

PUBLIC

THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON TASWATER OPERATIONS MET IN THE COMMITTEE ROOM, HENTY HOUSE, LAUNCESTON ON 1 FEBRUARY 2021

Mr MALCOLM EASTLEY AND Mr KARL MANSFIELD WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR - First, I would like to introduce the members of the committee who are with us today. We have Jo Palmer, myself - Tania Rattray - and Ivan Dean; we also have secretary Natasha Exel and Alison Waddington, and we have James Reynolds from Hansard. We have an apology from Sarah Lovell.

All evidence taken today at this public hearing of the Legislative Council Select Committee on TasWater Operations inquiry is protected by parliamentary privilege. I remind witnesses that any comments made outside the hearing may not be afforded such privilege. Malcolm is a seasoned performer now in this regard, but for you, Karl, it is your first time, so thank you for coming along.

Any evidence you present will be recorded and the *Hansard* version will be published on the committee's website when it becomes available.

By way of introduction, I advise that the procedure we intend to follow today is that first we will provide you with an opportunity to speak. We have about half an hour, so please make some opening comments and then the committee will follow up with some questions.

Mr EASTLEY - Thank you for the opportunity to put forward some fresh air evidence. We have done a bit of investigation through the act and through various reports from the regulator. I have given the references to Natasha. I hope you have those reference points?

One of the key points is that the Department of Treasury and Finance is actually responsible for pricing, and that has been confused over the years from 2012. The real problem is we have several ministers responsible for various parts of TasWater. You have the minister for Treasury, the Treasurer; you have the Minister for Local Government and there is the Minister for Infrastructure and Transport. They all have an interest in what happens with TasWater but nobody is taking overall responsibility, and it has been too easy to put forward the view that TasWater is an independent body and responsible for its own actions.

The same with the regulator. The regulator comes under the Treasury, but they have made some decisions that should have been more closely related to the act. We have found is that under section 18 of the Water and Sewerage Act, the minister has power of discretion to instruct TasWater to do volume pricing, and at the moment they're sticking with fixed pricing on sewerage. Throughout Australia, it should be regarded now as the norm to have two-part pricing, and that's actually required under the act.

We referred you to the 2018 Water and Sewerage Price Determination Investigation under 12.10 -

CHAIR - The variable charges aspect?

PUBLIC

Mr EASTLEY - It is contradictory. In one sentence they say that TasWater has discretion to charge either as a volume basis or as a fixed charge. That's contradicted by immediately following where they refer to pricing regulation 16(3), which says -

... a variable charge for a regulated service must be payable for each unit of water delivered to, or wastewater removed from, the property ...

Now, that's obviously a problem with the act - probably it gets down to poor proof-reading. My interpretation of that - the logical thing to do was to enforce volume pricing - two-part pricing - unless the situation was that meters weren't available. Meters now are universal. The last area to install meters was Hobart. They were reluctant to install them for quite a number of years but that's a long time ago now.

That was the first problem. When they went to employ volume pricing - we touched on the problem of leakage before. That leakage problem has been in existence right from when TasWater started its operations, and you can see that in some of the graphs I've produced. The regulator's reports are in a form that each year is nearly identical. They just put the new figures in, but there's always a graph there that shows water consumption in various places around Australia. Tasmania's leakage problem - where they have included the leakage - all our calculations are based on water consumption of 200 kilolitres per year.

If you look at the graph I've given you reference to, all the entities on the left of that graph are the ones in Victoria et cetera that use the actual water meter readings at the houses to do their calculations. That sits from 150 down to about 145. It has varied a little bit, fluctuated. Tasmania is consistently now using 200 kilolitres and that compromises all the rest of their calculations right through.

Part of the pricing structure is always related back to mainland prices. What you're relating there is apples to oranges basically.

If you do a calculation based on the actual average consumption, which is 150 kilolitres, and do that in Tasmania and in Victoria, it's totally different. The information put out by the spokesperson for TasWater is always that water and sewerage prices in Tasmania are equivalent of Victoria. That's not true. The true situation is that we have a natural advantage in Tasmania with water pricing. It's about half what it costs in Victoria or even less, but we're paying twice as much as they pay for sewerage. They are two separate calculations - they should be kept separate and they're required under the act to be kept separate so when we look at pricing of water, it's getting a little bit out of hand now.

The true figure's probably more like 90 cents a kilolitre. It's been contaminated now by putting in next year's capital requirements which are reflected in the price. That shouldn't be - the variable cost should just be the cost of pumping and supplying and dosing water. That's what Victoria does. Then the rest of the charge is in the fixed charges, which you can adjust with a longer term loan period, or any money that comes from the Government is used to reduce that cost, or even federal government assistance, whatever you like to call it - whether it's to do with helping the economy generally. That is the way you adjust the fixed cost both for sewerage and for water, basically. That contamination - the figures right through - has led to an increase in costs in residential areas of about 400 per cent. In Karl's case, it's 1000 per cent - paying 10 times as much as he used to pay. I believe that list of errors, when we go through them - you've got that first list where they should have employed William Dyson [TBC], you've

PUBLIC

got the leakage problem, which is easily fixed, and then when that becomes part of the industrial or - what do we call it -

CHAIR - Trade waste? No?

Mr EASTLEY - Yes, the trade waste category, anything to do with any of the businesses. The ET - the equivalent tenement - charge there is based on that figure so it's wrong, basically, right through. When you multiply that by, say, 2.5 ETs, in that case you're multiplying the problem again and again. That's why it is 10 times as much. One error just compounds and compounds again. The basis of the calculation then became to multiply the residential cost by four - that's part of their problem - and then that's multiplied again by three to reach the cost that they call the noncompliance levy, so it's completely out of whack with the actual cost to TasWater. It's enormous, actually; it's about a \$2000 levy now if you're not compliant. What that means is -

CHAIR - Is there a moratorium on that at the moment, Malcolm or Karl, do you know?

Mr EASTLEY - That time has run out, Tania.

Mr MANSFIELD - Since COVID, everything is basically just shelved, but we should have technically had all our grease traps and everything compliant by now. We haven't. None of us has.

CHAIR - Okay. Once Malcolm finishes, we might move to that area so thank you, Malcolm.

Mr EASTLEY - Businesses like Karl's are mainly affected by how they work out how many ETs to charge. Not only is the ET wrong in itself, but they don't apply that ET as a volume charge; it's done as a separate calculation on the floor area. Karl's particular problem - I think he should probably explain that - is how they went about calculating it and what it actually means. We've given you a comparison with the same business -

CHAIR - You have.

Mr EASTLEY - we will be facing in Victoria with the volume charges based on the water coming in. Their volume charges are - water coming in is assumed as water going out in residential. In commercial they assume that 90 per cent is trade waste, basically, going out. Tasmania has accepted that it's 80 per cent but there are two charges there and Karl can explain that, but they charge one calculation with the residential side or the sewerage side and trade waste is calculated separately and that's double-dipping.

TasWater has looked at that now three times and refused to do anything about it, and it's driving people like Karl to distraction. I've been asked to speak for a couple of other businesses that don't think they should have to take the time to come and speak to you. Quite frankly, they're afraid that by speaking up, they'll be a target of TasWater and be treated unfairly, and I understand that. They really are struggling. One person who asked me to speak today, for example, is still facing bills of \$80 000 to put in a grease trap. The grease trap issue is completely separate to the pricing issue.

PUBLIC

CHAIR - It is - equivalent tenement, yes.

Mr EASTLEY - The pricing issue is easily solved - move to the volume pricing basis. That is required under the act, in fact.

CHAIR - Thank you for pointing us to that in your most recent correspondence, which was circulated to all members.

Mr EASTLEY - Karl, would you like to explain your story?

Mr MANSFIELD - Yes.

CHAIR - Thanks, Karl. Karl is the owner and operator of the Cruzin' in the 50s Diner at Deloraine, a first-class facility. Thanks for taking the time to present to the committee.

Mr MANSFIELD - It's a pleasure. Quite a few of us in Deloraine are all in the same problem paddock, and it's frustrating. We've been doing meetings, not as serious as this, with TasWater for three years now on and off with the CEO, and it's gone on and on and nothing has changed.

To give you a little of the basics and cut it pretty simple, when TasWater came in 2012, my rates - and that's what they called the water content of my rates, which was \$1000-odd - dropped by \$300. Since then, in that short time, my water now is \$3000 and my rates have gone up to \$1000 now, so it's a fairly big difference. Once we put the grease trap in, the minimum is going to be \$1000 a year for pumpage. They record a minimum \$250 and they're quoting this if a group of us get it done in Deloraine at the same time. That is going to be another \$1000 on top, so it is going to be \$4000 for water and \$1000 for rates, and that's without the estimated cost of \$10 000 plus to put the grease trap in. That's a bit of an issue and I'll touch on that a bit later.

As to the tenement problem with the bills, last year I got a letter from TasWater, and my costs doubled my water overnight. I rang up and asked why and they said it was the floor space that they work out for my sewerage and the number of toilets I had. They were clearly wrong. I made an appointment with them and they came out. Two guys turned up and we stood on the front showroom and they could clearly see the two toilets from the showroom. They wouldn't believe me that the area they looked at on Google Earth was my workshops out the back and carports. Not that I was happy about it, but I showed them through the whole property, the offices and everything out the back, because they wouldn't believe me, to prove the point that the showroom was all I was using and there were no other toilets.

That was all good and we went through all of that but still, with their formula, I had a hot rod or a car inside I could display for people to see - petrol bowsers and we have a retail outlet. A third of that floor is not being used for the restaurant, it is just for display and retail, but that doesn't matter to TasWater. It was that boundary outside that building that I'm being charged on. That figure they came up with in that formula for doing it all, that's a seven-days a week, 24-hour thing. My business used to be seven days a week but since COVID, it's down to three days and we don't do nights anymore. But that's been going well before COVID-19. I think the way they work that pricing out is very unfair. A lot of places don't have toilets. We do, to give the customer service of trying to give them a better experience so they don't have to go to the park to go to the toilet. That's a negative for us, let alone buying the toilet paper. It's just

PUBLIC

very unhelpful. I agree with Malcolm - how they worked that out I thought was really disappointing, but it doesn't change much.

The way our bills are worked out from our last one, 90 per cent of the water supply that comes through me is billed as sewerage, which goes on that number, so that's very high, especially when I've got the gardens out the front to irrigate and water, and I also give the cars a wash, wash the buildings and wash the footpaths down. All that is calculated, or 90 per cent of it, as sewerage going out, which doesn't happen. I just think there's a problem in how they calculate the figures. I don't mind paying for water, sewerage or whatever I use. That's fine. It's the unfairness of it. That's a big problem.

Then we go back to our little old grease traps, which has been going on for a while. We're only a tiny little business so we don't believe that the way we do our practices is polluting the system. Diners have got a pretty bad rep as being greasy but those days are gone, they're more gourmet these days. It's all fresh food and we cook on griddles, so it's like cooking on your barbecue at home. Nothing goes inside to be washed, only the tongs, that's it; everything else is scraped down. Our commercial fryers are emptied out into 20-litre drums and wiped out with a cloth. No water goes near a fryer because if you put water on fryers it's really bad. They go into drums and the drums are taken to a guy who turns it into diesel and runs his cars.

Our plates are all paper and our fries are served in baskets in greaseproof paper. That goes into the bin and the offcuts of the fries and waste goes to the chooks. So the only thing used in our sink is a bit of beetroot or just washing down a basic near-clean plate.

Mr DEAN - So all the fat and residue from the cooked meats and so on is collected by you and disposed of in a -

Mr MANSFIELD - Yes, like a griddle has a tray, once it comes out it all drains into a container that is light foil, and that's got rid of all the grease. It's given away as oil and they turn it into diesel. So we're actually not washing down - people have this theory that it's all - I have more oil going down my sink at home when we use the frypan upstairs than I actually do in the kitchen, the practices of commercial kitchens. We don't want to block our own pipes up anyway.

It's not how it's done. We argued this point with TasWater. Last year it finally sent a crew up from Hobart. Two four-wheel drives turned up with eight people to test the water. They had their main laboratory guy there. In the middle of the day, they took a sample as it was running through the sewerage and all going out and it made that sample. We had a meeting probably six or seven weeks later in Deloraine. I asked the TasWater representative, 'How did it go?' - 'It was fine. Your count was fine'. He wouldn't tell me the number, but said, 'You were fine'. Of course, I knew we were fine and weren't putting grease down there. I was there when they pulled it out and it was clear water. It was obvious.

I don't believe our type of business - such a small one - needs grease traps. For the money to do it - the \$10 000 to put it in and then \$1000 every year, so every 10 years I've got another \$10 000 gone. It's just crazy. It's understandable if I were polluting, but most of us aren't. It goes out the door from the takeaway shops in the main street - there's no place to clean up.

PUBLIC

There're a few things that are frustrating that way: how they price it and that type of thing. Little businesses like us can't take a lot more. Water's becoming such a big issue now. Power's a big issue. Our rates -who cares about paying rates?

Ms PALMER - Sorry, when you say it's another \$1000 a year - are you saying every 10 years you have to replace the grease trap?

Mr MANSFIELD - No, no. We have to get a truck come out and pump the grease trap out every quarter.

Ms PALMER - Okay. So that's the fee for that.

Mr MANSFIELD - Yes, that's the fee for that so in another 10 years it's \$10 000 more. That's another cost on us. Basically we are paying \$4000 a year minimum for water.

CHAIR - If you could get another two or three businesses in Deloraine, that would be at a cost, for now, of \$250 each, but that could well increase.

Mr MANSFIELD - Yes, it's got to be a group of us. Everything's gone up; it will be more. That was the price we got last year.

Mr DEAN - To collect a cup full of grease - is that it?

Mr MANSFIELD - Yes, that's exactly right. I'm not saying we don't have anything go down there. I'm sure a minimal amount goes down there, but I know mum and dad cooking at home with their woks and all that type of thing, there's a lot more going down. If they're not eating with me, they're at home cooking like that. So really there's more going down in the residential than in the commercial. We might do a lot of meals but the way we do it, it's not greasy. We're not a greasy, fat place. That era's gone in Australia. It might have been back in the 1980s but not now. Our practices are so much better.

Mr EASTLEY - Just a point to help Carl out there. Basically, his problem is when he says 90 per cent is treated as sewerage, TasWater uses a different system to allocate a percentage to trade waste. In actual fact, it's being charged about \$1000 for each. That's where the double-dipping comes in. You've been charged with sewerage, which basically is just out of the toilets and whatever. Trade waste is what comes out of the kitchen sink. They've confused themselves totally. They are charging two different figures for the same amount of water that's coming into the business. That's so simply fixed with the variable charge - with a volume charge, which they do in Victoria. You take the volume coming in as the basis, what ratio, whether it's 50/50 or whatever it comes to with sewerage and what is trade waste.

An example given in the bill you have in front of you does a comparison with Victoria. It shows a \$1200 difference. There's only one thing I should explain there. I've used the Tasmanian figure of 200 kilolitres a year because TasWater use that. In actual fact when it's done properly, it will probably be a \$1000 a year difference because you'd have dropped back. The actual figure will be in the residential tax would be \$150 or a little less.

To do that, you can use an extra water meter in the line that goes between the incoming water meter and the toilet, or kitchen - it doesn't matter which. It is $x + y = z$. So simple

PUBLIC

to do and it gives an accurate figure of which is which - which is sewerage and which is trade waste.

When we last had a discussion with TasWater, I actually bought one of those from China - \$23, freight paid. I put it on the desk but they refused point blank to use that system to allocate the percentage. They insist on going back to this equivalent tenuous business to do their calculations.

The technical director of tradewaste said to me that we won't do that. It would have to be pumped in an accessible position. I made the point that it is only a polypipe. You cut it, put a loop in and then you mount the thing wherever you like. For \$23 you would leave it there. That is so simple. It's what they do in Victoria. If there is any squabble over it, they have a system where, if you meet with the owner, and you come to a mutually acceptable figure, you use that. It might be 50:50 or 60:40. Carl, I think, is paying 190 per cent total for the two figures.

It is absolutely ridiculous and the problem has arisen because nobody has taken ownership of TasWater here. They have let it be treated as a separate entity. If our minister in charge of this were active and open to getting on board problems from the public, that would be fixed straightaway.

I will give a couple of other things that come from the 2018 price determination investigation. This problem of the ETs has been recognised. It goes right back from when TasWater started. It took them six years, two three-year periods, to recognise there were problems. In that 2018 review, it was recognised by both TasWater and the regulator that the ET system was unsatisfactory and they would have to look at a different system of meeting volume. That hasn't been done. That three-year period has been extended to four. It won't end until June this year.

CHAIR - So it's five.

Mr EASTLEY - Six years to recognise a problem. Five years to fix it, if they go ahead and do it. In the meantime people are struggling and closing businesses. It is just so simple. It is a no-brainer. We should be doing variable pricing, or two-part pricing, straightaway. This ET business just does not work.

Mr MANSFIELD - One more thing. When they brought in this commercial rate for cleaning out the sewerage - three years ago, I think it was - our commercial water price doubled because we were supposedly sending fats down there. Now we have to introduce grease traps, that price doesn't change. They refuse. That is not going to be dropped back. The way I see it, if I am sending out clean water through their supposed grease trap, why hasn't that gone back to a normal rate, like everyone else, if I am paying for that to be done? But they refuse to do that, and they have said that.

It is just so unfair. If I choose to spend \$10 000 to put it in, I should have something back in the business for doing that infrastructure. But if I don't, I am going to be charged a higher rate again. How they are doing it is just very unfair. They are making me not want to do it. They are making me want to do another project.

PUBLIC

I bought another diner, a business I was going to do at Campbell Town. That was three years ago, and I have stopped it. Until everything sorts out, I am not putting any more money into the hospitality industry. I am just over it. It is just too hard. The profit margin is not there anymore, because of the population in Tasmania. We haven't a huge population, yet we are all trying to compare with Melbourne and Sydney prices. We only have the population of Geelong in the whole state, yet we have to pay Victorian prices, Victorian water and everything. We haven't the population going past the front door, so why would I set up another business in Tasmania?

Mr DEAN - What are they like to meet with and talk to? TasWater.

Mr MANSFIELD - Very standover-ish. Very poor action. I did bring that up in the early stages. When they first brought this in, a standover fellow came in to look at my kitchen. I refused him, actually - his arrogance - and we did address that with the CEO of TasWater, and the last one they sent out was actually quite nice. The two guys they sent out - and Malcolm happened to be there - to measure up the square meterage of my property were both very arrogant. It had to be their way or the highway and they had no communication or people skills. We just ask for people skills. We're only people, not doing anything else, but just trying to make a living.

Mr DEAN - Yes. You're not crooks, are you?

Mr MANSFIELD - Exactly, but you know, the way we're feeling, you do get intimidated and that's why a lot of the locals don't want to talk. That extra price that came in over the tenement scheme and the size of my floor, a lot of people just would have paid that. They wouldn't have realised there had been a mistake. Because mine was such a large mistake, it was obvious it had to be something, but a lot of people would not. How can you just work out someone's size of their business with Google Earth and think that's fair? Like, really, if you're going to charge somebody and take money off them, you should be accountable to have at least have gone into that property to measure it up, not through Google Earth.

Mr EASTLEY - Can I add something to your question there, Ivan?

Mr DEAN - Yes.

Mr EASTLEY - We've been dealing with three separate trade waste managers over the period of time and the first - as Karl said - really wasn't up to the job. He left the business after copping criticism over an issue with contaminated water. I don't want to name anybody from TasWater because it's a generic asset, but the next one was very good because he initiated a process of negotiating with people in Deloraine to do some testing on the river that has been referred to. I can't say enough to support what she was doing or attempting to do, but she was - I won't say sacked, but she was withdrawn halfway through the process and replaced with another manager. Discussions since then basically tell me that nobody will make changes because they'll get the same treatment she got. She was removed from the position halfway through and as far as I'm concerned, she was the only person I've met from TasWater who had enough integrity to test their assumptions. I think removing her was the worst thing I've seen any board do.

PUBLIC

Mr MANSFIELD - They got the figures back from all that water testing she did and they didn't like the figures. It didn't prove a thing for them.

CHAIR - It was interesting that you asked for the results of your sampling that was taken from your trade waste.

Mr MANSFIELD - None of us received results.

CHAIR - And nobody received those results.

Mr MANSFIELD - No. They just dismissed us.

CHAIR - They're fine. Okay, so that's interesting.

Mr DEAN - But what position was that that you're talking about? What position did they occupy?

Mr EASTLEY - We've been dealing with middle management, should I say. The lady who has been to every meeting was actually the manager of consumer relations, if you like, or customer relations. The other was always the manager of trade waste.

Mr DEAN - Right.

Mr EASTLEY - One time the lady concerned with the measurement was the technical manager of trade waste. My opinion is that there were problems there with people in a position that they really don't understand what goes on in their actual -

CHAIR - Business.

Mr EASTLEY - connection up there. What we have here is a situation where the industry is being regulated or managed by people who will not talk to people who know it best - the people involved in the business. That's why I suggest when it comes to dealing with the trade waste issue, if this committee can organise or broker a meeting with the minister, with TasWater and with the regulator all being present to discuss the particular items that are problematic. I don't believe that the management committee of councils has anything to add to that. I believe quite firmly that their management has been insufficient because there's a pecuniary interest there. They're only interested in the dividend issue.

That turns up under the price determination regulations - No. 21, if anybody is interested in checking it. That requires that adequate provision must be made for expected capital requirements and operational expenditure going forward before dividends can be paid to the members. In other words, they have been focused on the dividends coming back to councils but they're not allowed to pay dividends to councils unless you've already budgeted for future capital growth and expenditure and costing. That appears not to have happened.

The question you should ask is whether dividends should be paid at all. We have raised the issue about dividends being unfair but there's a little bit more to it than that. The councils haven't supported their own ratepayers because of that pecuniary interest and I don't think they

PUBLIC

will until the management committee hands their role over to a responsible minister. The minister is better able to manage TasWater.

Under section 18, it gives the minister discretion to authorise borrowings from sources other than the Tasmanian Finance Corporation, and that's been part of the problem. TasWater was set up because councils could only borrow over that 10-year period, and we've referred to that before, but it turns out now that all along ministers had the power to organise loans over a longer time from other sources, and that solved most of their problems straightaway. It is a nonsense caused by various ministers. I won't name them but I can understand their position. Over time, they've always taken the view that TasWater is independent. It's not. It is, in fact, supposed to be under the control of basically the Treasurer doing the pricing, but there's the problem again. The Minister for Infrastructure and Transport is probably in charge of the grease traps, so you have a series of overlapping problems here and nothing has been done.

CHAIR - Can we go back to the reference that there may be a business in Deloraine that will have to pay \$80 000 for a grease trap to be installed or an equivalent arrangement in their business?

Mr MANSFIELD - Yes, it's an historic Georgian property, triple brick and like a Victorian two-storey shop. It's a beautiful shop but they can't get excavators in there and all that type of thing. A grease trap is a big thing. They're talking at least a cubic metre square plus all the accessories and everything that goes with it. You've got to pull your floor up to do that. To try to do that with a hammer, shovel and pick - that building is difficult. I know there are a lot here in Launceston with the same problems. They're not an easy thing to do.

CHAIR - To retrofit?

Mr MANSFIELD - Yes. I have to have an excavator dig underneath the building from the boundary to try to put it underneath the floor for it to work. That's a big cost. It would be okay if it actually fixed something or did something. I'd be happy with that if I had an issue, but I don't.

Mr EASTLEY - We've given you examples of that. There's a photograph of one in Deloraine. I've spoken to one at Ulverstone when they had the problem there when half a dozen people had to close their businesses because it was physically impossible to put in a grease trap. It was a conjoined building, basically. She was told to put a tank upstairs and pump the sewage above the roof and work from there. She refused to do that and her position was that time was running out. She rented the place out for 12 months to somebody else and as soon as TasWater comes back, she'll close it down. When she does close it down, she paid \$115 000 to fix the coffee shop up and she's been offered \$27 000 as a noncompliant building basically, so it's not just the cost of the grease trap, it's what you lose if you have to close up.

This business with \$80 000 hanging over their head, they spent \$30 000 putting a new floor in before TasWater came along and told them to pull it up again. I've watched those people struggle, working 80 hours a week for the last two years with that hanging over their head. They're not sure, even struggling through COVID and everything else, when it comes to the crunch, whether they'll have to close up and lose what they paid for the building. They paid for the building, paid for the business, goodwill and all those things. It breaks your heart, really.

PUBLIC

Mr DEAN - Have any of these issues you're raising been brought to the attention of the ministers?

Mr EASTLEY - That's been one of the greatest problems of what I've said - that the ministers won't take responsibility for it. They hand it back as being an independent business. We've put 20 applications into our local MP who refused even to talk to us. We've spoken to our local council twice and various others, including the manager of the Local Government Association of Tasmania. We always went to the meetings with a couple of pages of the discussion points and they've had those discussion points.

Our local MP - I did get a phone call eventually but we've made the point of saying that with people like Karl, their only course of action now is to go to the Australian Competition and Consumer Commission and ask for the ruling on that. Our local MP sent me back a phone message from their staff that he's been too busy for two years to listen to us but if we organise a meeting with the ACCC he'll send an officer along as an observer. That's the sort of support we've had from politicians right through - this goes right back to when TasWater was established.

I'm not pointing the finger at any politician but at the end of the day it's too easy to say 'TasWater is an independent entity, it's nothing to do with me'; that's just not true.

Mr DEAN - Well, it's not, is it? It's 10 per cent owned by the Government and then it's owned by the local councils and it's not -

CHAIR - Representing the people who had those facilities.

Mr DEAN - Yes, it's not a private business.

Mr EASTLEY - It's not, no.

Mr MANSFIELD - There's not one person you can talk to get an answer - everyone, of course, the ministers, are all busy; they've got so much to do. Everyone passes the buck. You need one person or group that is responsible.

No-one's listening to us. Doing these grease traps on a new build, a new development like I was working on, is not a problem. You do it but -

Mr DEAN - Throughout this state how many people would we likely have in this position?

Mr EASTLEY - The problem, Ivan, is TasWater's figures - they have 70 per cent compliance now but that doesn't count for the number of people who walked away because they couldn't do it. TasWater rubs its hands because every time somebody walks away its percentage of compliance goes up in actual fact.

We know that half a dozen closed in Burnie, Ulverstone and that area. I know of one in Sheffield that closed up for just that reason. We got a quote on the grease trap and it just wasn't worth their while being in business so they walked away. No doubt, others have closed around the state and nobody knows about it.

PUBLIC

Mr DEAN - So a question for us to ask TasWater will be whether the 70 per cent compliance rate includes those who closed shop and couldn't continue because of this?

Mr EASTLEY - TasWater wouldn't know the figures. They would have no idea why people closed. They'll put it down as COVID-19 or something else, but this was happening before COVID-19 happened.

Mr MANSFIELD - This is all pre-COVID-19.

Mr EASTLEY - COVID-19 is just something that's happened that's extra and now people have to deal with it as well as looking forward to making a decision whether they put in a grease trap or whether they don't.

Also many people who've put in a grease trap really didn't need it. We started with 15 people in Deloraine signing a petition. Three of those, after much squabbling, were eventually recognised as not needing a grease trap. That's 20 per cent. If we can get a proper assessment process of whether you need a grease trap or not - and there are differences between Tasmania and the mainland. In Western Australia, for example, their category 1 is zero to 100 milligrams of fats; category 2, which is what we're talking about, is 300 to 600 milligrams of fats.

Tasmania basically has drawn a line at 100 where the residential is and everything else is trade waste. It makes no sense. There has to be an assessment process. The key part of that is if you're cooking on a griddle plate, you don't have grease going down.

I'm quite sure that the ones who have put in a grease trap unnecessarily if they can show that the output from the grease trap is the equivalent of a residence, they shouldn't be paying category 2 figures. They've already paid for their grease trap, why should they pay again?

That category 2 connection fee is made up of a connection fee built into it of about \$250 - that's what the Victorian one is, and the other \$700 to take it up to the connection fee of \$950. There's actually a treatment charge already in there, then a grease trap on top of that and the maintenance on the grease trap. It just adds up and it's not warranted at all.

Mr DEAN - Sorry, Chair, just so I'm absolutely clear on this: where you put the grease trap in - Karl might answer it - and you were to become fully compliant with that, you do not then get any assistance or support from decreases in any other costs of anything else going into the system?

Mr MANSFIELD - No, they doubled it three years ago based on my water as it comes in, this new tariff, because it happened to clean it. That stays. We have argued that point through TasWater for quite a few years now. That is a little bugbear on my back, you know.

If I'm going to spend all that money and be compliant, why am I not at the bottom rate? I would be very happy to put my water testing up against a household of four people and compare what mum and dad do with their woks and everything else at home compared to what our business does. If I am running a commercial business, why should I have to pay so much more?

PUBLIC

Mr EASTLEY - One of the issues through our series of meetings with TasWater always was that they should have a system of one or the other, either a grease trap or the increased connection charge. They would not listen to that.

Mr DEAN - Yes, one or the other.

Mr MANSFIELD - That's the fairest way because then if you can't afford the nearly \$20 000 to put it in, or even \$10 000 -

CHAIR - Or your building won't facilitate it.

Mr MANSFIELD - Yes, therefore, it's my choice. I pay the higher rate because I haven't got that - and that is fair - then you manage your business, 'Well, okay it's better for me just to pay this slowly, then this big infrastructure thing.'. But no, there is no choice for that. You're just paying the full price straight up, even after you comply.

The worst thing with complying which annoyed us and which they never brought up and didn't realise: for us to put in this grease trap they're forcing us to put in, the council wants a plumbing permit and a fee to do it, which is \$390, not quite exactly but something around that. I've got to pay TasWater an application fee of a similar amount of money before I can put this grease trap in. So we've got to pay \$700 to \$800 straight up to put something in that they're making us do to cover paperwork somewhere else. That, I thought, was crazy, really crazy. And you have your plumber.

CHAIR - And you pay for your certificate.

Mr MANSFIELD - And the certificate.

CHAIR - At the end of it, once you've done the work.

Mr MANSFIELD - Yes, what they say -

CHAIR - It says you are compliant

Mr MANSFIELD - Yes, it's around \$1000 gone in fees as part of putting this grease trap in to TasWater and the council. Just madness money.

Mr EASTLEY - On the issue of management, I suggest that the Legislative Council might resolve to continue to provide regular oversight of TasWater. I think it is part of their job.

The previous Legislative Council inquiry was very useful to the government. At that time, the government was trying to take over TasWater and as a result of information supplied to the Council, the premier or treasurer at the time changed his mind. It did change his mind. People regarded it as a backflip, but it was the right thing to do because any dividend from TasWater basically goes to government. It is a tax on water and he realised that and he stepped back too far. The government stepped too far away from TasWater and just left it alone.

If we can get a situation where a minister is accessible and knows that he is responsible for what happens in TasWater, we will be far better off. It's a no-brainer when you have to

PUBLIC

decide whether to use a volume-raising thing required under the act. It's common practice throughout Australia and it solves all these problems that Karl and others are having. His bill would have to be 100 per cent of the water coming in accounted for. That solves the problem straightaway.

Mr DEAN - Just correct me if I'm wrong: I understood that these grease traps were all about cleaning up the systems. Is that right? In other words, cleaning up the piping structures where the grease settles, cleaning up the sewers and plants at the end, which are the receivers of this product as well?

Mr EASTLEY - That's right; it's coagulated fats.

Mr MANSFIELD - Yes, can I just add one little bit of information which would be in writing somewhere? When we had the meeting over the road here with the CEO, a roundtable like this, they had the main guy there from TasWater who was really pushing to put the grease traps in. I won't say his name. He was the head of it all, and we raised them and discussed the logic, how they work and everything because being a builder I'm a bit mechanical minded that way. He even said they're just a stopgap measure; they're something that will just do the job at the moment. They're not perfect, but they will do for the moment. They had someone there writing all that down. They're only a stopgap. He said that to start with and that is just silly. I've gone and spent all this money that really still doesn't fix the problem 100 per cent. It's just the best they can come up with at the moment. That's three years ago.

Mr DEAN - When they come up with a better system, they will probably come back to you and say you've now got to -

Mr MANSFIELD - Yes. Why do I want to spend money doing something that doesn't fix it anyway?

Mr EASTLEY - The key to that, Ivan, is a grease trap is basically just a box with a hole through the middle and the clean water comes out of there.

Mr DEAN - Yes.

Mr EASTLEY - It is efficient only in catching the floating fat on top and that basically doesn't exist if you're using a cooking system with griddle plates. The stuff that falls to the bottom part by bacterial action is similar to what happens in the treatment plants. It's better than the treatment plants because you can monitor it. You're adding stuff to a grease trap all the time. It's not efficient. It's 70 per cent efficient. All it does is exactly what the treatment plant is doing in the bottom section and then you have to pump it out and have it taken away and treated again anyway. It's just a nonsense system.

One of the biggest problems is that small businesses have their own problems with being overcharged but even the oil content of the bigger businesses that have accommodation is going to be less than even a house because they have accommodation units that don't have cooking facilities, putting all that shower water and everything else through mixed up with the trade waste from the kitchen.

The rule of thumb you can use here is that right throughout Australia it's recognised that a household is acceptable straightaway. The same number of people who are eating there and

PUBLIC

having showers there, that's what puts out and that would be the same thing for accommodation places. They just don't need a grease trap. The oil content if tested would be suitable for the treatment plant. They just don't need a grease trap.

CHAIR - It's interesting, isn't it?

Mr DEAN - It is.

CHAIR - Very interesting. For some clarification around your request for the Legislative Council to provide oversight, the only oversight that TasWater receives outside of establishing a committee like this with the Legislative Council is that every second year the Legislative Council has the opportunity to have TasWater at the table in what we call GBE scrutiny. That's usually early December for around two hours. I believe that one of the aspects for establishing this committee was because I argued - and, thankfully, members of the Council agreed - that two hours every two years doesn't give you adequate opportunity to have matters like this brought to the attention of TasWater.

Mr EASTLEY - I think it's serious enough. You can see now the extent of the problems, and you should be prepared to monitor the progress we make in fixing those problems. The best way to do that is to resolve to do it every three years or so. Part of the problem is that it was oversight by the regulator, but it made some poor decisions.

CHAIR - Okay.

Mr EASTLEY - That business that kicks it all off with the leakage issue, that has been in every report; they know about it but they haven't realised the significance of it. That has compromised all the rest of their figuring.

Mr DEAN - I think one of the issues put to us during the discussion around this was that we've got a regulator that's controlling all of this, making sure there's fair play and pricing is right and so on, so that was put to us.

Mr EASTLEY - Yes, but it's not working.

Mr DEAN - No. I don't disagree with that.

Mr EASTLEY - The missing link here, Ivan, is that they're not listening to the people who know more about the industry than anybody else.

CHAIR - But the regulator doesn't come and talk to the owner and manager of the Cruzin' in the 50s Diner or any other business.

Mr MANSFIELD - No. We're too small fish and us little fish; we're all dying, basically.

Mr DEAN - Yes.

Mr MANSFIELD - That's why - fewer and fewer little businesses. You're going to end up with the big names - Bunnings, Harvey Norman. The little fellow is dying and it's a shame.

PUBLIC

We're losing our culture. We're losing our little businesses. People complain. They want to go, have a weekend, visit places, and there's nothing open.

Mr DEAN - Tasmania is built on small businesses.

Mr MANSFIELD - Yes and there's fewer and fewer around now and things are getting harder. You know, for the costs now, my water is four- or fivefold my rates cost. It's just extraordinary.

Mr DEAN - We refer to Victoria a lot. You have, Malcolm, in what you have said. Are you saying that if we had a system that mirrored Victoria in pricing and all the rest, this problem would be pretty much fixed?

Mr EASTLEY - We can't copy the Victorian system dollar for dollar. We can't do that. Their pricing is different on water, for example. The way they go through it is far better than ours.

Mr DEAN - If we followed the formula Victoria has, would that satisfy some of these concerns?

Mr EASTLEY - Victoria is not perfect. For example, the basis of it is always residential. What they do with residential is take the actual meter reading, no discount. That means that anybody who is gardening or watering their lawn is paying sewerage rates on that.

There should be an option in Tasmania that if you are in that position, you should be able to apply for a discount of 10, 20, whatever extra figure you can prove. That is one shortcoming there.

The real problem is that Tasmania's sewerage calculations are completely wrong. In Victoria, the calculation is simple. It is the water meter coming in. They use 90 per cent figure - a 10 per cent discount, where we use a 20 per cent. I can understand that maybe there is a slight argument there, but at the end of the day, you are only paying for the water that is coming in. You do have not some silly calculation that floor area, or something else, which, more times than not, is completely irrelevant and completely inaccurate.

Mr DEAN - Have you looked at the other states and territories?

Mr EASTLEY - Not so much. The real issue, the grease trap issue, came from New South Wales. Tasmania looked at New South Wales, but the exact wording, when they set off this, if you cook a meal, and sell it, you must have a grease trap.

That has no relation to volume. It has no relation to oil content. It was a silly thing for New South Wales to do, and even sillier for Tasmania to do.

We didn't use the same wording, but we used a list of businesses, basically, that would categorise as category 2. Basically, the reason there was that anything with a commercial kitchen is regarded as category 2. But they vary so much. You have little businesses, little coffee shops that have a very small volume. Their calculation on trade waste is the only one that is accurate. If they don't have a toilet, the trade, they would calculate as 80 per cent of the

PUBLIC

incoming water. On the bigger ones that have accommodation, their calculation of sewerage and trade waste is completely different. There must be a proper assessment process.

Mr DEAN - We'll have a close look at the other states anyway. Make sure we can do that.

Mr MANSFIELD - It's a negative to provide toilets for people. Providing the service to make them more comfortable, so they might stay a little bit longer, and have another coffee or something is a very expensive thing to do.

Mr EASTLEY - I think progress can be made, providing you can get the regulator at TasWater yourselves. You understand the problem better than anyone now. Have a discussion over the trade waste issue, and try to lock in some things that need to be there. One will obviously be volume pricing. You have got to go back to that. The other is the cooking procedures et cetera. Have an estimate there of what it is going to do before you make a decision to enforce a grease trap to be put in because it is killing people. It really is.

CHAIR - Certainly some reference to the floor area. It is the floor area you are using for that particular business, not the entire floor area of your business.

Mr MANSFIELD - That way of working out bills has just got to go. We have a heated outdoor area. A lot of businesses, especially in town here, have a little shop and all that outdoor area doesn't count. It is your internal little area. I am lucky enough to have a large floor space, but a third of it is used for stock, memorabilia - a hot rod sitting there - to add atmosphere to get people in your door. You need something to get them there. Come for a drive. Yes, it is a bit of a negative.

For me, if they want to get really accurate, which would be fine, I have a pipe the size of my thumb that feeds the whole diner separately. They could put a meter on that and know exactly how exactly how much water is going in and out of that property, and the same with the waste. They could put a meter or a gauge. It is a simple S-bend. I spoke to TasWater plumbers when they were out there. They could come and test whenever they want and see how much I am polluting and I could be charged accordingly. It is very simple to do this.

It is far cheaper for me to have to pay for that infrastructure to be put in and easier than grease traps and things.

Mr EASTLEY - The situation Karl is in with his business is that pricing on the sewerage side of it now is the same as when he was working seven days a week, even though he closes it for a month in the winter time. He has the COVID-19 restrictions and he is only opening three days a week anyway now. It makes no sense.

Ms PALMER - Before we run out of time, can I clarify a point? You said that three years ago a tariff was placed on your bill and that was to treat the water.

Mr MANSFIELD - Yes. That is correct.

Ms PALMER - Now you must comply by putting in the grease trap which is to treat the water and the tariff stays?

PUBLIC

Mr MANSFIELD - Yes. That is correct and we have asked that question many times.

CHAIR - Why?

Mr MANSFIELD - Yes.

CHAIR - Thank you. Any more questions?

Mr DEAN - Are there any other issues or questions you think we ought to take to TasWater?

Mr EASTLEY - One issue that comes up after reading some of these reports was there has been some criticism of TasWater for over-capitalising them, buying too many vehicles et cetera. In one of the reports - there is a series of reports, in fact - they had an outside investigator in to work out how many vehicles they had. TasWater got to a stage where they had one vehicle for every two people and they were required to get it back to one person to every three vehicles.

CHAIR - Three people to every one vehicle?

Mr EASTLEY - Yes. That meant losing 308 vehicles. TasWater did its own answer to that report, recognised it had not counted them properly. The second report from the outside regulator goes back to TasWater and to the Tasmanian Regulator. It just got nonsense. No-one knows whether TasWater has a proper proportion of vehicles to the number of employees they have. The industry standard is 1:3

You could ask the question as to how many vehicles TasWater has. A supplementary question to ask is: does that include leased, hired or contractors' vehicles that are not owned by TasWater but doing the same job? Trying to get a figure on whether TasWater is spending too much money on the business that it has now, which is a hump in its business, or should it be maintaining its business to what the long-term situation is after that infrastructure is corrected. It is a very hard to get back from the big business that should have been operated with contractors or subcontractors to help do the work during busy periods.

I came through an industry with a boom and bust over the years, and I know firsthand that the only way to run that sort of business is to treat your business as it will be in the lower period of activity.

Many years ago, I was on the board of the Tasmanian Logging Association. I had some work to do with price regulation and the only way to do that was to have input from the people involved, which has not happened here. Fair dinkum, this is the worst I have seen as far as price fixing goes. It is a nightmare, it really is.

CHAIR - Even just getting your head around the whole concept is quite challenging, isn't it?

Mr MANSFIELD - Try to read your bill.

PUBLIC

Mr EASTLEY - I am embarrassed that Tasmania can do this. It has taken me two years to work out what they are doing and why they are doing it, but it turns up in the reports. The key thing is the leakage issue - that contaminates all their thinking.

Mr DEAN - It is interesting you should say that about the bill. I wrote to Aurora the other day and told them to start to do their bills so that the normal average person can understand them.

Mr MANSFIELD - Exactly, they make it that complicated.

Mr DEAN - They did come back and say they were complicated. At least they did say that.

Mr MANSFIELD - If you have been charged for something, you want to see why. Simple numbers. We are not silly, we can understand numbers.

Mr EASTLEY - The Victorian one gives you the volume and multiplied by the treatment cost and that is quite straightforward. On Karl's bill, you cannot work out what percentage they have used for the trade waste or anything else. You know what the figure is but you cannot work out exactly how they have gone about working it out.

CHAIR - Working it out and what the formula is. In light of that, on behalf of the committee, I thank you both, particularly Malcolm, for the dedication, work and effort you have put into giving the committee this information but also for showing support for your community. It has been exceptional. It really has.

Mr EASTLEY - We want to thank the committee very much for taking the trouble to have a review. We have asked TasWater for the last three years to properly review its processes and we have called for a moratorium on pricing and trade waste until that review is held. Something this committee could do now is publicly state that it calls for a moratorium until this process is finished, and that will take some time yet. It will not be finished anyway until the next regulator makes his decisions either. We are just so grateful that you will listen to what we are saying.

Mr MANSFIELD - I would like to thank you very much, especially on businesses. Little people don't get to talk much.

CHAIR - We know how busy little businesses are because there are usually not a lot of people there running them. Thank you for your time and we very much appreciate it.

THE WITNESSES WITHDREW.

PUBLIC

CHAIR - Welcome, Mr Collier. I introduce my colleagues: the honourable Jo Palmer; myself, Tania Rattray; the honourable Ivan Dean; our secretariat support Natasha Exel and Allison Waddington; and we James Reynolds from *Hansard* over the back.

Mr JAMES DOUGLAS COLLIER WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR - Thank you very much. Welcome to the public hearings of the Legislative Council for this TasWater inquiry. Thank you for taking the time to provide us with a submission. This hearing is protected by parliamentary privilege but I remind you that any comments you make outside of this formal process may not be afforded the same privilege. The evidence will be presented through *Hansard* and when it's available it will be on the committee website. If there's anything you would like to keep confidential you can ask the committee to hear that in camera if you so desire, so please don't hesitate if that's something you feel is appropriate. We will ask you to speak to your submission.

Mr COLLIER - Thank you and thank you for the invite. I presume everybody has a copy of my submission.

CHAIR - We all do.

Mr COLLIER - Okay. I've been thinking about the best sort of strategy to approach today's hearing but I think the easiest way for me is to go through my submission because -

CHAIR - We want to leave some time for some questions, Mr Collier, so about 20 minutes for yours and that will give us about 10 minutes at the end.

Mr COLLIER - Sure. I will be very brief; it was a pretty short submission.

CHAIR - Important, nevertheless.

Mr COLLIER - Thank you very much for that. I just draw your attention to the very first page.

CHAIR - We all were quite interested in the 1916.

Mr COLLIER - Exactly, and if I could just emphasise that date again. In 1916 people were asking to stop dumping sewage in the Tamar River and here we are, over 100 years later, and it's still happening. If you go to the bottom of the first page, according to *The Examiner*, in 2015 raw sewage spilt into the Tamar more than 900 times over the course of the year. Contrast that to the request in 1916 for the practice to cease.

On page 2 of my submission there's a notice from the Tamar Yacht Club. It recommends that boating activities which could result in immersion adjacent to the club be ceased until such time as tests by the Launceston City Council indicate that it is safe to do so. There was a notice on the front of the yacht club gates, there were notices on the bridge and in the area advising members of the public - 'Do not swim in or drink this water. For more information please phone the council's environmental services.' Those signs were displayed around the approaches to the Tamar River for quite a substantial time. I haven't checked if they're still

PUBLIC

there but they were certainly there for a few years. To me, that is something that Launceston can be ashamed of, or should be ashamed of. In fact, I think it is.

Mr DEAN - Not only Launceston, the state should be ashamed of it.

Mr COLLIER - Yes - thank you for that. There has been considerable discussion involving some very high-profile Launceston business people recently, as well as community members, about the state of the Tamar River. So, aware I was coming to talk to you, I circulated an email saying I was going to attend today and did anybody have any information that they thought worth being in front of you. I received a response from a Mr Alan Birchmore who was the former chairman of the Launceston Flood Authority. I'll give you a copy of his comments in just a minute, but he said:

Just to comment on the biosolids, Jim, in 1986, Foster -

who was a professor named Foster who conducted a very in-depth survey of the upper reaches of the Tamar River -

assessed sediment accretion in the upper reaches of 36 000 cubic metres. I believe now it is around 100 000 cubic metres. What TasWater discharge is not all water. Population growth has been considerable and so the volume of discharge.

All the best for the hearing.

Alan. [TBC]

So he has virtually advising that sediment in the upper reaches of the Tamar Estuary has nearly tripled since Professor Foster's 1986 report and he personally attributes TasWater biosolids as a contributor to this increase.

A Dr Ian Kidd contacted me as well with his comments. I will read them out to you but I do have copies for all of you.

Dr Kidd said:

My comments regarding sewerage treatment were forwarded to the Tamar Estuary Management Taskforce some years ago. As with any problem-solving scenario, it is essential to understand what the problem is, differentiate or isolate the root cause of the problem through the symptoms.

The problem will not be solved by treating symptoms. The root cause must be isolated and dealt with. The sewerage problem in Launceston is that we have sewerage of various degrees of treatment sloshing around in the upper estuary.

Correct me if I'm wrong, but seven plants discharge into the estuary, Legana, Newnham, Ti Tree Bend, Riverside, Hoblers Bridge, Blackstone and Queechy. The combined sewerage system makes

PUBLIC

things worse during rain events. Combined sewerage systems are common around the globe and must work effectively so why not in Launceston? Very few, if any, discharge into the top of an estuary and therein lies the root cause of our problem.

According to Dr Kidd:

Unless all plants discharge pure water only and treat everything then we will always have a problem. [TBC]

He asks, how much of Launceston sewage presently flows past Rosevears and Deviot, the fish farm at Longreach? The answer is it flows past each of these places at exactly the same rate as it is discharged into Launceston. It doesn't go anywhere else. It all eventually makes its way to Bass Strait. At the same as it is discharged, the sewage is not a problem at any of these localities because it is highly diluted by the large tidal volumes.

The next question is, how far does the flood tide flow per cycle? Let's say the tide flows for six hours - and it gets a bit technical here - at 0.5 metres a second. The distance travelled is $0.5 \times 60 \times 60 \times 6$ metres of 10.8 kilometres which is the main point, which is not very far.

The solution, as Dr Kidd sees it, at a minimum is to pump from all the plants to somewhere beyond 10.8 kilometres from the Ti Tree Bend where the sewage is sufficiently diluted not to be a problem. It cannot get back to Launceston. The root cause of the problem is removed and the problem is solved. The pumping could be by a heavy duty poly pipe following the [inaudible] wake, that is the deepest part of the channel of the estuary.

The \$95 million project favoured by TasWater will not fix the problem. It achieves a paltry 15 per cent improvement in pathogens and is a complete waste of money. It acts on the symptoms of the problems while ignoring the root cause.

I will give you copies of what they all said.

The main purpose of my reading that out to you - and I'm sorry it took so long - was to indicate to you that there are a variety of solutions out there. There's a lot of money being made available to TasWater. Nothing is happening now, and as I mentioned in my submission, even now 100 years later after that, TasWater has still not finalised what they are going to do.

In *The Examiner* on 9 July 2020, they say:

TasWater has not confirmed when planned upgrades in Launceston sewerage infrastructure will be completed. NRM North has already commenced work on our improved catchment management but deliveries of sewerage infrastructure upgrades are the responsibility of TasWater.

A TasWater spokesperson said before final timing could be confirmed and the works commenced for the upgrade, rigorous design work would be undertaken and the relevant approvals would be sought.
[TBC]

PUBLIC

We have waited 100 years and still TasWater is saying that nothing is going to happen in a hurry: 'We're working on it'.

Mr DEAN - If I didn't know it, I'd think you were talking about a Third World country.

Mr COLLIER - You would. It really is pathetic in this day and age. I don't necessarily agree with everything that Dr Kidd said. As you see in my submission, I refer you to the Eastern Treatment Plant in Melbourne. I would recommend that this select committee visit that place because there's a lot in the modern high-tech world that can be done with sewerage now. I am just a bit fearful that what we're going to end up with within a few years will be very much out of date. It's well worth looking at what a modern, tertiary sewerage treatment plant can do. I understand you can virtually get clean drinkable water out of it, not that I know anybody would particularly want to drink it but nevertheless it's there.

If we had this sort of facility in the Tamar Valley, looking ahead for 100 to 200 years the outflow from such a facility would provide agriculture with irrigation and possibly, given climate change, drinking water which, in a 100 years' time, you might think rather differently on if we haven't got any.

It was said in *The Examiner*, 24 May 2019, that all the money which was being provided in the Tasmanian budget papers showed \$180 million contribution would be provided to TasWater over the next four years to go towards this infrastructure program as well as major projects, including improvements to the Launceston combined sewerage and stormwater system. With that kind of money something could be done. The money is there. It just seems a lack of will by TasWater, or whoever, to get off their bums and do something. They've had long enough to sort it out, surely?

CHAIR - Jim, you talked in your submission with regard to having something like the Eastern Treatment Plant and you talked about the fact that it might help with power generation as well. Have you looked at that Eastern Treatment Plant or just done a little bit of research that you provided to us?

Mr COLLIER - That's exactly it. I've looked on the internet and I was so impressed with it. I know it's a lot of money for poor, old, little Tasmania, particularly for the Tamar Valley, but we've got to look to the future for the expected population growth expansion.

CHAIR - There's \$95 million available. It would be a good down payment on it, wouldn't it?

Mr COLLIER - It would, I think. I suspect it would be a down payment but we keep talking about having to create jobs and this sort of thing.

I think the biggest problem would be finding a site for it but I am sure the sites would be available and it wouldn't have to be located exactly here; it could be located anywhere in the Tamar Valley and it would be such a magnificent thing for Launceston, for the Tamar Valley and for Tasmania.

CHAIR - If it serviced those seven current outlets do you see it needing to -

PUBLIC

Mr COLLIER - Everything could feed into such a facility, everything from the Tamar Valley and the surrounding municipalities. It would be a central sewerage treatment plant for the north eastern region of Tasmania but it would cost a lot of money. It's taken 100 years to get to this stage so surely what we do now must be right and this sort of high-tech, state-of-the-art, modern treatment facility could be just what we need and, at the same time, it's creating jobs and lots of other benefits would come out of it.

CHAIR - The Tamar Estuary Management Taskforce that made some significant recommendations - were you part of that committee, Jim?

Mr COLLIER - I made a submission to them.

CHAIR - Right, okay.

Mr COLLIER - There is a lot of community concern about the Tamar Estuary Management Taskforce. A lot of people feel it's over-bureaucratic; it's got too many people on it and while you've got too many people on it nothing is going to happen. It just turns into a bit of talkfest.

A lot of people have no experience whatsoever with regard to the Tamar River. They've come from a variety of backgrounds. I personally can't see why general managers of local municipalities are members of the Tamar Estuary Management Taskforce, the same as I can't see why a lot of the mayors are members of the Tamar Estuary Management Taskforce. It's just overloaded with people, and as such, I think it would be quite inefficient and overly bureaucratic.

CHAIR - Thank you. Anything else, Jim, before we get into some more questions?

Mr COLLIER - No, I think that's about all. It was only a brief submission.

CHAIR - As I said, brief but important, and certainly from my perspective pointing us to the Eastern Treatment Plant that serves the city of Melbourne quite well would be interesting. I'm not sure about us going to look at it but it might be worth suggesting that TasWater looks at it, because they would possibly have the expertise to know whether that would work for this area in Tasmania.

Mr COLLIER - Launceston sewerage infrastructure is a combined sewage-stormwater system.

CHAIR - And very old and awkward to get at.

Mr COLLIER - Exactly right. London has a similar system. London is now spending millions of pounds on building a whole new sewerage infrastructure because their old Victorian combined sewerage can't cope. They know they have had to bite the bullet and it's all there on the internet. It sounds to be a wonderful thing. I'm not knocking their old sewerage infrastructure - when you go down into the sewers and look up at the architecture, the Victorians did amazing stuff.

PUBLIC

Mr DEAN - But some of those older systems work reasonably well on the reading I have done. So why are we so bad in the way this one here is running? The end treatment of it. What's wrong?

Mr COLLIER - I think Ian Kidd might have made a good point when he mentioned about the discharges into Home Reach. If the discharge was further out -

CHAIR - Somewhere beyond 10.8 kilometres from the Ti-Tree Bend.

Mr COLLIER - Yes. The trouble is, as Ian Kidd says, that he's forwarded his comments to the team that asked the estuary management taskforce some years ago. Maybe he should have forwarded them to TasWater as well, but obviously that wasn't possible at the time. A lot of people out there are not qualified, and people have known for years, but they have some very good ideas, but because they haven't got the qualifications or the lettering after the name - Ian made sure he got his and now people have to listen to him. He is an academic and he's coming up with these suggestions.

Some of the community have some very good ideas. Some of them aren't so good, but they are there and they know the river. I really do feel with the Tamar Estuary Management Taskforce that a lot of them have very little knowledge, if any, about the river. They're just sitting back listening to the scientists, but the scientists don't always get it right.

Ms PALMER - Jim, what you spoke about before, the comments from Dr Kidd, are you thinking that is two options on the table - to move where it's being pumped to much further up the river, or look at the Eastern Treatment Plant-sort of model.

Mr COLLIER - My personal preference would be to go for the Eastern Treatment Plant because we can really look to the future then. Even that now is out of date. There are a lot more state-of-the-art treatment facilities, but nevertheless it shows what can be done and has solved a lot of Melbourne's problems. Something like that wouldn't just serve Launceston, but the whole region. Just about everything could be pumped straight into it.

CHAIR - We pump water everywhere. We're very good at building irrigation schemes.

Mr COLLIER - Yes. It's just a costing, but we know the money is there. Well, we're spending money, as you say - \$98 million is a good deposit.

Mr DEAN - It would be interesting to know just how much money has been wasted on the systems they have tried to work with over a number of years.

CHAIR - And all the reports.

Mr DEAN - Probably millions and millions of dollars have been wasted. As to the number of reports, I thought the 2013 select committee inquiry report came up with some fairly good recommendations - and what happened? Nothing.

Mr COLLIER - I know, and that's what's frightening. We have to do the same as London has done - recognise that we've got a problem and look ahead as well as looking back. Looking back 100 years, there were calls to stop pumping sewage into the Tamar, and looking ahead, population expansion and something like this, to me, considering we're spending the

PUBLIC

money, which as you say might very well be wasted, because we're doing patch-up work instead of trying to -

Mr DEAN - The EPA see this as a monumental problem. If you look back through the system that came out last year, the EPA is on record saying they accept it because it's going to cost too much to fix it.

Mr COLLIER - Yes.

Mr DEAN - That is on the record.

Mr COLLIER - It is as has been told to us by scientists that we have to learn to love mudflats. I'm sorry, I might be going off in a slightly different tangent, but that is ludicrous. They're saying we have to learn to love the mudflats, it's the natural part of the river, but this river can never be natural again. We have dammed it, built on all the riverbanks and we look at Invermay and Inveresk, which were the natural flood plains and silt traps -

Mr DEAN - They're reclaiming all that ground here behind us as well.

Mr COLLIER - Yes. Excuse my French, but we have buggered it up, so now it's up to us to sort it out. I've got my own thoughts on that and the main one is Trevallyn Dam, which is just before the water flow. We could do that as well as generate power by putting a mini-hydro scheme at the bottom of Trevallyn Dam and we could still generate power while we have good water flows coming down Cataract Gorge.

I didn't bring my standard photos in but in 2002 Hydro shut down the Trevallyn Power Station while they upgraded it and let all that water flow through the Cataract Gorge. The transformation was overnight. You could see the fish swimming. We had our boat up on the slip at Tamar Marina at the time, so we were right next to it. When I got up in the morning I thought the dam wall had burst. There was white tumbling water flowing through the yacht club basin there. People were so quick, they were out in their canoes and kayaks already enjoying all the white water. It was incredible.

I said to this guy, 'Did the dam burst?', and he said, 'No, they've just let all the water flow through'. They did that right up until Christmas and Boxing Day, for three months. That yacht basin became blue. It really was. I'm kicking myself I didn't bring the photo but I didn't think I would be talking about it. I went straight up the Gorge and took photos of the water tumbling down and it showed what could happen.

At the bottom of Trevallyn Dam there are three valves, flat valves or water release valves that Hydro Tasmania recently upgraded. They used to be operated manually but now they're done electronically; they only have to press a button and they can open those valves. They're ideal to install a hydroelectric scheme around those valves. We could have all the water coming through the gorge while we're generating electric power. It might reduce the output from Trevallyn Power Station, but think of the benefit for the river, for the environment and for tourism. What is the first thing that happens when we get a flood coming through the gorge? Everybody goes to look at it.

It would be worth millions in tourism to have that white water flowing through Cataract Gorge. It would clean out the yacht basin and the upper reaches of the Tamar

PUBLIC

River/kanamaluka, because it would reduce the salinity of the Tamar Basin. When the sediment comes down from the catchments, it's in suspension until it reaches salt water, then it flocculates or changes form and settles to the bottom of the river. When they put Trevallyn Dam up, it reduced the freshwater content in the upper reaches and the Cataract Gorge, so saline water was able to come further up into the river, therefore the sedimentation or the flocculation occurred earlier, which is one of the significant contributors to the increasing sediment in there. So if we had fresh water constantly flowing into the upper reaches of the Tamar River, the sediment would reduce, the toxicity would reduce, tourism would increase and dollars would flow into Launceston and northern Tasmania. It really would be such a tourist attraction.

CHAIR - So do we still need the Eastern Treatment Plant there?

Mr COLLIER - The Eastern Treatment Plant is a long-term thing. We've still got to treat the sewage because the sewage is going to keep coming. It's going to expand but as a short-term release, if you remember it, they opened the floodgates or the valves and within 36 hours that water had changed. So much so that the *Examiner* actually chartered an aeroplane to photograph it. I've got copies of the photo. It was amazing.

The [inaudible] and one or two others are currently talking about - I'm getting off-tangent - a pipeline from the outflow of the power station and pumping it down towards the Cataract Gorge so that the outflow from the power station would then go down into the yacht basin mooring and that would have the same result as letting it through. They think even better because it would flush a lot of the sediment away.

But the answer to solving the problems of the upper reaches of the Tamar River, no matter what, is getting good water flow through. The easiest thing to me is from Trevallyn Dam, but Ian Kidd and a couple of other scientists as an alternative have suggested a pipeline from the outflow of Trevallyn Power Station and [inaudible].

Mr DEAN - So what you're saying, Jim, is that TasWater needs to be working closer with Hydro to have these changes made?

Mr COLLIER - Exactly. I mentioned it's all our own fault - the rivers, and the mess it is - we've built on the banks and built on the flood plains and silt traps in Invermay and Inveresk but we've also dammed the river. If you and I cut off our blood supply, we would die. That's what we've done with Trevallyn Dam - we've cut off the blood supply of the Tamar Estuary.

Mr DEAN - Having said all that, where do you see TasWater at this time regarding the real, positive work that needs to be done to clean up this river?

Mr COLLIER - We've got to stop the sewage getting in there. It's totally unacceptable. It's not the only problem.

Mr DEAN - For many years, Jim, we were told that there was little or no sewage going into the river. When I came onto the Launceston City Council in 2002 or 2003, whenever it was, I was told no sewage was going into the Tamar River. I remember being told blatant lies obviously. It is there and it's got to be stopped. You are right.

PUBLIC

Mr COLLIER - They have known for a 100 years. I can't help - and I'm sorry to do it - keep coming back to this. They've had notice about this. For them to say now that they're still finalising it and that TasWater has not confirmed planned upgrades to Launceston sewerage infrastructure will be completed is shameful. What on earth have they and their predecessors been doing for the last 100 years?

Mr DEAN - So you're saying that TasWater needs a clear plan to remedy this problem in the future and they should be starting that process today?

Mr COLLIER - Yes.

Mr DEAN - And not having it on the back books and not having a position?

Mr COLLIER - They've got to pull their finger out and get to grips with it. They know the problem is there. They've had enough notice. There are a variety of ways out. For them to say they're still designing something is pathetic and a sad reflection on them - and is a sad reflection on our state Government for allowing them to get away with it.

Peter Gutwein is well aware of the problem. He's mentioned it on numerous occasions. They've just got to get on and fix it. They're flowing all this money but we're seeing very little action on the ground.

There have been some minor upgrades. The contamination of the upper reaches is slightly less than what it was before in that according to the NRM North Tamar Estuary report cards but it has only gone up from a complete fail -

CHAIR - To a D.

Mr COLLIER - To a D. That's nothing worth shouting about, is it?

Mr DEAN - I think what disappoints me then is the fact that this money has been put into removing a perfectly good operating sewerage plant at Macquarie Point to another area when we've got one here that's not working.

Mr COLLIER - This is what some people are saying. We've got 29 councils; they've all got their own agendas.

Mr DEAN - Yes.

Mr COLLIER - And a lot of council representatives are sitting on TEMT. Maybe they're pushing their own agendas - I don't know. I am concerned with the composition of the Tamar Estuary Management Taskforce because I feel some people are sitting on it who have their own vested interests. I understand there are representatives from Hydro Tasmania and from TasWater, and obviously there are people from local councils.

They've got 29 councils, all with their own agendas. All these people have their agendas, possibly going in different directions. In the meantime, nothing gets done. I think the Tamar Estuary Management Taskforce should be reduced in size to no more than half-a-dozen people - a composition of members of the community and the scientific fraternity, amongst others, but certainly there should be representatives from the community. People like Ian Kidd

PUBLIC

should be on it. I don't agree with everything Ian says but at least he has some experience and his knowledge of the river is day by day.

CHAIR - He obviously knows a little bit about the tides and the flow cycle.

Mr COLLIER - Yes. He and Mike Stewart and Jenny Foster are very qualified people. They're involved with and working closely with Ian. They've become very frustrated, sending in paper after paper. In the end you get to the stage of wanting to wash your hands and just go away because you're not being heard.

CHAIR - Thank you very much. Jo, any questions?

Ms PALMER - I have lots of questions but nothing to do with TasWater, sorry. I'll need to catch up with you another time.

Mr COLLIER - Okay. Any time, please. I'm always available.

CHAIR - All right, then.

Mr DEAN - Just in fairness to TasWater on this whole thing, this is a state government, this is a federal government, local government responsibility. It's really a tragedy when you look at the whole thing. TasWater has to have the finances to do it. There are lots of other responsibilities they have as well, so I think we need to be fair around TasWater. You're right. They have to have a plan. I see that and I think a lot of other people do as well.

I take it that they are working closely with the federal, state and local governments, and I hope in trying to get a strategy to move forward with a position where they can at least do something about cleaning up this horrible mess we've got and have had for a hundred years.

Mr COLLIER - I don't think there would be any problem with money if they can come up with a very positive solution that will solve the problem. There are a number of ways that that can be done. The tertiary treatment plant is one of them. I know they will knock it back because it's just too expensive but, nevertheless, in 2021 maybe we have no alternative.

Mr DEAN - Yes. It's a sad situation.

CHAIR - What investigation has TasWater done around improving 15 per cent of pathogens? How much would an eastern treatment plant deliver compared to what's possibly proposed? That's a question that needs asking. If it's considerably more than 15 per cent, it's worth the money, isn't it?

Mr COLLIER - Yes. I mean, that really is a pathetic figure.

CHAIR - If what you are going to achieve is just an increase, an improvement of 15 per cent in pathogens. That is very good information, thank you, Jim.

Mr COLLIER - You might like to think of having Incat coming to address you. Obviously you are all familiar with Alan Birchmore, but certainly either of them are worth

PUBLIC

talking to. I wouldn't say that I necessarily agree with both of them on everything they say but we have a lot in common.

Alan Birchmore is very strong on the fact that we should have more flows down the Cataract Gorge. Everything boils back to good water and fixing the sewage problem. We should have a river which has no sewage going into it whatsoever and which has a good water flow, and it will burst back to life. I mean this because it was proved in 2002. I am kicking myself I didn't bring those photos but it really was a blue lagoon. You could swim in it. You could see the fish and people flocked to the Gorge to watch the water tumbling down. That is worth millions in tourism to Tasmania - and right in the heart of Launceston.

CHAIR - Thank you very much, Jim. On behalf of the committee, thank you for taking the time. As you have said, it was a relatively short submission but certainly an important one. We very much thank you. I've already got some questions that I know somebody behind you is writing down, and the answers will be probably be delivered when we get to have our time with TasWater.

Mr COLLIER - Thank you.

The committee suspended until 2pm.

PUBLIC

Mr TIM SLADE WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR - Welcome, Mr Slade. It is terrific of you to come in from Pioneer today. I would like to introduce you to the members of the committee: Ms Jo Palmer; myself, Tania Rattray; Ivan Dean; secretariat support Natasha Exel and Allison Waddington and James Reynolds at the back for Hansard. We have an apology from Sarah Lovell today, who was unable to travel north.

I welcome you to the public hearings of the Legislative Council Select Committee on TasWater Operations. The evidence at this hearing is protected by parliamentary privilege and I remind you that any comments you make outside the hearing may not be afforded such privilege. A copy of the information for witnesses is available. Have you read that, Tim?

Mr SLADE - I am not entirely sure if I did read that.

CHAIR - But you are aware of the process?

Mr SLADE - Very basically.

CHAIR - Okay. We will provide you with the opportunity to speak to your submission for about 20 minutes and then the committee will ask questions. The evidence is recorded by Hansard and a transcript will be available on the committee's website.

We will give you an opportunity to speak to your submission and ask some questions, but if there is anything you feel that the committee needs to hear in camera, please request that and the committee will make a decision if they feel that is appropriate or not. I invite you to commence, thank you.

Mr SLADE - Forgive me for reading straight off. It's the best way to do it, but I am looking forward to answering questions too, later on, because that is a very useful way for you getting an understanding of what has actually happened.

Mr DEAN - Is what you are reading a summary of your submission? Would you provide a copy of what you are reading to the committee?

Mr SLADE - I have made a copy for everyone of what I am reading today. Do you want that now or after?

CHAIR - Now would be awesome. Thank you very much, Tim.

Mr SLADE - Thank you. To introduce myself briefly, my name is Tim Slade, I am 44 years of age and have lived at Pioneer for 11 years. I hold a Bachelor of Education from the University of Tasmania. I have written freelance 25 published articles about Tasmania's drinking water since 2013 with a focus on Pioneer's heavy metal contaminated drinking water. I will continue to write these articles until this is all over - a time which spans at least one decade in all.

I also have an interest in poetry. My work has been published in the *Weekend Australian* and other major journals. My debut collection of poems, *The Walnut Tree*, has been accepted by a publisher of poetry and is due for release in March this year.

PUBLIC

I live with chronic health conditions, including rheumatoid arthritis and other autoimmune diseases. These have determined that I rely on a Disability Support Pension. It is for this reason that I have had the time to volunteer more than 1000 hours over eight years for the people of Pioneer.

I thank the Legislative Council for approving this inquiry. Thank you for granting me this time to speak and to answer questions today. The impetus for this parliamentary inquiry into TasWater comes primarily from the township of Pioneer. A petition for an inquiry was tabled in parliament last year by Ms Rattray.

I am here today because this is major health issue for you to consider. I refer you to the submission by Dr Alison Bleaney, a GP in the north-east who has stood by Pioneer for many years now. I might add that Dr Bleaney was awarded an Order of the British Empire for her bravery in the Falklands War. At Pioneer we're eternally grateful to Dr Alison Bleaney.

My presentation today will relate primarily to term of reference point 6, the delivery and timeliness of water services to Tasmanian communities, but it may also touch upon terms of reference points 3, 7 and 9. I welcome questions from you and I have seven pages to read.

My goal is to communicate to members the overwhelming attitude of neglect by TasWater, the owner councils, the state Government and the DHHS. This would never have happened if it was simply a matter of one of those bodies not doing their job. Something like this which has occurred over eight years can only occur if multiple parties are not doing their job, if not every single one of them.

My conclusion will be that TasWater has failed Pioneer, who are customers of TasWater and have been since before the alert in 2012. TasWater has breached agreements, ignored foreseeable risk, misled regulators, ignored national guidelines, obfuscated the DHHS, and failed to act competently, openly and honestly, putting us at Pioneer at a persistent and significant risk over years; notwithstanding historical and new documents and facts known to the CEO and board of TasWater. Many of the major problems since 2012 have not been rectified.

I will also conclude that as per the term of reference 7, the state Government has failed to use its seat at the table and its new part-ownership rights at TasWater, at no time representing Pioneer, even when it was in full knowledge of the facts of risk there. The state Government has never been sincere about the health problems relating to drinking water at Pioneer, and I will provide documents to that effect.

I would first like to distribute among members a series of photographs of the lead-painted roofs at Pioneer. Each of these roofs remains as you see it in the photographs. Not one single roof at Pioneer has been repaired or replaced by TasWater.

CHAIR - Could you continue, please, because we have another witness at 3 pm.

Mr SLADE - Okay. I was just going to ask for a response if that was possible; even just a one- or two-word description of the general condition of the roofs.

PUBLIC

CHAIR - I will give you some indication of how much it costs to replace a roof because I've just been inquiring. It's possibly about \$10 000 per roof.

Mr SLADE - What condition are the roofs?

CHAIR - I'd say quite rusty and in poor condition from my perspective.

Mr SLADE - And what about the paint? Is it flaking? And what does the paint look like? Is it very old paint?

Mr DEAN - It's obviously been done a very long time ago, so it would be lead paint, I would think.

CHAIR - Thanks, Tim.

Mr SLADE - If I may, just for the record - and I hope you don't mind me asking this but it is probably a reasonable question - would members say if they would be willing to drink water on a daily basis from any of these roofs pictured here?

Ms PALMER - You would certainly have some concerns, wouldn't you?

Mr DEAN - You'd think about it, Tim, that's for sure.

CHAIR - Too difficult to answer, really, but please continue.

Mr SLADE - I see, so you're not quite sure about that, Tania? So looking at those roofs would you or would you not be happy to drink off that every day?

CHAIR - I rather not commit to that.

Mr. SLADE - Okay. At Pioneer in 2019, one-third of the town was ultimately deemed to have heavy metal contaminated drinking water on their water set-ups. I repeat, one-third of Pioneer, at least 12 homes, with unsafe drinking water systems installed by TasWater. After eight years, several homes are still receiving bottled water: eight years and two months since the alert in November 2012.

I ask members, if this was happening in Launceston or Hobart, would you be satisfied? What actions would you take? What sanctions would you have been applied to the board and the CEO of TasWater if this was happening in Hobart or Launceston? What would have been the response of the Premier? If this was happening on Hobart or Launceston how quickly would the DHHS have intervened to ensure the safety of residents? I will leave it as rhetorical question.

CHAIR - Thank you

Mr. SLADE - The first and most important document I would like to present to you and to table is the letter from the Tasmanian Director of Public Health, Dr Veitch, sent to the CEO, Mr Brewster, 7 December 2018, six years after the alert at Pioneer in 2012 began. Dr Veitch outlines three failures perpetrated by TasWater against the residents of Pioneer.

PUBLIC

Dr Veitch's letter clearly quotes documents to OTER, the Office of the Tasmanian Economic Regulator, wherein TasWater promises to replace roofs at Pioneer if they are unsafe, to replace and repair roofs at Pioneer if they are unsafe for the collection of drinking water. TasWater writes to OTER, and I quote:

... the provision of assistance to ensure roofing and guttering were adequate to supply water to the tank, and repair of roof gutters and down pipes, et cetera to standard suitable for collecting rainwater for drinking. [TBC]

Dr Veitch also in his letter to the CEO, Mr Brewster, writes that the Department of Justice also notes that this work should have been carried out by TasWater. TasWater has lied about this promise. Even as recently as my last communication to them, TasWater stated that they have never made this promise to Pioneer.

The result of this has been to have misled and confused members of the Government, the DHHS, the media and the residents of Pioneer. This has been a concerted and fundamental misrepresentation by the CEO and the board from 2012 and continuing until this day. Notwithstanding this letter from Dr Veitch of 7 December 2018, where he quotes documents which prove that this was indeed the promise of TasWater to Pioneer and to OTER and the Department of Justice.

This misinformation is disseminated to new employees at TasWater and the turnover of employees dealing with Pioneer projects over eight years has been extreme. My most recent conversation with the new project manager for Pioneer, she stated without equivocation that TasWater doesn't have to fix or replace roofs, that TasWater never made this promise. I politely told her that she has been misinformed. Clearly, as Dr Veitch's letter of overrule to the CEO, Mr Brewster, underlines TasWater most certainly made this promise to Pioneer and to TasWater's regulators, including OTER and the Department of Justice.

So the question for you members is this: who is the person who constantly misinforms new employees at TasWater? Keeping in mind that this misinformed view will inform every interaction those employees have with the people of Pioneer. So who is responsible for this misinformation which has been perpetuated inhouse and abroad, in the public realm and in the media? I put it to you that the answer of this question lies with the CEO of TasWater, Mr Brewster and his board. Who else could it be?

Dr Veitch's letter to the CEO, Mr Brewster, also identifies failure to acknowledge 'future foreseeable risk in relation to lead-painted roofs at Pioneer and the collection of rainwater for drinking'.

Dr Veitch also quotes a breach of agreement with the town of Pioneer. Dr Veitch also identifies TasWater's failure to apply the guidance of Use of Rainwater Tanks, a national guideline document for the installation and use of rainwater tanks created by the Australian Government Department of Health. This document states, and I quote:

Do not collect rainwater from roofs painted with products containing high lead concentrations, for example, pre-1970s paint.

PUBLIC

And even while TasWater ignored all guidelines, it took them five years to install 35 rainwater tanks - five years. In my own personal case I waited three full years to have a rainwater tank installed. Does this sound like smooth and responsible practice to you? And you've seen the photographs of the roofs.

So, you can see, members, that Pioneer was not some unfortunate, isolated incident. It was a design process by TasWater of misinformation, failure to comply with regulations, failure to uphold the sanction, obfuscation and coverup, failure to analyse, failure to analyse failures and to take responsibility and a failure to manage its own board and CEO to a standard whereby the DHHS can be 100 per cent trusting 100 per cent of the time that the truth has been told in the interests of customers - in this case the people of Pioneer.

This letter of overrule from Dr Veitch occurred as a direct result from my original communications to the Department of Health. This followed every player over the years refusing to contact the DHHS for Pioneer. This includes refusals by the Premier, refusals by the owners' representative group, refusals by LGAT, refusals by Dorset council and others.

Dr Veitch and his department head, Mr Hunt, and Mr Dalglish, said to me that they were unaware of the issue of the painted roofs, notwithstanding the program beginning six years earlier from that conversation. I think that the evidence shows that this is beyond belief. It is inconceivable that the DHHS did not know and if, indeed, it is true that they did not know until advised by me in 2018, it must certainly be the case that they should have known. It was the DHHS's responsibility to know.

Dr Veitch ends his letter to the CEO, Mr Brewster, without a volition or urgency, making no mention of sanction. Rather, Dr Veitch leaves it completely at the discretion of the CEO, Mr Brewster, when he writes:

Please feel free to get in touch if you would like to discuss this in more detail with me and my department colleagues.

That's how Dr Veitch ended his letter where he overrules the CEO, Mr Brewster, on three counts six years after the alert began. Was this appropriate? Surely not.

Consistent with this soft approach by the DHHS, the CEO, Mr Brewster, took five months to write to residents from Dr Veitch's letter, okay. He didn't write to Pioneer for five months after he received that letter from Dr Veitch. The whole town testing program - the first ever in seven years - did not begin until almost one full year after Dr Veitch's letter to the CEO, Mr Brewster, on 7 December 2018. That is absolutely incredible, in my view.

The second document of major importance is a letter from the then premier, Mr Hodgman, to me. This is going to the state government's involvement now. The premier, Mr Hodgman, was privy to communications from me over the years - I sent him nearly everything as it was happening - writes to me for the first time, barring acknowledgements, on 10 September 2018, four days prior to the assent of legislation for the new ownership model for TasWater in the Legislative Council. I will repeat that for member: four days prior to the assent of legislation for the new ownership model of TasWater, the premier, Mr Hodgman, writes to me to advise me that he cannot help Pioneer because the state government plays no part in TasWater operations or oversight.

PUBLIC

It was common public knowledge in the media everywhere that the Legislative Council had publicly stated that they would support the new legislation. Indeed, the legislation had already been approved and was simply awaiting assent in the parliament.

Premier Hodgman was in full knowledge of this when he wrote to me, four days before the assent, which was to state that his Government will not help pioneer. Following the Legislative Council's decision, Premier Hodgman did not ever write to me again. And his Government refused at all times to represent Pioneer to TasWater. Mr Hodgman, if he was sincere, of course, could quite easily have written to me five days later and offered help to Pioneer.

Eight months after premier Hodgman's letter, and the assent of the legislation, Mr Ferguson's letter to Tania Rattray, 23 May 2019, where he refuses to assist Pioneer for obsolete reasons. Mainly, the State Government plays no part in TasWater operation. Eight months after the new ownership model for TasWater has reached assent, Mr Ferguson writes to Tania Rattray on behalf of me and Pioneer, referring to premier Hodgman's obsolete letter, which was written before assent, saying that they cannot help. It is inconceivable that the minister did not know what he was doing. Mr Ferguson did know this, of course. The state Government has never used their seat at the table of TasWater to seek help for Pioneer, notwithstanding years and years of documented evidence. Note in Mr Ferguson's letter, he makes no offer to assist via this method. This is politics at its most cynical and its most dangerous.

I will table both of these letters.

Moving on to further key documents, I would like to table Doug Chipman's letter to me, President at that time of Local Government of Tasmania, now the President of the Owner Representative Group, from 29 May 2018, when Mr Doug Chipman writes a two-sentence reply to me. Generally, he would just ignore correspondence, and in this case, it was a two-sentence reply when he opposes the testing.

Dear Tim,

Why should all tanks at Pioneer, be tested by TasWater, when quite a few were never even installed by TasWater. I am also aware that a number of Pioneer residents don't want anything to do with TasWater.

Regards,

Doug Chipman.

That was the attitude of Mr Chipman throughout. It was also the attitude of David Downie throughout.

CHAIR - Tim, is there a chance that we could skip through this because we will have this now as part of our evidence.

Mr SLADE - Do you mind if I go just a little further?

PUBLIC

CHAIR - Yes. I am just mindful that we do want to ask some questions.

Mr SLADE - TasWater were aware from their own tests, as we now know, in 2014, at least three roofs were lead painted above grid line levels. I provide two letters of evidence, in my submission. Only a handful were tested at the time. Certainly, the whole town was not tested. Only a handful were tested and we now know, when we came back via the Ombudsman in 2018, we extracted these documents from TasWater, which show they knew from their own tests in 2014, that they were lead painted roofs above the limit. I will table those documents.

CHAIR - Thank you.

Mr SLADE - I would like to say, also, that the documents showed that requests by lead-affected residents for historic paint test results were ignored over years, notwithstanding repeated written requests directed to CEO Brewster, and via the Ombudsman. This goes beyond the question of science of lead, or whatever. This goes to the fact of residents repeatedly, in writing, asking over the years and even through the Ombudsman, asking for their water results for their lead paint tests, and not receiving them.

I will give you another excellent example of that a bit later on. Chairman Gumley has failed to respond to my 23-page submission of 29 November 2019. This was a major submission from Pioneer. He replied to the first letter briefly, basically in dot points. So then I thought okay, I will do this properly and sent a 23-page letter, detailing email, dates, et cetera, where he had ignored correspondence from the worst-affected customers in the town, including a whole host of very important, critical issues. I have never even received an acknowledgement from that letter from Chairman Gumley. He certainly has not replied, notwithstanding repeated requests by me.

Nobody at Pioneer wishes to fight in the courts and is probably the poorest community in Tasmania bar none. It is not an option open to them under normal circumstances. However, one resident is receiving advice from EDO, the only law practice in Tasmania which is willing to offer time to the community on a pro bono basis. TasWater is aware of this. TasWater's house of private lawyers - the same lawyers who spent more than six months fighting the original contracts in 2013 - contracts which did not enshrine our rights in accordance with the promise to provide safe roofs for the catchment of drinking water. These same lawyers have been engaged with TasWater at every step over the past eight years to protect the interests of the water tank water.

I wish to bring a remarkable and distressing case to you about Mr Johnston [TBC] who does not wish to proceed through the courts. Like most of us, we do not wish to do that. On 17 December 2018, 10 days after Dr Veitch wrote to the overrule CEO Brewster on three counts, the CEO wrote to Mr Johnston, refusing assistance to replace his lead painted roof. Mr Johnston had refused a tank years earlier because it is obviously a toxic roof and TasWater refused to repair or replace it.

Since 2012, for seven years, Mr Johnston carted water by hand from the fire station's rain water tank. We now know that TasWater was aware in 2014 that Mr Johnston's roof was lead painted. So even after direct written advice from Dr Veitch to overrule CEO Brewster, his long-held position of neglect over years, even after this, from this chief medical doctor in Tasmania, CEO Brewster, 10 days later, wrote to Mr Johnston to tell him that he could not be assisted by TasWater under any circumstances.

PUBLIC

If that was not impossible enough, in that letter, CEO Brewster did not provide the test of the paint result that Mr Johnston had been requesting for nearly six months or a year in writing. That is CEO Brewster. He does not listen to anybody. He does what he wants to do.

In terms of the future for Pioneer, following the announcement in December 2019 that a new treatment plant would be at Pioneer, TasWater has not written to residents to inform them of the timing of it. We have not received any communication from TasWater for nearly an entire year. My representations to TasWater asking for a time line or at least a start date be communicated to residents as it is, I understand it, on the website, fell on deaf ears. We have received nothing from TasWater, whatsoever.

I would like to bring to the attention of members the monthly data report. Presently it is dysfunctional, notwithstanding my repeated emails to CEO Brewster, the body and the board, to advise of this policy, which the Legislative Council supported.

I am not sure if you realise but, from that report which Legislative Council agreed to in principle, Pioneer were to fight for a further two years before that policy was accepted. It meant nothing to TasWater that it had the support of Tasmanian Labor, Tasmanian Greens and the Upper House of the Tasmanian Parliament. That was not important. It was not until I basically cornered TasWater into doing a cost analysis for the policy because I knew that was the key because I had advice from senior engineers that the policy cost was nothing. In the end, it turned out to be \$2000 per year, per council, for that policy.

It's depressingly dysfunctional. The portal does not provide any health guideline values in the data, therefore customers cannot see what the health guideline value should be for each thing being tested. This makes the data impossible to read and interpret. It is beyond belief that TasWater refused to provide the health guideline value alongside the water data. Furthermore, the portal is not available to find in any of the menus on the main page of TasWater's website. The portal is simply impossible to find, and I mean impossible, even if the customer is aware of the portal in the first place, which most are not.

Further, TasWater is failing to report any data about pesticides. TasWater is not reporting on a monthly basis, as was the formal decision of the board. Looking at the portal yesterday I see that the last update of data was 30 November, two months ago. Furthermore, there is no data for towns like Herrick, Pioneer's neighbour, where there is a mini treatment plant, and, of course, there is no data for Pioneer.

All these major deficiencies with the portal has been brought to the attention of CEO Brewster and the board repeatedly - although not for some time from me because I have basically given up - in writing and verbally and indeed this formed part of my major reply submission to the chair at my 29 November 2019 meeting.

There are countless other documents about Pioneer and other issues I could cite today if we had more time, but I will leave that to my submission.

In conclusion, I say clearly to you that the board of TasWater cannot be considered to be indispensable. The documents show a long-held pattern of negligence and dishonesty, acting in full knowledge over eight years, notwithstanding countless representations to councils. This has left the client, the people of Pioneer, at risk of harm.

PUBLIC

I ask members to seek sanctions against the board of TasWater. Tasmanians deserve an honest and competent board and we pay for one. Drinking water is a fundamental health issue. The DHHS must be able to know that they can have 100 per cent confidence in the honesty of the board and its CEO 100 per cent of the time, not 99 per cent of the time. If it is not 100 per cent of the time, DHHS cannot say they have the confidence in the CEO and the board of TasWater.

The documents represented today and in my submission show without a shadow of a doubt that Tasmania's Government and the overseers of TasWater can no longer have 100 per cent confidence. I would ask the Legislative Council, if it is within their powers, to invite the DHHS to write a letter of no confidence in the board of TasWater. If the DHHS will not do this the Legislative Council should write its letter of no confidence themselves if they are able, using the evidence provided.

The experience of Pioneer's residents must be acknowledged. The historical facts must not be ignored. This must not happen again and Pioneer needs safe drinking water now. If TasWater will not take responsibility for its actions then it is the role of this parliamentary inquiry to direct this challenge for them and all Tasmanians. TasWater has been granted sufficient time. Thank you for listening to me and I welcome your questions.

CHAIR - Thank you very much, Tim, for that very comprehensive document you have provided. It will be useful that it is in writing. With a fairly limited amount of time, let's get straight into the questions. You said there hasn't been any advice or contact from TasWater in regard to the new system that will be rolled out.

Mr SLADE - I spoke to this person behind me - it must have been many, many, many, months ago - and this person has expressed her apologies. I have spoken to her before the meeting. However, after all this, they did not get back to me. I raised the issue that the chairman has never replied to the major submission and I mentioned the time line, that it was on the website but hadn't been communicated to the community. Nothing. It was an hour-long conversation. How many more hour-long conversations should I have for free and have nothing, not even a reply, no action? It just disappeared. It is my understanding that this person is the head project manager for Pioneer at the moment, and there has been a countless number of them. Each time they change, they're re-educated but they have no actual knowledge about what's happened, what we all know in Pioneer. They just get this re-education, usually of non-information, and then it all starts over again. That has been a massive part of the delay because there has been no continuity.

CHAIR - Once the new scheme is in place - and we don't have a time frame attached to that at this point in time - will TasWater remove the tanks that have been provided so that then there's no more contaminant? Do you have some understanding of that?

Mr SLADE - You would have to ask TasWater that question.

CHAIR - All right. Hasn't there been a conversation with the community -

Mr SLADE - There has been zero conversation. My understanding is that that won't occur and we will keep our tanks, but that's basically just a guess.

PUBLIC

CHAIR - Right. Because for those roofs that have lead contaminant, lead paint, on them, that won't resolve the issue you are sharing with the committee today.

Mr SLADE - Yes. Well, it possibly opens up some risk if a person or 10 years down the track if a new person moves into a place and doesn't understand what's happening, that they can't use the water off the roof or something like that, I don't know.

CHAIR - So they can only use it for gardening?

Mr SLADE - I mean, some people -

CHAIR - Not even gardening.

Mr SLADE - No.

Ms PALMER - I wasn't sure if you could use it for gardening or not.

Mr SLADE - Well, they've always said you can, but I wouldn't personally. For instance, my roof is basically safe even though there's still defective works on it but that photo that you saw with the gutter held up with bits of wire onto the bolts to pull up the gutter because the gutter was installed against gravity, years later that was then classified as defective works but I haven't given authorisation for that work to be fixed on the basis that the board has not replied to Pioneer.

CHAIR - So that's a separate side issue?

Mr SLADE - I don't know if it is or not.

Mr DEAN - When did TasWater take over? 2002? 2003?

Mr SLADE - Well, it was Ben Lomond Water for -

CHAIR - For a short time.

Mr DEAN - No, we still had it in 2012 or something so about 2012.

Mr SLADE - Yes, something like that.

Mr DEAN - You've been there for, I think, 11 years.

Mr SLADE - Since 2009.

Mr DEAN - What was your water supply then?

Mr SLADE - Historically it was a reticulated supply which was untreated and that was brought to the town for the tin mining. Apparently in the summertime, when there would be less flow down, we had an allocation from the Frome Dam, a legislated allocation or something that used to get sent down in summertime and part of this - just before the alert occurred; I'm getting a big vague now - anyway, we were disconnected from that allocation, so the Tasmanian Irrigation scheme engineered us off that but didn't tell the town, so the town didn't find out

PUBLIC

about that until three years later and people were up in arms about that because it was a community water scheme.

Mr DEAN - Right.

Mr SLADE - The community used to look after that scheme. That was before my time.

CHAIR - Originally the tanks were installed as a way of addressing the fact that the town had to boil its water. It was to -

Mr SLADE - No, no. It was because of the lead.

CHAIR - Wasn't it on a boil water alert?

Mr SLADE - No. Boiling water does not fix lead, so we had a lead alert and their rationale was they discounted the Macquarie University study into Pioneer which said that it came from the lead seams in the big pipes that used to come down. TasWater preferred to believe or to promulgate that it was possibly an environmental source of lead and, therefore, the only solution in the case that we don't know where it comes from, is that we have rainwater tanks or something like that.

In the town meeting there were several options given to us but at that time mini treatment plants didn't exist in Tasmania; there was no offer of that. There was no offer of treating; it was just tanking water into the town or something and people at the meeting generally agreed for rainwater tanks at that time on the proviso that roofs would be replaced or repaired. That was the direct proviso and we just thought that rainwater tanks - well, how long did it take for rainwater tanks -

Mr DEAN - Is there anything in writing in relation to TasWater saying they'd replace these roofs? You've said that they have misled.

Mr SLADE - Yes, the letter from Dr Veitch quotes the documents. The letter from Dr Veitch to the CEO -

CHAIR - To the CEO, Mr Brewster.

Mr SLADE - He's gone away and found all these documents -

Mr DEAN - Have those documents been tabled?

Mr SLADE - Yes, and it's also in my submission.

Mr DEAN - Just so that I am clear on this: does Dr Veitch there refer to TasWater's letter? Is that what you're saying?

Mr SLADE - So this letter from Dr Veitch at the end of 2018 is after my representations to the Health department. Now, the Health department is saying we have never heard of this issue before. Then they must have gone away and investigated certain documents and then

PUBLIC

they have written to the CEO, Mr Brewster. Dr Veitch wrote to the CEO, Mr Brewster and overruled his position on three counts, not one only -

Mr DEAN - Tim, what I am trying to get is - I think you said and I need to be clear on this - that it was in writing, that TasWater had it in writing, that they would replace the roofs of the properties at Pioneer that needed replacing, I suspect.

Mr SLADE - It says - this is from Dr Veitch's letter - TasWater's submission in June 2017 to OTER for the service replacement of Pioneer and Mountain River explicitly stated on page 4, it says that:

... the service replacement option would involve the provision of assistance to ensure roofing and guttering were adequate to supply water to the tank.

This submission also cited early discussions and agreement that:

... service replacement would involve the repair of roof, gutters and downpipes, et cetera, to a standard suitable for the collection, or collecting, of rainwater for drinking [TBC]

So that's what that means. I mean it's -

Mr DEAN - I am just trying to work out the clarity around that as to whether they were going to do it, or whether they talking about it. There are two specifically different things there so maybe we need to look at that original document.

Ms PALMER - Do we have that original document?

Mr SLADE - I am sure Dr Veitch has it because he's quoted from it.

CHAIR - We will request that from Dr Veitch.

Mr SLADE - He refers to letters to the Department of Justice too. The Department of Justice has obviously offered Dr Veitch some advice too on the same thing and indeed in the first town meeting that was what they promised us but then it wasn't actually properly enshrined in the contracts.

Our advice from when Ross Hart was the federal member for Bass, I got his legal opinion, and he said that independent of what a contract says, there's just no question in his mind that given that the roof is part of the collection system, firstly it had to be tested - which it wasn't - and that they needed to be fixed or repaired. There are documents -

CHAIR - There are a number of documents and, yes, you have provided those but we don't have a copy of that document that Dr Veitch quoted from so the committee will source that.

Mr SLADE - That's good.

PUBLIC

Mr DEAN - Just so that I am absolutely 100 per cent clear, you're saying that over a long period of time that TasWater is saying they never ever agreed or made any statement or any promise or whatever to replace the roofs or to bring them up to a standard where the water could be safely collected from them?

Mr SLADE - Yes, well that's basically what they are saying.

There's another couple of documents I will table here which is from GBE and the Legislative Council, 4 December 2018, where Josh Willie is questioning Mr Brewster, saying there are two interesting quotes there from Mr Brewster where, well his sophistry around that issue.

Mr DEAN - How many properties are there at Pioneer all told, fitting into this category, that would need. Any idea?

Mr SLADE - I think there are between 35 and 40 houses, so 70 or 75 people, or something like that.

Mr DEAN - Thanks for that, Tim.

CHAIR - Anything else that you feel is important to leave with the committee, because we have expired our time and we have somebody else waiting.

Mr SLADE - I could just talk to you all day about it and I would say to you that I would openly invite you to contact me and I could speak to you for hours about it. If you are interested the invitation is there.

Mr DEAN - I am interested but -

Mr SLADE - It is just a matter of time but if you ever want me to come to your office, or anything, I am happy to do that.

CHAIR - Tim, your submission is exceptional in its content of the issues and the time line and the trail, and all members have read your submission.

Mr SLADE - It's just a few questions, because sometimes you still have a question, I wish I knew what the answer to that was, whatever. Just please contact me.

CHAIR - We will and we will have some time to digest more of the information that was received.

Mr SLADE - Is there any indication or do you have any preliminary thoughts about what your actions might be, or what your assessment might be, or do you do that later?

CHAIR - No we don't. We are hoping that we might have a bit of a conversation about where to next.

We were to have TasWater come before the committee tomorrow, but there has been an illness in Mr Brewster's family so he is not able to come and without having Mr Brewster as part of the hearing it is not going to proceed tomorrow but it will as soon as possible.

PUBLIC

Mr SLADE - Oh it's going to be postponed?

Mr DEAN - Not the whole hearings tomorrow?

CHAIR - No, just the TasWater.

Mr SLADE - As long as it is still going to, that's great.

CHAIR - It will still happen. We certainly wish Mr Brewster and his family all the best.

Mr SLADE -I will provide those documents to you and thank you.

Thank you very much, and we certainly appreciate you coming in today because it is quite a hike from Pioneer as we know, so thank you.

Mr DEAN - You can provide it now to our secretary and our assistant secretary.

Mr SLADE - Thank you

CHAIR - We will suspend for a couple of minutes while we get the next witness organised, as it's on teleconference. Tim will have an opportunity to provide those documents to our secretary.

THE WITNESS WITHDREW.

PUBLIC

The Committee resumed at 3.04 p.m.

MR PAUL EKMAN, BISCHOFF HOTEL, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR - Good afternoon, Paul.

Mr EKMAN - Good afternoon.

CHAIR - We are a minute behind. Thank you, while everyone gets themselves sorted again.

Mr EKMAN - That's okay. Would you rather I ring back?

CHAIR - No. We are almost there.

Mr EKMAN - I appreciate you guys being able to do it. It has saved an awfully long trip. It was just going to be impossible to get over there and back today, in the time frame. It's great to be able to do it by this way.

CHAIR - Thank you very much again, Paul, for taking the time. These are public hearings and there are people in the room with us representing TasWater. The evidence taken is protected by parliamentary privilege but any comment you make outside the hearing may not be afforded such privilege. You have been informed about the way the committee operates.

Mr EKMAN - Fully understand.

CHAIR - As soon as the *Hansard* version is available, it will be published on the committee's website. Thank you, Paul. We have all read your submission but if you would like to speak to it, the committee will ask some questions.

Mr EKMAN - Sure. I don't have it in front of it because we are travelling today but basically it was regarding our attempt to get a trade waste grease trap installed at the hotel. It is pretty well outlined in my submission that it has taken an enormous amount of time and is still not installed. The final contact I had was in late 2019 when a representative of TasWater came around and was quite open to the issues we had at the hotel, being an old building and being unable to find the mains. Despite it being identified on some maps, it was not there when the contractors were digging for it and we are still in the process. We would like to comply and install this thing and have best practice but the whole rigmarole has been quite a drawn-out and expensive process and I've lost a bit of motivation and financial capacity to continue with the stage since late 2019, the last contact.

We had almost engaged pretty well straightaway. Since we purchased the hotel in April 2017, we applied for the certificates from TasWater and the local council. We purchased a grease trap and pump units and were pretty much, I imagine, early adopters of wanting to install this, but I just found the whole process tedious and tied up with bureaucracy. I felt like if I had been able to engage a plumber to do what we wanted in the first place, we would have had a functioning system in place two years ago. As it is, it's still sitting in the shed without any clear guidelines because plumbers are unwilling to install them unless they have signed-off plans.

PUBLIC

We had a couple of final issues, the reverse-flow restaurant tap and the location of the grease trap. There were issues about the timing and frequency of pump-outs, given that we are small location and a small user. The person who came out, who was very good, said he would talk to a few people at council and the draftsman and get back to us. I think that was October or November 2019.

CHAIR - So really the lack of follow-up has contributed to the fact that you still have your grease trap sitting in your shed with no progress?

Mr EKMAN - Yes. Partly lack of follow-up and partly the standards that TasWater was trying to introduce as best practice. I don't think they were really across it themselves in terms of how they were going to be implemented, or there was the lack of flexibility for individual variations in small locations like ours.

CHAIR - You have also indicated in your submission that you paid to TasWater a trade waste application fee and that's still sitting somewhere in the TasWater file that belongs to your property.

Mr EKMAN - Yes, and we paid the council - it was a plumbing certificate or a permission to conduct plumbing works certificate for council too. My understanding was both these certificates were required by the plumbers to legally do the works, to know with confidence that they were approved by TasWater and the council to begin the works.

CHAIR - Right. Plumbers are probably not easily available in Waratah, so did you have to go outside of the area to source a plumber in the early stages as well?

Mr EKMAN - Yes. There are no plumbers in Waratah so we've usually got to get them from the coast somewhere, which means you have additional travelling fees and everything like that. If something is not done, they will go away and come back and you get another couple of hours travelling fees, so you tend to find you get a fair bit of bumping up of costs compared to if you were on the coast. I mean, they've got to bring equipment 40 minutes from Burnie, which is not that far really, but still access is a particular issue there.

I think the crux for me was when we had the plumbers come to excavate to get down to the mains to be able to plumb the system into the mains, and the diagram showed where it was meant to be but they couldn't find it. They dug for an extensive amount of time either side of where the thing was and then the response from TasWater was it was council's problem and the response from council was it was TasWater's problem. We just got left in this limbo, so did we really want to spend more time and money with no solution in sight? We just moved on to a few other things, other priorities.

CHAIR - Yes. One of the issues raised right through the trade waste journey has been the lack of expertise or knowledge and understanding by the plumbing industry, but that doesn't sound like that has been the case for you. Obviously your plumber was across what was needed, it was just not being able to find the right pipeline, if you like.

Mr EKMAN - Yes, and not being able to fit into a neat specific category. Some jobs have variations, I understand that, but there needs to be some flexibility for individual circumstances. It's not as though we were trying to avoid complying. Right from the get-go we've been keen. When we purchased the hotel we were concerned there wasn't a grease trap

PUBLIC

in it and it was soon afterwards that TasWater came out with the trade waste plans, which we thought was great, so we hopped straight onboard with that. It's just the fact that there seems to be this paperwork bureaucracy and lack of flexibility for individual circumstances to the point where we've spent a reasonable amount of money and still haven't achieved our goal - or TasWater's goal, you know - of improving the trade waste before it goes into their system.

CHAIR - Yes, \$6000 is not insignificant in any way - what you've already spent. I'm going to hand over now to Ivan Dean, Paul. I can see he has a lot of highlighting on his page here.

Mr DEAN - Paul, what would you have spent so far in this process?

Mr EKMAN - It's about six grand.

Mr DEAN - That is the total amount now we're talking about? Six grand?

Mr EKMAN - Yes.

Mr DEAN - Have you any idea of what is ahead of you in further costs?

Mr EKMAN - Further expense? I'm not sure. That's why I've sort of thrown my hands up. Do I have to go back to the draftsman and get all this rewritten in a completely new plan and pay them again? Do I have to talk to council again and get their plumbing certificate approval adapted for any changes, because I imagine what they approved was the original plan and if there's changes to that plan we have to go back to them for that? We would then have the expense of the installation and the plumbers, which I'm sure is going to run into a few more thousand dollars. I am anticipating we may not get out of this for a total of less than about \$10 000 in the end.

Mr DEAN - Good God. Dear, oh dear. You've also referred to things like the pumping out, backflow arrestors costing several hundred dollars that also require inspection, and certification of its compliance. In reading these, I've never seen so much bureaucratic nonsense in all my life and there's a special word for it but I won't use it in our committee because somebody will chastise me about it.

CHAIR - It will be the Chair.

Mr DEAN - Yes. I have to be careful. Do you have any idea what the annual costs will be to maintain the system?

Mr EKMAN - I think the rough idea of the backflow arrestor on a tap was about \$400 for the unit and then a certified plumber would have to do an annual compliance check that it was functioning. My understanding of that is that when the grease trap is required to be pumped out, you have to fill it up again with water from a hose and the backflow arrestor is in case you happen to leave the hose in the system and have some sort of failure in your plumbing system that causes a drop in water pressure that would create a risk of back flow of water from that tank into your plumbing system in the building. It's probably a failsafe mechanism to have a backflow arrestor but there's no sort of room in these things for common sense where you would just fill it up and turn the tap off or have a simple little hose-fitting arrestor that doesn't

PUBLIC

require annual certification. I am sure there are ways around this rather than having this overly expensive, bureaucratic and costly exercise.

Mr DEAN - Paul, can you just give me some idea on what you believe would be the amount of grease product you'd be letting into the system? Do you operate counter lunches and so on?

Mr EKMAN - Yes, we estimated a maximum of about 70 meals per day out of the hotel when it was running flat chat. Things have obviously changed quite a bit and we have quite an amount of seasonal variation. We clean down all our dishes and things before they are put in the - they are wiped into bins. There are little traps on the sinks and my understanding is that commercial machines emulsify a lot of fats with the detergents and the high temperature and pressure. It's almost like when you put it through a commercial dishwasher that is sort of a pre-treatment in a sense, but I agree with the need to have a grease trap in any situation like that. If you can stop that stuff clogging up your drains, I'm not arguing with that - I really think that's required and I still want to have one at the hotel, but I think we would be on the spectrum of probably a minimal discharge compared to other places.

I imagine that some of these plans developed by TasWater would be quite suitable for a McDonalds or a Kentucky Fried Chicken outlet, but for small areas like ourselves or small cafes or small takeaway venues, I imagine it's fairly minimal. There must be better, easier and cheaper ways rather than imposing this sort of financial and time expense on small businesses. I'd love to install the grease trap we've purchased, but I don't want to be told it's the wrong thing now and I've got to do something different. I still want to go ahead and have it done; I just want it to be a lot simpler and easier to do and nowhere near the financial burden it has been.

Mr DEAN - The system you've got -

CHAIR - It's in the shed.

Mr DEAN - Yes, you've got it in the shed.

Mr EKMAN - It's a 1000-litre above-ground tank. Because the inlets are at a greater height than the sink outlets from the building, we have a pump unit, so it's a regulated pump unit that itself has screens going into it so it actually pushes the water up into that unit and that unit should be drained into the business septic discharge system.

Mr DEAN - Right. Will you be able to proceed with that?

Mr EKMAN - I would have to get a plumber and he'd have to see that all the changes and the possibilities have been ticked off again by council and TasWater, and that's the point where we left off. I would like to proceed with that. The alternative would be, I don't know - do we apply for an exemption and sell this unit off to someone who can use it, or do I change tack completely and put an under-sink grease trap within the kitchen itself? There are a few other options I have been made aware of, but I still think that the unit we have is the best fit for our situation. It's just making sure that all the variations have been ticked off to allow us to proceed with minimal expense.

PUBLIC

Mr DEAN - Just so I've got it clear, TasWater hasn't told you this time that it's not a suitable unit?

Mr EKMAN - No, it's a suitable unit.

Ms PALMER - Have you found the pipes yet?

Mr EKMAN - No, I gave up on that. We had the plumbers dig a ditch and it cost us about \$1000 and they filled it back in again.

Ms PALMER - Do you need to find the pipes to use the system you've already purchased?

Mr EKMAN - No, the fellow who came out from TasWater suggested we could use the grease trap and discharge it into the current place where it is being discharged as is, in the sense that having gone through the grease trap, it would be much improved to what the current situation is, but I never had any certification or recognition back that that had been written down and formally agreed to so that I could present it to the plumber and go back to council or the draftsman.

Ms PALMER - Is that something you're waiting on from TasWater, for them to formally tick off that that's an okay thing for you to do and you don't have to get a specialist pipe locator?

Mr EKMAN - A specialist pipe locator was another suggestion, at whatever expense I do not know. It's like we have this open cheque book - we ring these people up, they come in and write out an account for us and we keep paying out money on this system. When the fellow from TasWater left, he seemed to indicate that he knew the draftsman and the fellow at the Waratah-Wynyard Council and he was going to have a chat to them about the variations and get back to me, and that was the last I had to do with it.

CHAIR - And that was in 2019?

Mr EKMAN - I am thinking it was about October 2019. I haven't got an exact date in my mind at the moment.

CHAIR - That is okay; I'm sure TasWater will have that information when we request it because they would have that documented.

Mr DEAN - I take it that there has never been any time mentioned to you that these systems have to be complied by?

Mr EKMAN - No. When we bought the hotel, we were just wanting to get it in quickly. We were hoping we would be one of the first to have it installed and get on with it. That was about August 2017. I have spent my time just moving this unit around in the shed at various times to move it out of the way for something else and then move it to another spot in the shed.

CHAIR - Apologies for laughing, Paul, because it is not funny at all.

Mr EKMAN - It is, actually. It's a comedy of errors.

PUBLIC

CHAIR - Paul, I am not sure that the committee has powers to make a lot of things happen very quickly, but I feel sure that the two TasWater representatives sitting in this room with us today will have this noted and it will be on their must-do list first thing tomorrow and we might never have to talk about this again.

Mr EKMAN - That would be good. I'm sure what is happening to us has been happening to a lot of other small businesses too. I understand. We are in a 112-year-old building that probably has some ancient structures in it. I'm not making excuses - I fully understand some of the difficulties - but the system they've tried to implement doesn't seem to have flexibility for those difficulties.

CHAIR - The one-size-fits-all approach doesn't always work.

Mr EKMAN - Exactly, and I think that's been the problem. You've probably summed it up there. They have come out with this best-case, best-practice scenario, but with very little room for manoeuvrability to suit individual circumstances.

Mr DEAN - Paul, one of the issues that has come through a number of submissions I have read in relation to this inquiry is that that there has been a changing over of staff on a very regular basis. Somebody talks to one person one day in charge of something and then the next week it changes and so on. Have you experienced any of those?

Mr EKMAN - I can't recall. I think I've dealt with three different people over the course of it. Yes, I'm not - yes, I suppose I could agree in one way, that yes, there has been a change of people there. The other thing is, you know, it's open to individual interpretation.

Mr DEAN - Yes. Have you been provided with any clear documentation on all the guidelines, specifications and so on of the process you're meant to meet?

Mr EKMAN - Yes, TasWater has them on its website and then you actually -

Mr DEAN - Yes.

Mr EKMAN - When they first brought out the process, it was quite clear there so we were quite clear about our minimum size and what we needed to do.

Mr DEAN - Right.

Mr EKMAN - We looked at some options like some underground versus above-ground and it was - we did discuss that and that was part of our application back to TasWater for it to look at. I think, again, there's probably that difference between someone looking at it as a paper exercise at a desk in some remote location versus the poor guy who actually comes onsite and probably gets a bit of grief from the owner who has a bit of a grudge and says, 'What's going on here?'. Maybe it's the left hand is not talking to the right hand in the organisation or something. I don't know.

Mr DEAN - Yes. Thanks for that Paul.

CHAIR - Paul, we've had some representation to the committee that once a business - like yours when you finally get your trade waste sorted -

PUBLIC

Mr EKMAN - Sorted, yes.

CHAIR - Why should it still have to continue to pay a trade waste component? Is that something that has crossed your mind while you've been waiting for this to finally eventuate?

Mr EKMAN - Well, yes. I think we are paying a trade waste component of something like about \$500. It may be a -

CHAIR - But once you're fully compliant, when that is -

Mr EKMAN - Yes.

CHAIR - when you're fully compliant, has it crossed your mind or have you wondered why you would have to continue to pay a trade waste component of your account once you're fully compliant? Then anyone who isn't compliant, well, they obviously have a trade waste levy component to their account.

Mr EKMAN - Yes.

CHAIR - But once you are compliant and you've got your own quarterly checks and annual checks and that sort of thing -

Mr EKMAN - Yes.

CHAIR - - that you will pay for, has it crossed your mind why should you continue to pay?

Mr EKMAN - Well, it has crossed my mind why should I have even thought about bothering to put in a grease trap. Would it be just as cheap to pay that excess for not having a trade waste facility on site? You know, that's -

CHAIR - Yes. It has certainly cost -

Mr EKMAN - That's probably the biggest question - yes, if you've gone to all the lengths to try to comply with the legislation, why are you still slugged? Would I have been better off putting that six grand I've already spent and whatever I will have to spend to comply just towards an excess for not having it.

CHAIR - Yes. Paul, thank you so much. Small business, the backbone of Tasmania, and you've taken time out of your busy day to make a representation to the committee and it's certainly very much appreciated. As I've said, I feel sure that somebody from TasWater will be in touch with you fairly soon.

Mr EKMAN - That will be great so long as I don't have to keep reaching into my pocket for every visit.

CHAIR - I can't guarantee that. I've already made one 'No comment' today, and that will probably be my second so -

PUBLIC

Mr DEAN - Paul, tell them to bring along a bit of common sense.

Mr EKMAN - Exactly, yes.

CHAIR - All right. Thank you very much, Paul. Have a good day.

Mr EKMAN - Thanks for your time and thanks for the ability to speak to you about it.

CHAIR - Yes. Cheers. Thank you.

Mr EKMAN - Okay. Thank you.

The committee adjourned at 3.29 pm.