a buffer, it does a bunch of things.

CHAIR - But doesn't it load the same way and unload?

Mr GEMELL - Well, it has to.

CHAIR - That's what I mean.

Mr GEMELL - Sorry, I'm not trying to be clever about it. What I'm trying to is TT-Line being a client on that project doesn't necessarily mean they know how to do it.

CHAIR - I'm not suggesting that -

Ms THOMAS - Yes, it's not a copy. What you're asking is a copy and paste design -

CHAIR - Well the gantry for loading and that would be of a similar design, would it not?

Mr GEMELL - No, everyone's a bespoke design. Yes, it lands at the same levels, yes, it has to adapt to the side the same, but the geometry and the configuration, all that is different.

Mr MOLONEY - If I may, because the vehicles drive in and off, they drive in through the bow and out by the stern. So the stern is what we need to design for in Devonport, whereas the bow is what it was designed for in Geelong.

Ms THOMAS - Thank you. I have some questions around the information that's provided during the caretaker period to the Department. I know we've heard that your report, Mr Gemell, was provided to the Department of State Growth on 12 February [2024] for the purposes of providing advice to Cabinet. And Mr Limkin, in previous evidence this Committee has heard, you noted that on 17 April [2024] you were provided a copy of the Gemell report. I've heard you just now say that in fact it was 19 March. I wondered if you wanted to clarify?

Mr LIMKIN - It is the 17th April. My apologies.

Ms THOMAS - That's the first time you saw the Gemell report?

Mr LIMKIN - That's correct.

Ms THOMAS - This report was - I think I'm right - requested by the Minister. The project integrator was appointed by the Minister. It was pretty clear that it was of significant importance. Were you aware that the report was being prepared as Secretary of the Department?

Mr LIMKIN - I was the aware the report was being prepared.

Ms THOMAS - Yes, and did you know that it was expected to be completed in February [2024]?

Mr LIMKIN - I did not know it was expected to be completed in February. I was aware that Mr Gemell was to produce it in the first half of the year.

Ms THOMAS - Okay. So, given the significance of this project for Tasmania and the issues that had been raised by the CEOs of both TT-Line and TasPorts and that had been escalated to the ministerial level, were you briefed on progress through these discussions? I know Mr Gemell said that he briefed the Infrastructure Tasmania director, if that's the right title, but were you kept abreast of progress?

Mr LIMKIN - I through you, Minister, I had not met with Mr Gemell. I have deputy secretaries who are very capable and accountable for this. The CEO of Infrastructure Tasmania reports into a deputy secretary. At that time, the deputy secretary was the Deputy Secretary of Transport and Infrastructure.

I meet with my deputy secretaries weekly, Ms Thomas, and we go through a variety of matters across the Department. As you would appreciate, the Department is quite broad. We do talk about critical matters. The Gemell report is - sorry, the work on this work is one of those. I cannot recall the Deputy Secretary saying that we had received the final report, but that is my memory, I could be wrong.

Ms THOMAS - So, given again, the significance of this, you didn't consider it prudent as Secretary to be asking questions about this particular matter and report and the progress given the issues that were occurring?

Mr LIMKIN - As I said, Ms Thomas I do take great interest in every one of the projects - DSG delivers a lot of projects. We do have project reporting coming through. There are a number of areas for each deputy secretary that we explore each time. I cannot tell you whether I specifically asked about these during caretaker because I would have to go back to my notes, but it is something I look - the key deliverables during that time.

Mr GEMELL - I'm sorry to interrupt and I know it might be just circumstantial. My appointment had been to report to the Minister every two weeks. That was the expectation. When I briefed the Minister on the 7th of February, the concept transferred from a two weekly report to really a 'here's what the problem is'. It's a singular report, not an ongoing briefing note. I just wanted to make that point, so at that time.

CHAIR - Just on there though, had you been providing weekly reports prior to the 7th of February?

Mr GEMELL - No, because January was - really, if you look at the working days, I had to do that. It was about once I got there into the site and got into the meetings and went to the various Committees, I realised the problem wasn't the one addressed by the role of the integrator. The briefing I did with Deputy Premier was on 6 February [2024]. That was when I raised that the role wasn't the issue and the regular reporting wouldn't help him because I

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thought the issue was fundamentally in the capacity and capability of the organisation delivering the project. That came as a completely, I'm sorry to say, didn't respond to that. It was entirely a different response to what I think was anticipated anywhere at that time, but that doesn't mean that it wasn't there on the 12th. That's what I'm saying.

CHAIR - The 6th of February when you informed the Minister at the time -

Ms THOMAS - The 7th. Wasn't it the 7th of February?

Mr GEMELL - Sorry. The 7th of February.

CHAIR - On the 7th when you informed him that you thought the task you've been given was not necessarily going to address the matters. Who did you then deliver the report to?

Mr GEMELL - To the Chief Executive of ITas.

CHAIR - And that was on?

Ms THOMAS - The 12th.

CHAIR - The 12th of February. Then, so -

Mr GEMELL - Sorry, I produced it in his office.

CHAIR - There was your final report? Produced in his office?

Mr GEMELL - Yes. In his office. It wasn't delivered or anything. It was.

CHAIR - That went to the CEO of Infrastructure Tasmania. We might need to talk to that person. In any event, when was it then reported to the Deputy Secretary of Infrastructure and Transport?

Mr LIMKIN - Through you, Minister. We'll have to take that one on notice. Can I suggest, Minister, if you're comfortable, what we will do is provide a timeline of it going through the Department for the Committee because I think the Chair is going to ask me a few more dates that I'm going to have to take on.

Ms THOMAS - It would have been helpful to have that today perhaps, but given the line of questioning from the last time we had you in on the 12th of August [2024], it would be helpful still to receive it.

Mr LIMKIN - May I just add to my answer? What I would like to add is, since I've read the report and became aware of that issue and the magnitude of that, the Department has swung in and committed a lot of resources to this and actually stopped other projects to ensure that we continue an oversight role. This includes meeting fortnightly, in some cases, receiving reports.

The Deputy Secretary of Strategy, Housing, Infrastructure and Planning - and the reason why there's a change in job titles is because I did a realignment of the Department and split Transport and Infrastructure to enable a greater focus - was spending a lot of time talking with project managers and project directors. I spoke to CEOs quite regularly and met with them and

in some cases weekly. I can assure you that when this issue was made aware of, the Department did spend a lot of time focusing on delivery of this project assurance function.

Ms THOMAS - I appreciate the work that's been done since then. Our concern as a Committee is interrogating some of the impacts and costs of delay and things that could have been addressed sooner.

Last time you were here before the Committee on 12 August [2024], you noted that the Gemell report wasn't provided to Cabinet or the minister during that caretaker period, which commenced on 14 February [2024], two days after the report was received by Infrastructure Tasmania due to a decision of a junior staffer. Since that time, have there been mechanisms put in place in the Department to ensure something like that doesn't happen again and that the Secretary does have oversight of when reports like this are incoming?

Mr LIMKIN - How would I answer that. Through you, Minister, it was a regrettable error by one of our junior staff members.

I am going to talk about what we did at caretaker. The Department takes caretaker conventions very seriously. We spent a lot of time sharing the caretaker conventions. I even ran what we called a 'Conversation with Craig' to articulate our expectations of caretaker conventions during the department. We encouraged all people to consult and seek views both from their senior leaders but also from me as Secretary. It was my first caretaker as Secretary so I had a very low risk appetite. I had a number of matters where I spoke to Government and asked them to consult with the Opposition, including one case where I did a formal briefing with the Opposition on a different matter.

If I had become aware of this, we would have done a similar thing, briefed Government during caretaker, given Government advice that a formal briefing of the Opposition should have happened.

What we have learned from this process is we do need to ensure that when we say, 'Cabinet is not sitting, there will be no matters for Cabinet', which is what we did say during caretaker, it should be articulated that, should you believe that matter is required for a Cabinet conversation, please talk to your manager, please speak up. We are looking at how do we do this we do more educative approach.

We also have provided this feedback through to DPAC, who are the keepers of the Caretaker Convention Guidelines, to think about how do we articulate this in Caretaker Convention Guidelines going forward. We have learnt internally, but we have looked at, 'How do we strengthen this process across whole-of-government?', because it's not just a Department of State Growth matter that this could occur in. It could happen in any government department across Government.

Ms THOMAS - You've reinforced your previous comment from 12 August [2024]. It was a regrettable error by a junior staffer. I find that comment to be quite regrettable: throwing a junior staffer under the bus. It could be seen as, ultimately, as Secretary do you accept responsibility that you ought to have been informed and asking questions and informing the Minister?

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Mr LIMKIN - Ultimately, as Secretary, I am accountable for the Department. I am sorry. I did not know that the report had been received. I should have informed the Minister if I had known. I have put processes in place to ensure that that happens in the future.

CHAIR - I might follow on from that. This is one of the biggest games in town. It has had a very negative impact on Tasmania as a State. A bit of a laughing stock. I've been around many states of Australia since this has all started and most people smirk.

Noting the 10 November [2023] meeting that the former Minister had, where, by his own comments I think, he sought to knock the heads of the two companies together and get them to work or play nicely in the sandpit is one way it was put to us. That was 10 November [2023], when there was clearly a problem identified that had enormous political risk for the Government. If this was to go pear-shaped, it was pretty much heading in that direction, there could be a large political fallout for this. We've seen a lot of that fallout, rightly or wrongly.

For that 10 November [2023] meeting, Mr Limkin, were you at that meeting or were you aware of that meeting?

Mr LIMKIN - Through you Minister, no, I was not at that meeting and I wasn't aware of that meeting. That was the second week that I was in this job and still getting across the breadth of State Growth.

CHAIR - Who actually attended that meeting with the minister?

Mr LIMKIN - I would have to take that on notice. I cannot provide that today.

CHAIR - As incoming secretary, obviously being aware of one of the biggest games in town, and you knew that Mr Gemell had been appointed? Yes?

Mr LIMKIN - Through you, Minister -

CHAIR - Not at that point, you hadn't. No, I am going further forward. When he was appointed you were aware of that?

Mr LIMKIN - I had been briefed by the then Deputy Secretary that the Minister had requested a project integrator to be appointed. That appointment was progressing through the Department.

CHAIR - I'm just going back to what Bec was saying. It seems odd to me that being such an important project for the State, with such huge political risk and reputational risk for the State, that you weren't more actively involved in chasing this down and understanding when the report was due, had it come. It was delivered on 12 February [2024]. You didn't see it till 17 April [2024].

Mr LIMKIN - I take eager interest in all the significant projects the Department manages. I get regular reports on the projects the Department manages. This is not a project the Department has managed. The Department is not accountable for the delivery of this. The Department facilitated the appointment of Mr Gemell to enable advice to be provided to a Minister at that time -

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CHAIR - The Minister reports to you though?

Mr LIMKIN - Sorry?

CHAIR - The Minister who you report to, sorry. The other way around. You report directly to that Minister, the former Minister on this matter?

Mr LIMKIN - In relation to this matter, Mr Gemell has already articulated that he reported formally to the former Minister as outlined in the terms of reference and the department was the facilitator of a procurement contract for that period of time.

CHAIR - So where do you see your role as, not you personally, but the Secretary's role here, Secretary of the Department, whoever holds that position, what is the role when you've got the biggest game in town, the biggest infrastructure investment in the State? You take out Bridgewater Bridge, big investment, but this is the vessels and the berthing facilities and the stuff up that it's been. What's the Secretary's role in this?

Mr LIMKIN - I would say the Government has a policy that is the Treasury policy, and - I'm sorry, I cannot think of the policy at the moment -

CHAIR - Treasurer's instructions, I imagine.

Mr LIMKIN - No, it is a policy about reporting on GBEs - what I will do, through you, Minister, is provide it off-line - that highlights the responsibility of both Treasury and portfolio agencies in relation to GBEs. My understanding of that policy is a portfolio agency, which is the Department of State Growth's responsibility in this time is not responsible for oversight of their financials. They are not responsible for the oversight of their infrastructure policies. What we are responsible for is recruitment of a chair and supporting board positions. So the Department of State Growth does not have a role according to current Government policy on some of these matters that you're inquiring.

CHAIR - But it becomes a ministerial matter once the minister steps in and says, 'Right you two, you've got to play together and we're going to appoint someone to help you with that'.

Mr LIMKIN - In my view, that is a minister fulfilling his obligation, which Mr Ferguson outlined at this Committee. There is no responsibility for the Department of State Growth Secretary in this. What the Department was asked to facilitate was the contracting of Mr Gemell from a procurement price.

CHAIR - Can I just clarify, is this the document you're referring to?

Mr LIMKIN - That's the document I'm referring to.

CHAIR - Which is the guidelines for Tasmanian government businesses.

Mr LIMKIN - Let me let me give an alternative point of timeline. Following the 26th of April return of the Government, and the consideration by Government, I was directed by both Minister Ferguson and Minister Abetz to take a more active role in management of this project and ensure a project assurance function. Since receiving that direction from Government, the Department of State Growth has performed that function quite diligently during that time. As

a Secretary, I have to either operate within the legislation the parliament sets, the employment directions, my contract or direction of the minister.

Ms THOMAS - So in November 2023, the Minister required that joint monthly CEO reports be provided to the Department of State Growth. Which would give a fair indication that there was a level of expectation that the Department was taking a more active role, without perhaps necessarily openly directing it. So who were these monthly joint CEO reports provided to and did you receive them? And if not, why not?

Mr LIMKIN - I would have to check, Ms Thomas. Through you, Minister, but I'm not aware of that requirement, but the Department of State Growth received - the first monthly report I received was in March [2024], to the best of my recollection, So there was a requirement for those reports to be provided to a Minister. I am not aware, but I will take on notice, whether there was a requirement for those reports to be provided to the Department of State Growth. Following the direction that was issued by Ministers, there was a requirement that information was to be provided to the Department of State Growth through that period of time. That was after the election.

Ms THOMAS - So I'm fairly certain the evidence we've received to date did say the Minister required joint monthly CEO reports to be provided to the Department of State Growth. We've heard that the February report, there was a report in February, received by Department of State Growth on 28 February 2024, and for some reason that has not been explained, the January report was received by the Department of State Growth on 1 March 2024 after the February report.

I was going to ask you why the delay in providing the January report? Did anyone follow up why it hadn't been provided? Knowing the Minister had directed these monthly joint CEO reports be provided to the Department, did you as a Secretary consider it important that you receive those reports? It sounds like you were not aware that the Minister was asking that those be provided to the Department.

Mr LIMKIN - I am happy to take those questions on notice so we can provide you information on that.

Ms THOMAS - So, you did not know that the Minister had required joint monthly CEO reports from the CEOs of TasPorts and TT-Line in November [2023]? The Minister required that those CEO reports be provided to the Department. You were not aware of that?

Mr LIMKIN - I was aware that the reports were required to be provided. My understanding, which I will check, whether they will be required to be provided to the Minister.

Ms THOMAS - Okay, thank you.

Mr WILLIE - My question is for the Minister. The second integrator report outlines options for the interim operation of the new *Spirits*. It was options for works at Berth 1 and 2, which basically mirrored the Government's ministerial direction to TasPorts and TT-Line. It was described by Mr Gemell as involving significant commercial risk to both TT-Line and SeaRoad in relation to business interruptions. What were those risks and why did the Government demand the works go ahead despite them?

Mr VINCENT - The works on?

Mr WILLIE - Berth 1 and 2, the ministerial direction that was issued to deliver that.

Mr VINCENT - It was a review of those operations.

Mr WILLIE - It was not a review. It was a direction from the Ministers to deliver an interim option at Berth 1 and 2. I am asking about that. Why did the Government proceed with that when you have Mr Gemell talking about significant commercial risk to both TT-Line and SeaRoad in relation to business interruptions?

Mr WILLIE - I will ask Peter for a bit of clarification on that.

Mr GEMELL - Just to clarify, Mr Willie. I understand that the second report I did was late May, early June [2024] over a five-day period. That preceded the Minister's direction, the one of what you're talking about. Just to give you a background that I will step back to the original report.

In the original report there was a lot of ad hoc individual discussion of views by both TT-Line and TasPorts about interim operating opportunities, none of which - and I make a point I think are in that in the integrated report - that these are not being done in a consolidated way looking at them collectively from an infrastructure and operation point of view together. That part of it was separate.

Prior to my report on 12 February [2024], no one was contemplating it or the reporting from TT-Line was still that Berth 3 would be ready in some form -

Mr WILLIE - Around the world or?

Mr GEMELL - Yes, that Berth 3 would be ready by the beginning of the fourth quarter, September/October 2024. My opinion based on that - and I am standing there at the beginning of February 2024 and cannot see a way that you could berth those vessels there with the infrastructure required just in a minimal sense any where near that time. At that time, TT-Line was still reporting having a berth available to use the large vessel, albeit they talked about a stage one concept, which was not proven up but discussed putting either a barge or a permanent ramp into the Berth 3 location, then try to build all the rest of it around an operating terminal.

In my opinion, and in other opinions, was entirely not doable in any form because of the impact it had would have on operation, because of the inability to then build the permanent structure over the location, but that comes later.

Where we are at the beginning of the end of May, early June [2024], I have the dates if you want another timeline that gives us the context of what you're after. I am sort of getting to your answer.

Mr WILLIE - I am interested in why the Government would issue this ministerial direction when the evidence that is coming before the Committee is that there was limited advice to Government to say that was a good idea.

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Mr GEMELL - I will give you that, but that was not case at the time and it is still not the case. I must say, the reason that Berth 1 didn't progress, if you read the final report that we did in -

Mr WILLIE - Costs.

Mr GEMELL - Costs. Still doable.

I notice in my report, the February report, the integrator report, I say that TT-Line advised that Berth 1 is not feasible. At that time, TT-Line was looking at maintaining the overlap of the new vessel over the stern of the existing vessel. As far as they were concerned, one, the issue was that there's not enough room in that swing basin to take the new vessel off to allow SeaRoad to berth. In TT-Line's view, it was not feasible because there is no way they wanted to have to arrive after SeaRoad - it was an operational issue - and depart before them. To allow SeaRoad free access is what that issue was. I know it's a bit confusing.

The swing basin there is so small you have to take a vessel out and up the channel and out if you wanted to go off the berth for a period then come back on. That in conjunction with single ramp loading on the new vessel, which then prolongs the loading process out to five hours or so, plus the need to be back off it to allow SeaRoad to arrive, to come in and then go quicker, that was the view; it was not feasible.

In our process that we employed in late May, early June [2024], the options of both parties, both TT-Line and TasPorts recognised that an option was available to shift SeaRoad south, somewhere between 18 - and it ended up being 33 metres. The reason for that was to remove the overhang of the vessels.

During that process of the development of those design and operational solutions - and I'll jump straight across - in that period, August to September [2024], TasPorts came up with a thing they called a doughnut fender. The doughnut fender was to allow the SeaRoad vessel to be pushed against the wharf and then reverse along the wharf up into the space without risking the bow of the new vessel operating. That was the plan. The problem with that was that it might have worked for the existing vessel, but if SeaRoad was to apply the new vessel, which is 4 metres wider, it becomes an issue of feet, not numbers of metres in terms of the berthing constraints.

The option was always available and still is available to use Berth 1, but Berth 1 would require relocating SeaRoad south by -

CHAIR - Which is additional cost. We heard from Chas this morning.

Mr WILLIE - We've read the reports.

Mr GEMELL - At the time, there was a lot of toing and froing, but TT-Line's resistance to it was an operating resistance, not an infrastructure resistance. The depth at the wharf precluded fully loading in very low tide, in moon tides or new tides. There was always the issue of the age and the condition of that wharf, but for a year, 12 months -

Mr WILLIE - TasPorts had advice about the scour.

Mr GEMELL - The scour could be a problem, but it wasn't necessarily. The issue that comes from scour is the side thrusters. Each of the vessels have two big thrusters built that go through the hull and drive water to allow them to shift in and out sideways and to take load off when they're berthing. The issue was concern, but the bow thrusters on the new vessel were overlapping into the open water space, so it wasn't a critical issue per se. Scour was purely of concern because it was a vessel of greater thruster velocities for the volume of water going through crossways to berth it.

The big issues in that space was the loading time for that vessel on a single ramp. The fact that we did have to relocate the bollards and the fenders because of it, and the AMU, the automatic fenders, that work there. The ramp had to be extended. It was a solution that was collectively developed by the two organisations on or around 30 May [2024]. What happened was, we went to Launceston and had a session with TT-Line, then a session with TasPorts in the same room. Then the following morning had an early session 7:00 'till 9:00 with TT-Line and then a second phone hook up with TasPorts the following day, that was the Thursday/Friday the 29th/30th. I think.

CHAIR - Were all the parties in the room together at these?

Mr GEMELL - No, because there was an obstruction about they were certainly not yet in a state at a corporate level where they had enough confidence. There was issues of probity and confidentiality raised at the time. It was like they were in disagreement at that point, but collectively in that process, that is why I went there and not did it over the phone because of that. I knew that I had to get them in the same space, regardless if it was not the same room, it had to be the same location, sorry, the same problem. It was about identifying the problem. Collectively, they came up with the solutions identified in the service commencement planning report.

CHAIR - Which party would not agree to be in the room? Were they both saying they would not be in the same room, or was it just one party?

Mr GEMELL - It would be unfair to try to guess it as I say, but I know that TasPorts did not want to be in the same room that day, but they were there on site. Then I met with them straight after. I am not trying to make an excuse, but that was as I recall, would have to check with TasPorts.

CHAIR - Would it have been more efficient if they were both been in the room at the same time where you could talk to both of them?

Mr GEMELL - I am not sure because one of the big issues was the fact that the contractor and the designer were in the room and I actually respected the fact because they were under a landlord/tenancy agreement and I am not sure that the issues and the landlord/tenancy agreement would have been well spent in front of BMD Fitzgerald, the subcontractor and the designer from P&M Design - were all in that room. If I was TT-Line, I would have been reluctant to have them in the same room, sort of in a stage when this organisation got a contract with this contractor at the time.

CHAIR - They didn't have a contract though, did they?

Mr GEMELL - I don't know in May [2024], I'm not sure of that.

Mr WILLIE - The point here is about the ministerial directive if you can get back to that.

Mr GEMELL - Sorry, it was a live and still is a feasible solution. Notwithstanding that it was done for the financial reasons is that it had a \$60 million likely cost including provisions for risk and it had a benefit somewhere south of \$44 [million].

Mr WILLIE - The question for the Minister here is, I don't think anyone would begrudge the Government seeking further information about what is feasible. But the question is, why was the ministerial direction issued to deliver this interim solution when it was uncoded, unbudgeted, complex, unknown? Why did the Government go ahead and do that?

Mr VINCENT - Certainly I can't answer that. Ben, you've got some input on that.

Mr MOLONEY - I might make an observation in that space. In terms of the direction, by giving a very clear direction to TasPorts to proceed with the project, and I think the wording indicated that as far as it was practical to do so prior to the vessels arriving. I think what that ensured is that TasPorts had sufficient grounds to progress with all-time critical matters. Had it simply been a direction to do further investigations, they wouldn't have been able to progress works around identifying a number of procurement options and indeed I guess liaison with potential providers to deliver this body of work in the shortest possible time.

Whilst I wasn't involved in the process of issuing that direction, my reading of it is that it gave TasPorts the ability to progress with all haste, recognising that time was a critical matter. In parallel with having issued that direction through the Department of State Growth and ourselves working both with TT-Line and TasPorts as we've described in the report that was published in October [2024], we were able to then progressively obtain more information as TasPorts was developing some designs and options in compliance with that direction

We're also able to obtain information from TT-Line in relation to what were the potential benefits and we're able to work through what would be the constraints and operating protocols of operating the new vessels out of the modified berth. We were able to bring all of that information together along with the analysis undertaken by the Harbour Master around safety matters and combine those into the decision that was made in October [2024].

Whilst that information didn't exist sufficiently to invest, as Peter Gemell indicated, something like \$60 million in a modification, there was enough information to identify that there was a viable option that should be explored and taken all the way through. It was only upon presenting the information to Government, which compared both the capital cost of that option against the pros and cons of benefits, that it was concluded that it was wasn't a sensible investment of public money.

Please note that throughout that entire process, TT-Line was advancing with Terminal 3 as rapidly as it could. There was no delay on Berth 3 while Government was pursuing this alternative option.

Mr WILLIE - But it did take significant resources of both TasPorts, TT-Line, yourself, other people to get involved. We also heard this morning that it impacted SeaRoad in terms of a cost to them having to engage with this process.

Mr MOLONEY - I believe that different resources from TT-Line were applied to this project than Terminal 3. For instance, the team that was working on Terminal 3 probably had relatively minor input into this process because, whilst operationally they needed to provide input into it, it was more from their operations manager.

In terms of the cost-benefit analysis, again that was more of the operations and financial side of the business of TT-Line. I don't believe it had a significant impact on the TT-Line resources. But I think it's very important for all parties, be it TasPorts, TT-Line, Department of State Growth, to really thoroughly look at these options, because we're talking about a major investment one way or another, rather than just walking away from what was identified as a potentially viable option and being in the position now where we're needing to seek options, say, to lease the vessels or other alternatives.

Mr WILLIE - Can I ask some questions about looking forward?

CHAIR - Yes. Can I just ask one? Because it may need to be taken on notice to get all the detail before we do that. In terms of the cost that the government has borne here, whether it's funds that have been applied to Mr Gemell's report and a whole range of other assessments that have been done, can you give us, Minister, a full breakdown of all the additional costs that have occurred through State Growth? I don't know how far back you want to go here, but certainly since 10 November [2023] meeting that led to some other changes.

Mr VINCENT - Thank you. I'll have to take that on notice and get that to you. It's fairly rapidly changing just in recent weeks let alone -

CHAIR - It's not done yet. There's still a lot more cost to go.

Mr VINCENT - We can put that together for you.

Mr WILLIE - On the second integrator report from June [2024], you noted that there was unique equipment that will be needed to manufacture and deliver, which was required from overseas to complete the piling work. You said that the design, manufacture and delivery of the equipment could take up to 12 months. Is that a fair summary? Is that still the case?

Mr GEMELL - In these businesses, I didn't talk to their supplier. I just want to make the point that the type of drill that's been selected and the circumstances that it's a down hold rule, every single one of them is bespoke for the particular rock and the particular circumstances. The reason for that was, that I haven't used the drill, I haven't worked on the project.

Mr WILLIE - Yes, you said that in the report, I think.

Mr GEMELL - I deliberately said it because I had to - when you get out of your experience zone, what I did confirm is, yes, they had to be bespoke for that solution. Yes, that 70 or 80 per cent of the type of equipment you need, what they call the spider or the drive, all those things, aren't bespoke. The issue I was trying to identify was the long lead time head element that you might be possible to air freight.

In their particular program that I looked at that time, I think there was a 60- or 80-day delivery of this particular item. I had no idea. I had to just say that it was an issue. I really just wanted to point out it was a major issue that could affect time, in terms of the solution.

What there was though is potentially a number of mitigative steps to take where a cost benefit can be done that says, 'Look, if this is -', and we weren't at the stage where we knew precisely what was happening. But if it was an issue of going forward whereas if the contract that can procure all the other items and sea freight them now, and then procure the down hole hammer element with the ring and the spider, it may be feasible to air freight that element - it's a number of tonnes: it's not small - air freight that because then it might save months. They were the things which to understand the benefit of doing that, that accelerating mode. It's worth nothing if the gantry is not ready to go on top of the piles that it does.

In this particular project, while you can create float to gain the benefit of earlier operation of the ships, we need to be able to bring forward the other component parts so that issue was considered. It's something that is being pursued now by the project team. My ongoing role in that space is to assist them and mentor them, and make sure that they're addressing those particular risks, I'll do that through them, and is to make sure that those particular opportunities are being considered in a sensible way. So there's a number of those sorts of alternatives.

Already I understand they're making some changes to the configuration of the gantry, not in terms of what it looks like, sorry, the configuration, but how many elements it takes to reduce the size of cranes that are necessary to do it to then make it more flexible around how it's done at the loading ramp. You can imagine that the installation of a gantry is done from a barge pushed into the space and then erected. It's going to be erected in seven components, not the three that was originally talked about which were 100-plus tonne lifts. So it reduces the crane.

The whole objective of doing Berth 3 and the plan is, and there's obviously issues about where you deliver these items to. Do you put them on a barge? How do you bring them to the site? Because they'll all be manufactured offshore. They all need to be manufactured, in my opinion, in a single place purely for ensuring that they match. So if I match cast, like matching the elements one to the next so they go together, the whole issue then is that this process will significantly, potentially could interrupt the operation of the port. So we have to be very careful that we don't interrupt SeaRoad operation by finishing Berth 3.

One of the things that Captain Wall made comment on during this process was he needed to understand exactly what their construction impacts were on the operation out of Devonport for two reasons: one is the safety, and two is the free operation of SeaRoad.

SeaRoad shifting back, but one of our big issues was to resolve that if we were to shift SeaRoad back to 33 metres or 40 or 18 or whatever it was, it was all part of barge sizes and getting it clear so there was a clearance space about removal. That then meant that the bow of SeaRoad progressed further south into Berth 3. There were issues there that we had to make sure the component parts of Berth 3 which are delivered onto the existing wharf could then be placed in place.

CHAIR - Chas was pretty clear that he didn't think that was an appropriate move for him from a number of cost factors and risk.

Mr GEMELL - We looked at the issues, the bollards, we looked at testing their AMUs. The issue for them was to minimise the disruption to their operations while we're doing it, but also the complicating factor is that they are also planning to accommodate a larger vessel that is on the way.

Mr WILLIE - Back to my question, is some of this equipment required for the piling, has that been ordered and paid for?

Mr GEMELL - Yes, it's been ordered. Sorry, as far as I'm aware, verbally I've been advised it's ordered. It may be on the project reports I haven't seen.

Mr MOLONEY - It's our understanding that the procurement for that is progressing and working its way through consistent with the program that we undertook the analysis of, so within the report that was released in October [2024] it talked about a scheduled risk analysis that identified a timeframe and within that timeframe, what we're working towards -

Mr WILLIE - Sorry, what was that timeframe?

Mr MOLONEY - So, if the project is not appropriately managed going forward in terms of risks and things like that, it was envisaged that the project could potentially take till February 2027. However, with appropriate management, what we're looking to do is provide a high degree of certainty that we will be able to complete it at least by October 2026. In the report it refers to, at the moment, there being confidence level close to in the order of say 80 per cent confidence.

Through the work that Peter mentioned - all those different aspects that we need to work through in terms of risk and procurement, what we're able to do is gain greater certainty of achieving that. There is a body of work at looking at accelerating to reduce risks and things like that, and that is to build up certainty that we will have the new berth operational by October 2026 in advance of that next summer peak season.

It may be several months earlier than that. That would be fantastic, but I'd caveat and say that to think that we can bring it much more further than that forward into say, for instance, a preceding summer would be unrealistic at this time.

Mr WILLIE - It's because the piling's key, isn't it? You can't put the gantry in place without the piling being completed. If you're relying on specialist equipment from overseas -

Mr MOLONEY - That's correct. The report identifies our critical path really is through procurement of the specialist drilling equipment, getting that on site, installing the piles and then installing the concrete elements that sit on top of those. Then installing the gantry on top of that and then commissioning the gantry. All the other works, such as your car parks and your more simple civil works, can happen in parallel. But that's really driving the date in which you can pull a vessel up and unload vehicles.

Mr WILLIE - Minister, we've had the Premier talking about 60 per cent of the piles will be completed by January [2025]. It's quite possible that not much happens after that because you're waiting for specialist equipment. You're still waiting for the other piles to be put in place in the gantry. It's a bit of a false celebration, isn't it?

PUBLIC

Mr VINCENT - There are two lots of piles to be driven -

Mr WILLIE - He's making it like he's speeding the program up when it's not the case.

Mr WINTER - There are several piles that have to be driven, some for the gantry, some on shore. If you want to hear, I can explain the delicacy of that. 60 per cent is referring not to the ones that have to go into the gantry, but the other ones.

Mr GEMELL - Without being smart, the land base works isn't simple. It's not a simple -

CHAIR - Order. We happen to not have a quorum. Simon's just gone out to cough. We might just need to give him a minute to come back.

Quorum formed.

Mr GEMELL - In the skin - we've talked about, and they talked about on a project, the critical path being the sequence of events that sets your end date. There's a sequential critical path meaning the marine piles that the minister referred to and Ben referred to. The parallel critical path is the offshore manufacturer of the gantry, and the supply and delivery of the gantry. It goes through obviously Customs and gets inspected for whatever happens with entry. That process is a critical path on its own from procurement and delivery. You've got the piling and the procurement - while the activities occur sequentially it's of no benefit accelerating the piling unless you've got the gantry ready to be erected on it. That's one part.

The other part, and it shouldn't be underestimated, the complexity of the land-based structure. A ground ramp and then two elevated ramps that crossover each other, all done with precast. That's the large amount of piling that the minister's talking to which is also only a week or two out of the critical path in itself, that land-based work.

It's a very hard thing to explain, I think, other than to say that you've got a number of these concurrent projects. That's why Ben is saying that we need to do two in line or two in parallel to achieve the earlier dates. That's what we're working towards. How do I identify those and reduce those times? Do we air freight that down hole hammer ring gear because it's the bespoke component and have everything else on site already? Those sorts of things.

The current program has 60 days, I think, from memory, on delivery of that item by sea. Everything you've got to do with ocean delivery at the moment, and at all times, you get a window of delivery, just like you get a window of manufacturing for the offshore gantry.

Our big risk is that the window suits our current program because it doesn't just happen. You don't just manufacture 200 tonnes of steel in an environment like that, and coat it and deliver it on an order. Everything's bespoke, everything's has to be done.

We're looking at things such as do we put people in China to make sure that that's done and its sort of been done with as many people working on this many times. So there's those sorts of exercises that are normal in this industry.

CHAIR - That work is going on at the moment?

Mr GEMELL - Yes, and that's what my role is, is to make sure and it's done on a cost, it is done the benefit of - if we can achieve an earlier date - there's no point accelerating the gantry if we don't have the piling done early, you know what I mean? So it's not being done in an arbitrary way. It's been done in a structured way now with the new project team. Now they have programmers and now they have cost planners and now we have contract administrators in that team that weren't there before. What I was talking about, about the four projects, the important one was to make sure Berth 3 continued to the best of the ability of the team that was doing it and with support. But now with the new project director and the new team and the design manager and all of that, that's all happened. It now has an organised structure with all these people doing the work that's required. And that was what was missing.

CHAIR - Is it possible to provide a copy of that organisational structure now.

Mr GEMELL - Yes.

Mr WILLIE - What I'm putting to the Minister is talking about 60 per cent of the piles being done by January [2025] is a political message. It's far more complex than that. It's made out like it's speeding up the project when there's all these other moving parts where it's still unclear.

Mr VINCENT - There will be continue to be moving parts, no different to changing the gantry from three sections to seven sections. That is a moving part that makes a lot easier to put together when it gets here for the workability off that barge and everything. We have the first pylon driven already for the land based, I understand, and progressing with that unless there is an issue, that will continue to happen.

Mr WILLIE - It may be 12 months before you get the rest done.

Mr VINCENT - It still has to happen for some of the land stuff, so a critical footpath for any building site lays out what can be done at various times in conjunction with other things happening to give you that lead time on any part of it. So yes, some things can be finished before needed, but that's part of the critical path in the business planning of it.

CHAIR - On the organisational structure, when that's provided, Minister, can you indicate who was appointed and when in that?

Mr VINCENT - Yes, we can.

Mr LIMKIN - Can I ask a clarifying question? When you say an organisational structure, I'm assuming you mean the project team within TT-Line.

CHAIR - Yes, as I understand it from information we've had earlier, some of these people were already in place. I'm just trying to understand. You look at what has been built on, when the original project team that TT-Line had put in place, from what we've heard, and I want to see who was added to it and when, and what the actual organisational structure looks like. I am not asking that now. I am asking for it on notice.

Mr LIMKIN - I'm more than happy to take that on notice. What I am hearing is it's the project team within TT-Line.

CHAIR - Who is going to build the infrastructure?

Mr LIMKIN - What I'd like the table for the Committee, if you're comfortable, is also the governance structure on the entire project, which I do have here today, because I think that would be important.

So, at a top level there is a Cabinet Committee. Then you have a TT-Line Board who reports into that. They have a project steering and oversight committee, which is made up of board members, management and the Department of State Growth has Mr Maloney on that Committee, and also Peter's there in attendance as a special adviser. The Department has retained Peter for the next few years as a special adviser, and that's the internal one.

There is a second steering committee, which is the key link Project Review and Assurance Steering Committee, which is the one I chair, which has been operating since April 2024, which has a focus on providing Government with independent advice and views on whether risk materialises. There are matters that Ministers should use for directions on and really has that project oversight role and responsibility.

In that process we look at schedule risks, the master delivery program. We undertake a comprehensive review of projects recovery and resets them. The Gateway report will also be considered by this Committee. So it is an enhancement that was put in from April 2024 to ensure that there is that independent oversight and frank and fearless advice to Government through that process.

CHAIR - Also, when you include the rest of the structure, I would also like to have information about Project Northam BMD and the structure within those organisations that have been engaged by TT-Line they mentioned.

I do want to go to the fit out. Is that where you are going?

Ms THOMAS - No, I want to have a couple of more questions on the Berth 3 project. I wonder, Minister, if you can put on the record the estimated cost of the Berth 3 project.

Mr VINCENT - Sorry, that is a matter for the Minister for TT-Line, Minister Abetz.

Ms THOMAS - Despite their Department's involvement in oversighting the project, TT-Line is still responsible for the project delivery and is funding the project?

Mr VINCENT - Correct.

Mr LIMKIN - The accountability for delivering funding still sits with TT-Line, as it always has. The Department has a project assurance and oversight function, not a delivery function.

Ms THOMAS - What's the additional cost estimated to be of the department's involvement?

Mr LIMKIN - We've committed to take that on notice with the detailed breakdown for the Chair, Ms Thomas.

PUBLIC

Ms THOMAS - The other question I had related to this -

Mr WILLIE - He's on the Cabinet subcommittee, he should be able answer.

Ms THOMAS - Yes, I know. That's another one of the number of questions that could have been anticipated.

Mr VINCENT - In three weeks the subcommittee has only had that one meeting, which was today on an update.

CHAIR - Can you provide the information? We can always call you back. We play a long game here.

Ms THOMAS - As new Minister for Infrastructure, we've heard that the discussion about TT-Line lacking relevant experience in terms of delivering port infrastructure. We've heard about the issues between TT-Line and TasPorts, no one wanting to take responsibility for where we are. As new Minister for Infrastructure, what is your view on tenants being responsible for funding and delivering works for infrastructure they don't and won't own on land or over water that they don't own?

Mr VINCENT - I think we've acknowledged that there are some issues and has been some issues. Going forward, a lot of the review into the GBEs and how they operate in singular fashion or together and for the State of Tasmania will be looked at pretty thoroughly over the next few months. I know I would like to see greater cooperation and, as Minister for Infrastructure, some of these things do not fit within my portfolio, which is one thing that also needs to be looked at, but at this stage it is what it is and we're working our way through those issues.

Ms THOMAS - Will that particular issue, because I think you know the issues between TT-Line and TasPorts and ownership of port infrastructure and agreements for lease and terms of leasing and who does the works, has been a point of contention for other organisations, not just TT-Line. Is that something that will be reviewed as part of the GBE review or do you see that as a separate issue that perhaps needs to be resolved in terms of TasPorts?

Mr VINCENT - I think a lot of those things will be looked at, but there are issues at all ports around Australia where the leasee of the dock is in charge of much of the expenditure. Now there's obviously different agreements, different areas, but that's something we will have to look at.

CHAIR - Can I just go to the fit out of the vessels? There was a commitment of \$100 million of Tasmanian content for the new vessels. Again, you will probably refer me to the Minister for Transport. One of the decisions about whether they're put into service somewhere else and what does that mean? This is probably more to the Departmental Secretary, because I don't want to be told we need to talk to another minister about this. It's a very live issue right now. So, in terms of the fit out, what's happening with the fit out of the vessels? They were going to be brought here, fitted out, one assumes in somewhere in the river here, Derwent, but now we're not doing that. We are sending them over in Europe, in Scotland, so what does it mean? Do we ship stuff over to put in them or do we get them fitted out over there, or what?

PUBLIC

Mr WILLIE - Are we shipping people as well?

CHAIR - People and things.

Mr LIMKIN - In relation to the delivery of the Government's commitment for local content in this, I am at over -

CHAIR - \$100 million.

Mr LIMKIN - \$100 million - I'm advised that TT-Line is currently working through that matter and the Quaylink Steering Committee will receive a paper shortly regarding that. Part of that relates to their decision regarding berthing and leasing. Those matters are still being worked through at this stage.

CHAIR - Berthing where?

Mr LIMKIN - At this stage I'm advised by TT-Line that the vessel will be moved to Leith, Scotland shortly while they work through longer-term solutions at this stage.

CHAIR - What's happening to the \$100 million of local content?

Mr LIMKIN - I am advised the Government is still committed to this and the Government continues to focus on this. TT-Line is working through how this will be delivered. It's in relation to mattresses, stores, numbers, et cetera. Commitment to local content. We will receive advice from TT-Line shortly.

CHAIR - It's a bit more than mattresses. We're not putting \$100 million worth of mattresses in.

Mr LIMKIN - As I've indicated, TT-Line is preparing a paper on how this still occurs while working through berthing options and leasing options at this stage.

CHAIR - We're not looking at berthing them in Tasmania to do the Tasmanian fit out. Is that what you're saying?

Mr LIMKIN - That is a matter for TT-Line. As I've indicated, we will receive advice from TT-Line shortly about berthing, leasing and the delivery of the Government's commitment on local content. Until I receive the advice, I'm unable to provide that information to the Committee.

CHAIR - When that advice is provided to Government, in what form are we provided and who to?

Mr LIMKIN - First of all, it will come to the oversight committee that I chair and then that information will go to the Cabinet Committee and be provided the Government at the same time.

CHAIR - When can the people of Tasmania expect to see this and not have decisions made about this without some oversight by this Committee, potentially?

PUBLIC

Mr VINCENT - Could you please repeat that?

CHAIR - This is a report eventually going to Cabinet. When can the people of Tasmania expect to see this before decisions are made about what is going to be planned with this, particularly in light of the public interest in this matter, the cost to the State to date and the role of this Committee?

Mr VINCENT - The discussions that we've had so far is we've asked a lot of that information to come to us and that judgment will be made once we receive that information.

CHAIR - Will decisions be made, Minister, about future potential use of that vessel, *Spirit IV* that's going to be moved to Scotland, and the local fit out without the opportunity for further public input or scrutiny, or questions answered around that?

Mr VINCENT - We're expecting reports on both those separate bodies of work. It is going to be docked at Leith for a time period while they check out the leases, that's going to happen fairly quickly. Separate to that, they're working on what may happen with the fit out. We certainly don't want to bring a ship to Australia and then have it leased and go back. There will be a one- to two-month period where some of those things need to be assessed.

CHAIR - These decisions and reports are likely to arrive at that very inconvenient time called Christmas and early January [2025]. We know it happened last year with all of these things happening. What assurance can the people of Tasmania have that major decisions around these matters, like leasing out the vessels and/or the Tasmanian content being put in or not - if it is, when - in a time where that members of the public can have oversight of it through this Committee before final decisions are made? Or do they expect to be kept in the dark?

Mr VINCENT - No, I think there is a fair commitment and has been since we've started the correction of this process from the Premier and now myself that as those reports come available and we analyse them, we do not mind how, through the Department, they will be made as public as we possibly can.

CHAIR - Will those reports be provided to the Public Accounts Committee once they've been considered by Cabinet before decisions are made about implementation of any recommendations that might be in that report?

Mr VINCENT - That is a matter for Cabinet to decide, but they will be going to Cabinet.

CHAIR - I understand that. I'm asking because we've got Christmas coming up. We've got a period where there will be no avenue for much scrutiny over that period. We know that's the case. You're saying that these reports are likely to land in this period of time. Can we be assured that the government won't make major decisions around this without time for the public to be informed?

Mr VINCENT - As we do not know the exact timing of those reports, I can give you my commitment that we will come back to this Committee when those reports come available.

CHAIR - Before major decisions are made around the leasing and/or fit out of Tasmanian content?

PUBLIC

Mr VINCENT - Yes, I would have to take that on notice and double check that and come back to you. Thank you.

Mr WILLIE - For the Committee's benefit, who is on the subcommittee of the Cabinet?

Mr VINCENT - Just trying to think, I have had that many meetings this morning. Craig is the secretary, the Premier, the Minister for Transport, myself.

Mr WILLIE - Not Craig?

Mr VINCENT - I am sorry. The Committee is actually the Premier, the Treasurer, forgot about the Treasurer. How can I do that with all of this infrastructure and TT-Line? It was just awkward at my first one this morning because we had a lot of different people there -

CHAIR - Just correct yourself, Minister. It was Transport, not TT-Line.

Mr VINCENT - The Transport Minister. Thank you. I need to write better notes.

Mr WILLIE - Before we finish, Mr Kelly from SeaRoad this morning said that he had heard that the new ships may not comply with some European regulations. Is there any -

CHAIR - To be leased out.

Mr WILLIE - Yes, and operate in their conditions.

Mr VINCENT - Certainly not aware of anything like that. That would be a question for TT-Line. Have not heard anything similar to that.

CHAIR - I am sure that will be appearing in the report if they do not comply, would you not think?

Mr VINCENT - One would hope so.

Mr WILLIE - Yes. He did qualify it by saying he just heard it, but he did say it on the public record.

Mr VINCENT - I have heard no discussion on those lines.

Ms THOMAS - We talked before about the oversight of the project and the responsibility to fund and deliver still being with TT-Line. As Minister, did you give any consideration to shifting that responsibility to TasPorts this late in the piece, or to the Department, the Government overseeing it itself?

Mr VINCENT - Processes were already in place when I took this ministry on and because we had put the measures that have been outlined there in place, I do not think that is necessary at this point in time.

Ms THOMAS - Do you know if that was something that was considered?

Mr VINCENT - Not that I am aware of, but I will just check with the Secretary.

PUBLIC

Mr LIMKIN - Through you, Minister. Ms Thomas, we did consider whether to transfer the contracts to the Department or TasPorts. The view that was made after consultation with Crown Law and Mr Moloney, and various people in the Department, was that would put the project at further risk of delivery. The advice to Government was that that should not occur and we should continue on the path through to mitigate adding further risks of delivery at this late stage in the project.

CHAIR - We will write to you with a number of questions on notice. This Committee still has a journey to go, bit like some boats we know about.

Mr WILLIE - Ships.

CHAIR - Ships, large vessels, we know about. In any event, we will write to you but for those we may need to call you back in the new year, it is quite likely. Sorry, I am losing my voice. Thank you for your appearance today and thank you, Mr Gemell, for not being in Indonesia, actually.

Mr GEMELL - Blame the volcano. I sat in Denpasar for three days.

CHAIR - We orchestrated that.

THE WITNESSES WITHDREW.

The hearing concluded at 4:56 pm.