



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

**STANDING COMMITTEE ON ENVIRONMENT AND
TRANSPORT AND CITY SERVICES**

(Reference: [Inquiry into the supply of water to the Tharwa community](#))

Members:

**MS T CHEYNE (Chair)
MISS C BURCH (Deputy Chair)
MR J MILLIGAN**

TRANSCRIPT OF EVIDENCE

CANBERRA

WEDNESDAY, 4 DECEMBER 2019

**Secretary to the committee:
Mr D Leary (Ph: 620 50124)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

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Amended 20 May 2013

The committee met at 3.00 pm.

HYLES, MRS ANNA, Tharwa Community Association
LONERGAN, MR MICHAEL, Tharwa resident

THE CHAIR: Good afternoon and welcome. I thank all witnesses for making time to appear today and for providing submissions. As we have just been discussing informally, it was very important for us to make the effort to come down here physically today, especially given the localised nature of the issue.

We invited ministers Gentleman and Steel, from the EPSDD and TCCS directorates respectively, to attend today. They have advised that they would have been here but have other commitments which, due to the short notice, they were not able to rearrange. They send their sincere apologies.

Minister Gentleman has also indicated his strong willingness to appear before the committee in a public way at a later date, given the significance of the issues to the Tharwa community. Depending on the evidence we hear from officials today and depending on whether we think we have heard from enough community members, we may take him up on that. We may hold a further hearing and, while we cannot make promises, because it depends on a lot of people, we would at least attempt to come down here again. If there is a public hearing, we will give you plenty notice of that. If it happens to be at the Assembly, we will make that clear to you as well.

Have you each read and understood the privilege statement in front of you on the table?

Mrs Hyles: Yes.

Mr Lonergan: Yes, understood.

THE CHAIR: Would you be able to state the capacity in which you are appearing today?

Mrs Hyles: John and I own Booroomba Station, which is two kilometres out of Tharwa. I am also a board member of the Tharwa Community Association and we run a local business.

Mr Lonergan: I have a largish farm about 10 kilometres south of Tharwa, so I call myself one of the members of the Tharwa community. I appear in a private capacity, considering my background as one very interested in bushfires. I am a former member of the ACT Bushfire Council. I was there for about 30 years.

THE CHAIR: Thank you both for appearing. Does either of you have an opening statement? Is there anything that you want to open with or tell us straight up before we go to questions that we have prepared?

Mrs Hyles: Do you want to start by asking us questions? We can fill in the gaps.

THE CHAIR: Happy to.

Mr Lonergan: I would just like to say that the handling of this whole affair, going back to 2015, has been an absolute disgrace on the part of people who are well qualified, who should have known better and who were remiss in their engineering capability and their contact with the community. That is about my starting point.

THE CHAIR: How would you describe the community consultation over the government's proposal for the water supply for Tharwa? I am happy for you to expand on what it has been since 2015, and particularly the key issues we are discussing today.

Mrs Hyles: Michael is better at the bushfire stuff. I am more on the master plan. I have been working on the master plan. I was very impressed by the document produced by the government on a master plan for Tharwa. It really wanted to embrace the rural heritage of the town and expand and improve on that. We thought that was fantastic. The document really states that.

I think what has been planned in this—the bushfire water—does not really fit with that plan, in that they want to put big tanks right in the centre of the village, which is going to be a negative detractor. Those tanks are not going to be for the benefit of the community, because the residents are not allowed to actually use that water. So it is going in a different direction to what has already been decided in the master plan.

I have been working with Philip Leeson Architects to try to make it more of a community thing. We are already down that track with designs. We are working on this. We are getting a site engineer to work out what needs to be done with the hall. We are planning to have a children's playground and all sorts of different things to have a bit more of a community atmosphere.

But this has not really worked with us. We felt that there would be better ways. It is such a significant amount of money that is going to be applied to Tharwa and it is not going to benefit the residents at all. It is just not going in the direction of decisions that have already been taken. If you are going to increase the access to water for Tharwa, it has to be available for Tharwa residents.

Bushfire protection is all about keeping your gardens green before you get to the bad weather. There is no storage of water in Tharwa. So as soon as you hit a dry time there is no water. It is tinder dry. If we are going to spend a significant amount of money, which this is, it has to be better thought out for a long-term view.

We have spoken to Kevin Jeffery with the shop here. He is quite willing to sell some land associated with his block that is already deemed for public use, because of running a business there. They keep saying it can't go on Ron Prutti's land because it is private land, but Kevin is quite happy to site the tanks that are needed on his block, which would be a far better solution. Then you can run the access points for the trucks to wherever you want. That is initially the fire. You have then got access for Tharwa residents to that water. If you increase the capacity of water that is planned and then run out pipes to every house, you could get a dual purpose for the work that is being done.

Mr Lonergan: I agree with what Anna says, but the idea of just a firefighting water supply is ridiculous. The initial design of that water supply was to have tanks at the bottom of the hill pumping with great big diesel and electric pumps, to pump water up a pipe under the middle of the main street, stopping at the shop, and having four hydrants along that pipe so it would meet the Australian standard of urban firefighting. The Australian standard of urban firefighting requires a pressure of 35 vertical litres and to be able to run four hydrants at once.

In 2003 the village was defended by a lot of people working just outside the village on the fire front. It was defended by residents using what the limited supply of water would enable them to use. But, as I say in my submission, Tharwa village has never lost a house. So the track record is that it is not required.

All that is needed, the way Anna said it, is good water to each residence and allowances for the village's expansion as per the plan. However, there has been no comparable costing of the water supply from just down the road in Banks. It is not far. You could easily put a pipe along the road and the village is on Canberra water.

MR MILLIGAN: Have you sought feedback from the community or has the community expressed their concerns about the difference between providing tanks that would be used for firefighting purposes—and obviously you would prefer it if those tanks would also be able to feed local residents. What are the community's thoughts on the potable water? Would you prefer water to be piped up from Banks—to be taken off your tank water and put on potable water instead?

Mr Lonergan: I really do think that that would be the long-term perfect solution, because Canberra's expansion is going to require more. In another 50 years maybe—not tomorrow—it will expand into other areas of the ACT. The more you can extend the water supply the better.

In your walk up here to the venue, you did not see the fire shed up the back. There are some large tankers there and some small tankers—bush firefighting tankers—that nobody seems to be thinking about. That fire brigade is the fire brigade that saved Tharwa in 2003. That was the acid test: 2003 was about the worst fire that the whole area of the ACT has ever experienced, and Tharwa got put to the test and passed.

THE CHAIR: Mr Lonergan, just on that—and then we will go to Miss C Burch—you said in your submission that, if the non-potable water supply continues exclusively for firefighting purposes and is not accessible by residents, the community would be better off without it.

Mr Lonergan: Exactly.

THE CHAIR: Why is that?

Mr Lonergan: Because it does not make any difference to them. They can't access the water.

Mrs Hyles: And it is the tankers from Tharwa.

Mr Lonergan: Yes. And there has been an expenditure of a million dollars or thereabouts.

THE CHAIR: For something that would only be used very occasionally?

Mr Lonergan: If at all. My point is: based on the track record, if it is ever used. I do not think so.

THE CHAIR: It would be in a very public place?

Mr Lonergan: That is right.

THE CHAIR: It is inconsistent with the master plan?

Mr Lonergan: It ruins the aesthetics of a beautiful village.

MISS C BURCH: You mentioned in your opening statement that you think that this issue has been mismanaged for a long time. Did you want to expand on that a little more?

Mr Lonergan: This project?

MISS C BURCH: Yes.

Mr Lonergan: The project, as I understand matters from reading the consultant's report, began in 2015, and it was an assessment of the water supply for Tharwa. There were three alternatives: residential only, residential plus fire, and fire only. I do not know when it happened but the Emergency Services Agency grabbed the fire only alternative and took it on from there. They took the running of the thing from there. I am not quite sure of the machinations behind it but the residents only and the residents plus fire fell off. They disappeared.

My problem is that somewhere in the agencies there has been a real mess created and the residents only has not been subject to any progression the way the fire only one has. There are two levels. There is the level of fire only, which is of no benefit to the residents, and there is the problem with the engineering and location of that fire only. On those two scores the community is saying that it should not even be considered. The residents come first.

MR MILLIGAN: What is the priority of residents here in Tharwa? Is it water for firefighting purposes or is it water for residential use or is it potable water? You mentioned that there has not been a threat here since 2003. Is that correct?

Mrs Hyles: All of the above, I would have said.

MR MILLIGAN: All of the above?

Mrs Hyles: It is all of the above, yes.

MR MILLIGAN: Have the residents of Tharwa actively sought or approached the government for tanks for firefighting purposes?

Mr Lonergan: No, not that I know of.

MR MILLIGAN: Have Tharwa residents ever contacted the government in terms of possible potable water infrastructure to be installed?

Mrs Hyles: Save that one for Mr Angus when he is on.

MR MILLIGAN: Obviously the historical context of Tharwa, its presence, its appearance and so forth are important to the community?

Mrs Hyles: It is very important because it is rare now. What we have got here is rare. And it is getting rarer as people do not rebuild. We would like to enhance that. Philip Leeson is one of the heritage architects in the ACT and he is very keen to work with us and enhance the hall. Within the Tharwa community we have got plumbers, electricians, we have got all the trades and we have got materials.

With a bit of help and maybe the odd government grant, local community help and fundraising, we really think we could make something quite special here. The designs we have got in mind would be used by all of us and would also be attractive to the town as well. People could come out and visit Tharwa and see how times used to be. I think that would be a really lovely thing to have.

The master plan really endorses that. The government master plan says exactly that. We have all taken that on and everyone has said awesome. They are appreciating what we already appreciate. Let us try to get this done. We just feel that this is going in a completely different direction.

MR MILLIGAN: Particularly in comparison to that master plan that was drafted?

Mrs Hyles: Yes, which was over 100 pages.

Mr Lonergan: Yes. The master plan talked about water for the residences, yes.

Mrs Hyles: There are five blocks listed for sale. We understand that it is hard for government budgets to find money but, with the sale of those blocks, we could put on water for the whole of Tharwa so that it was actually potable, a proper water supply. I think that that would just be the most awesome outcome.

Mr Lonergan: Yes.

MR MILLIGAN: And the longevity as well?

Mrs Hyles: Long term, yes.

MR MILLIGAN: Obviously it will be used to combat fires and for firefighting purposes and it would give you guys potable water?

Mrs Hyles: Yes.

MR MILLIGAN: You would think it would increase property values as well having potable water?

Mrs Hyles: Uriarra Village has got a proper water supply and solution.

Mr Lonergan: Yes.

Mrs Hyles: There is no water solution here. Without an overseeing body to make the decisions and take the direction, it is very hard to get individual residents to all agree on a solution. You need government involvement to get that major infrastructure done. You are not going to be able to get a few residents to come up with a solution.

Mr Lonergan: There was a lot of foresight by Val Jeffery and his brother, Ron. They have both left us. Val and I were pretty good mates. They looked forward and they thought that because of the inefficiencies of just a village living on tank water with a large development occurring to its north—this was 60 years ago—it would have been the right thing to do by that community. So they did it. That brought Tharwa another step further along. What Anna is saying is that we need more of that forward thinking.

THE CHAIR: What I am hearing is that we want to preserve the inherent character of Tharwa going forward. But the proposal for the part closer to the road would really impact on that and is inconsistent with the master plan. In terms of the longevity of Tharwa being able to remain as a lively village that can preserve its character, we actually need that investment in the water to be there?

Mr Lonergan: Exactly.

Mrs Hyles: Yes, 100 per cent.

THE CHAIR: What you were saying, Mr Lonergan, is that for firefighting purposes prevention is better than fighting fires?

Mr Lonergan: It is an established fact that what you do to prepare your garden and your immediate surrounds around your house is the major deterrent—as well as people being in attendance—in the survival of that residence. If you apply that to a whole village, the village survives.

THE CHAIR: Mrs Hyles, I appreciate that you recognise that government money does not come in on a like-for-like basis but there is perhaps a view in the community that if residential blocks are sold—and you mentioned those five that have been identified in the plan—the money that comes out of those sales gets reinvested into the Tharwa community.

Mrs Hyles: I think that would be a good outcome.

Mr Lonergan: Yes.

THE CHAIR: Are there any other questions? No. Thank you very much for

appearing. There will be a proof transcript available for you to check and make sure it is an accurate representation and reflection of what you have said today. When that is available, that will be provided to you.

FLINT, MS JANET, Tharwa Community Association
ANGUS, MR STEVEN, Tharwa Community Association and Southern
ACT Volunteer Bushfire Brigade
PENNOCK, MR DAVE, Southern ACT Volunteer Bushfire Brigade

THE CHAIR: Thank you for appearing today. Could you please let us know that you have read and acknowledge the pink privilege statement in front you?

Mr Angus: Yes, I have read it.

Ms Flint: Yes.

THE CHAIR: For the purposes of *Hansard*, can you state the capacity in which you are appearing before us today.

Ms Flint: I am treasurer of the Tharwa Community Association and also a resident.

Mr Angus: I am a member of the Tharwa Community Association committee. I am also president of the local bushfire brigade, the Southern District Bushfire Brigade. I live down the road at Naas. I am a past captain of the brigade and a few other things.

THE CHAIR: You are very knowledgeable, I think. Thank you very much for appearing today. Mr Angus, we might start with Mr Milligan's question about firefighting.

MR MILLIGAN: My question is in relation to whether you have approached the government in the past in relation to the need for, let's say, tanks for firefighting purposes or even upgrades of the current system that you use here, drawing on the water from the river. Or have you even approached government and asked them to inquire about potable water infrastructure to be installed here at Tharwa?

Mr Angus: The answer is yes, we have. Initially the contact was made through Kevin Jeffery, the chairman of the ACT Bushfire Council. We spoke to the past commissioner, Dominic Lane, a number of times about the water. There were approaches to the government, but there was no success, so we thought we would go around the back. Dominic was very helpful, and the past chief officer, Andrew Stark, again. They took it in hand. Then, all of a sudden, we ended up with this. They looked at it. They have actually given—

Mr Pennock: Excuse me; I was outside.

THE CHAIR: Welcome.

Mr Angus: That is how RFS organised some funding to put some temporary tanks up here while the others were progressed. Then, all of a sudden, it turned into this mammoth debacle of tanks on the river, the common bore, the hydrants and everything else. Dave knows a bit of the history. Again, this is the mismanagement that Michael referred to. We were told that ESA were the end-user, but they took no ownership of the project. They just said, "It was put across our desk for approval as

part of the development application. It is nothing to do with us.” We had a fairly in-depth discussion with Joe Murphy, the chief officer, one night. He took a bit of ownership of it.

But the thing that really peeved me at the time with RFS and ESA—and I made my views fairly clear to Dominic and Joe—was that nobody from Fire & Rescue or the Rural Fire Service actually came out to see what we wanted, what the community wanted. They just rubber-stamped this proposal that had been put together by the consultants.

I know that that is the way the government works. In my other life I worked for a contractor in Canberra. But it has just been disappointing the whole way through.

With the system they have put together, even the urban Fire & Rescue pre-suppression plan for Tharwa admits that they are too far out to do any good; they are outside the response matrix to save houses. So the mop-up, whatever, may be a bit next door.

The brigade would be the biggest users of the water; we are filling up and whatnot for exercises or firefighting training. It does not really worry us where the tanks go: pump the water; put the tanks on the hill; run a pipe down to a hydrant here using gravity feed. You are not using pumps. You are using a pump to get it up there, the generator. The whole thing has been mismanaged and mishandled.

Ultimately, as Michael and Dave say in the brigade’s submission, you could have brought water out from town by now. We could have had the water here for the amount of money and time that have been wasted. I could have dug a trench and laid the pipe myself.

MR MILLIGAN: And then obviously have hydrants for filling up, for firefighting tanks and stuff.

Mr Angus: Also, the whole idea is going against the government’s own strategic bushfire management plan, which is telling the residents they can’t guarantee that they will have truck at every house: they can’t guarantee this; the residents have to have a plan; the residents have to be prepared. How do the residents do it if they do not have access to a reliable water supply? It is silly. It is just counterproductive and counterintuitive.

I should put on the table that I am on the Bushfire Council at the moment. You go to a meeting and they tell us that everyone has to be prepared, farm fire wise, but if we have not got access to reliable water, what do we do? You can’t have tanks big enough.

The system here, be it old, is still very effective. In 2003, people had access to water. The brigade and the other people could concentrate on the perimeter. We did not have to worry about being around here to mop up spot fires or whatever; the residents did it. Most of the residents have been in the brigade at some stage. They have a bit of common sense; they know what is going on.

THE CHAIR: So you are less concerned about the aesthetics, with where it would be?

Mr Angus: No, sorry. I do not agree with the aesthetics, because it would ruin the village and everything else. And it is not needed. There is prior use. The tanks are up there. The tanks are there. Ron Prutti is prepared to do a land swap or a resumption-type deal. We are talking about 300 or 400 square metres; it is not a huge amount of land. There are the tanks and the shed. There are a number of issues with the fire shed. Dave is probably better placed to talk about that. But you could incorporate both project, and there is a current project, isn't there, Dave?

Mr Pennock: With regard to the shed?

Mr Angus: The shed.

Mr Pennock: Yes. There were guys out here this morning actually. They have both come and done another measure up and looked. They are looking at a proposal with regard to the shed.

But one of the questions they did ask me was with regard to drinkable water. Of course, there is none. But we live in the village, and that is not something that I am making a major issue of to do with the shed; there are much more important things to deal with with regard to the shed.

You mentioned the water with regard to firefighting. What we have there is very old and at any point it could collapse and fall over. It is falling over now. We have not used it ourselves for filling up tankers for years. But the community, the smaller tanks—I have just come back from Braidwood, and with a part that we worked on yesterday, the Colombo Road sector, as soon as we had stopped this run, I would not even say we declared it safe, because it was still burning, but all of these local landowners just came out of everywhere with homemade slip-ons and stuff like that, and a huge amount of water. They are just looking after their own property and trying to contain this fire run.

And that happens here. That happened here in 2003 and it will happen again. That is what that water there is good for. With regard to our trucks now carrying 3,500 litres or thereabouts and having hydrant fill that requires a certain amount of pressure, we are in the same area that Fire & Rescue are with regard to needing to have some form of pressurised water. We can still take from a static water supply if we have to—we can draft; Fire & Rescue can't do that—but it would be good to have water that we can use.

Mr Angus: You can still use a stand.

Mr Pennock: The whole proposal, as far as I am concerned, is good. I just want to make sure that anything that has to do with the fire brigade here fits in with what the community wants. I have had one instance already where I agreed to a couple of proposals that were put on the table by Fire & Rescue, just thinking that that would work for me, but then I got an offensive letter from someone in the village, who I do not even know, who thought I was behind one of those proposals simply because I

had said that that would suit me. It had nothing to do with me but it was better than one of the other ones, which was going to put a pump shed and a booster thing right in front of the—

Mr Angus: A generator.

Mr Pennock: basically right in our driveway, without realising that the building there was a fire station and that is a driveway. There are lots of little things where people are not filling in all of the gaps.

THE CHAIR: And it sounds like some people were being approached or consulted with, but not everybody, when actually—

Mr Angus: Dave was actually working for the Rural Fire Service in the ESA.

Mr Pennock: I was working for the Rural Fire Service at the time, so I was working closely with Fire & Rescue. They put three or four options on the table. But you are right: this group was saying, “I like that cake.” Someone else was saying, “Well, we want that pie.” And someone else was saying, “No, we want it to look like this.” They were all pointing at different ones, but I do not think there was anyone looking at it and saying, “Well, that’s the reason that doesn’t work, so we can’t repeat that problem over here.”

THE CHAIR: There was no-one taking a step back and looking at the village as a whole and what would benefit everybody.

Mr Pennock: Yes.

Mr Angus: The consultation that happened—and Janet will probably back me up—was not my idea of consultation. It was the project officer coming out and telling us, “That’s what you’re getting. That won’t work.” “Why not?” “Well, it won’t work.” It is ridiculous. In my industry you can’t keep saying, “It won’t work. It can’t.” It would work up there. Yes, there are some—

Ms Flint: Stumbling blocks.

Mr Angus: speed humps in the way, stumbling blocks, but they could be worked around. You have got an existing use up there. The tanks are already there. I personally have agisted cattle on government land and it is done through a licensing agreement. It is common. They are in the system now. So you could have a licence agreement with the landholder. But, no, TCCS has said, “This is what you’re getting—end of story.”

THE CHAIR: If the location was not down here but was up there—this is how I am thinking about it. We will go and have a look at it when we finish the hearing today. If it was up behind here, would that also benefit the village in terms of supply in the first instance?

Mr Angus: Yes, if you put the tanks—

THE CHAIR: So it would definitely help for—

Ms Flint: Well, it would open it up for the village to be able to—

Mr Angus: Yes, the tanks and the pump/generator shed could go up there. You could still run a pipe down here, put the hydrants down the road and have a hydrant booster box next to the tennis courts. It is a three metre long by 1.2 metre deep box. It would just sit there. That would serve the purpose for the brigade and Fire & Rescue if they needed it.

Ms Flint: Then if you decided that the residents could hook into the system, it would not be too onerous for us to do that.

Mr Pennock: That is such a big issue. We have all touched on it.

Ms Flint: However, our system is very aged and it will need new pipes in the future.

Mr Angus: But this is the thing, Janet: as long as we have that connection point, if it is done through a meter the community association can manage it, charge it. Then further down the track we can apply for grants and all sorts of things for the community—if the government is not prepared or not in a place to do it—to upgrade that network eventually. It is just having the basic infrastructure there.

THE CHAIR: So the community association could manage the metering of the water and make it that people were not just—

Mr Pennock: The bigger picture is—

Mr Angus: We could.

Mr Pennock: I keep asking the question: has it been really looked at from a feasibility point of view as to bringing water down the hill. Will it cost more? Will it cost less? I do not know. It is a big picture thing. But we are a big government—you know what I mean. We are not just looking at this problem; we have a draft plan for the expansion of Tharwa. Canberra is growing exponentially. Is this region going to grow more? How much money do we want to spend that is only going to be ripped up again later? Are we are going to end up doing something later anyway?

I know we have budgets. I know we can only spend so much at a time. But I am left wondering if there is big picture thinking about: “At some point they’re going to bring water down the hill.” To fill up our trucks after any incident and, if it is feasible, during an incident we will go to Banks to get reticulated water now, because the drive up there and the time to use pressurised water is so much quicker than just parking there and having a dribble come out of a tank, or trying to get to one of the creeks and dams around here that are getting lower and lower. So we are already driving up the hill to get it. It is not that far: it is five kilometres.

To me, it is all about this big picture thing. Are we thinking big picture? Are we thinking future? Are we thinking about the fact that if there is either water on the hill or water in the pipe somewhere where the residents can look after their own houses

and their own surroundings, should we have another storm like we had in 2003—

THE CHAIR: And that seems to follow with—

Mr Pennock: Look at this year. Look at what we have got at the moment. It is one of those things. It would not only make people a lot happier; it would make it a lot easier when we get back to this scenario of: “We can’t get a truck to every house.”

THE CHAIR: So it would have combined benefits. Everyone would feel a bit safer or a bit more in control of the situation, noting that there are a whole lot of externalities that we can’t control. And in terms of the master plan and the expansion that is identified in the master plan, to make Tharwa an attractive place to come to as part of that expansion, feeling safer here and more in control of your own property by having that access to water would—

Mr Pennock: I just question the expense being put on the table here to get water for one purpose. Why can’t that water be used for other purposes?

THE CHAIR: And that is coming from you, representing the bushfire brigade.

Mr Pennock: Given that most of our members now, with the exception of Steve, Chris and a few around here, are coming from town to get in these trucks and we are going to get here after Fire & Rescue, and Fire & Rescue have already said they understand that it is going to take them a certain amount of time to get here, it would be so much better for us, and what we are trying to achieve would be a lot more achievable, if residents had a bit of protection themselves other than just what they have got in their rainwater tanks—

Ms Flint: And the shed.

Mr Pennock: and stuff like that.

MISS C BURCH: We heard from one of the previous witnesses that residents would be better off without the current proposal. Do you agree with that assessment? Do you think there is any benefit to the current proposal?

Mr Angus: It is of no benefit to the residents as it stands, if the residents can’t access that water. Historically, as Michael has said, there have been no house fires in Tharwa that burnt in the area. They are fairly rare, touch wood. It is something that is going to sit here. The government then has to maintain it and a pump. A generator has to be started regularly and tested. If nobody can access it, what is the use?

Ms Flint: My direct neighbour, Kerrie Prutti, asked me to speak on her behalf.

THE CHAIR: Great.

Ms Flint: If it goes ahead it will actually stop her being able to fill up her potable water tank. She would lose water.

THE CHAIR: How does that work?

Ms Flint: The truck currently backs along the back of the tennis court and fills the water tank. We buy our water. It is next to her daughter's bedroom and it is not even two or three metres from their home. Obviously, she has a lot of issues with that.

MISS C BURCH: Your submission had other concerns about the location. Did you want to talk about that?

Ms Flint: Yes. It is located right next to the school. You have got trucks backing in, backing out. I am not sure how they are setting it all up. Any set-up like that in Canberra comes with vandalism, so they put a bloody great big fence around it. That is right in the middle of our village, in what was put in the plan as the green zone. You have got two old growth trees there. That all just flies out the window when someone wants to put in a bloody great pump and a tank.

These guys do a wonderful job. As soon as they finish a fire they will come and debrief and they will be pumping water at two o'clock in the morning, if that is when they have finished, because they have to have their tanks full. That impacts on us.

Kids in the preschool are going to run over and want to watch the truck. It is just a big thing, I think, to put in the middle of the village. It makes much more sense up on the hill. It is out of view of everybody. The vandals would not go up there because they would have to get out of their cars and walk. It helps the whole community in time.

THE CHAIR: With Kerrie not being able to have her water supply—

Ms Flint: She would have to move her water tank, her personal water tank, because that is the current access.

THE CHAIR: At a considerable cost?

Ms Flint: Yes.

THE CHAIR: I do not know what a tank costs.

MR MILLIGAN: It is still a cost to her anyway.

Ms Flint: Yes, it is a cost.

Mr Angus: Yes, it would be. You would have to rearrange all your plumbing. We all have freshwater tanks that just go into our kitchens—most of us at any rate. Some run their toilets off the non-potable water system. Everybody would be affected.

Ms Flint: Anyway, I think it would just look terrible. And why would you do that to us?

THE CHAIR: It was never flagged in the master plan?

Ms Flint: Every other asset in Canberra is shoved on top of a hill. There is a reason for it. Gravity-fed does not cost money. I do not understand why you would even

consider it. As far as the ACT leasing thing is concerned and the excuse that you had to buy back somebody's land, this is the ACT. It is all rural leasing. You have the ability to buy back land. That is why you are still a leasing system. That is not an excuse.

THE CHAIR: I think that is it for me. Is there anything else that you want to add that we have not covered here today?

Mr Angus: There is one thing. Your project officer kept saying that you can't connect a government asset to a private asset, didn't he, in the consultation? What do you do in town? Everyone that lives in town is connected to Icon Water, which is a government-owned corporation. What is the difference between a TCCS installation and us? Everyone in Tharwa pays rates.

Ms Flint: Yes, and currently Tharwa provides water for the government assets. I am not too sure where that comes from. We do not charge them either.

Mr Angus: I live out at Naas and I get a water bill from Icon Water religiously, every year, for zero dollars, so I must be in their system. Why can't they give me the water? I would pay for it.

Mr Pennock: There is no water in your creek.

Mr Angus: No, but that is the thing. The arguments that have been put up do not make any sense.

Ms Flint: I am a project officer in my other life. I would actually look at a whole pile of ideas, take it to the community and get all the stakeholders and get some ideas first. I would not be wasting money on three different sites so far, doing all the bore testing and all the things that they have been doing—lovely little plans—and then going to the community and the community is going, "That is going to get vandalised. This is going to be too expensive." I just do not understand why you would waste so much time and money without going to the community first.

THE CHAIR: I think that touches on what you were saying before, Mr Pennock, in terms of it might be fine for this person and for this purpose but you have to consider what everybody else wants. Then if other people are asked you might come away with a different view. You might get into that original request.

Mr Pennock: Yes. To some extent, it is almost like they are building something at a huge expense to solve a problem that is only a partial problem but ignoring everybody else that has got to live with that thing they have just built.

Mr Angus: Ignoring the initial problem, which was the age of the current water—

MR MILLIGAN: The current facility.

Mr Angus: Yes. That was done by the residents, and at the rate we are going we will probably end up doing it again. As Anna said, we have got enough earthmoving contractors and plumbers and people that could do it.

Ms Flint: We have been fundraising so that we can start redoing the water system. Obviously, the tanks up there are not sufficient. We would look at that. But at what point is it our responsibility? At what point is it your responsibility? We are ratepayers and we are happy to do it. I am happy to charge the locals for what we have got. But we run it as a no-cost, not-for-profit thing. And we just do it. But we are only looking after half the village. The rest of the village are having to look after themselves as well.

THE CHAIR: There is this general view that prevention is better than the fighting. People having that ability to look after their own—

Mr Pennock: As I say, it has been stated that even Fire & Rescue, where they come from, are not going to get here to make a huge impact. Reducing the risk with any resource available has got to be worth taking into consideration.

Mr Angus: We have five or six trucks up there, five at the moment. One is a bit second-hand.

Mr Pennock: One is broken, from Port Macquarie, and one is out at Braidwood. But I have just been on the phone about getting that back to the village.

Mr Angus: We have got six trucks and after 2003 we worked out that there are 70-odd houses just in this area. And then you throw in the surroundings, back up towards Tidbinbilla and things.

Mr Pennock: But we must also acknowledge that there is a plan that is being worked on by the ACT government that does open up for expansion in Tharwa. And it might only be a certain amount in finite time but I think we are all smart enough to know that that will not stay at that finite amount. It might for now but not moving in the future.

THE CHAIR: I think Mrs Hyles mentioned before that that plan was received quite favourably in the Tharwa community. Am I right in saying that?

Ms Flint: That plan was. There were a few iterations before that did not terribly impress me.

THE CHAIR: But the actual master plan, not the other versions that you saw, the one that is now official?

Mr Angus: I think most residents agree with it. We all understand that things change. You know that the village will grow and that it is not going to grow to the extent of somewhere like Uriarra or Hall because of physical constraints—being so close to the river and things—but it is still going to develop.

Mr Pennock: It will grow.

Mr Angus: It will grow.

Ms Flint: Someone might have a need to put kerbing and guttering in.

Mr Angus: There are whispers of development happening in the not too far distant future on the western side of the river. Yes, things are moving. But a reliable water supply is needed.

Mr Pennock: There is still going to be more work happening out in this area and there is just going to be more impact on the area.

Mr Angus: The first step would be a reliable water supply for the residents.

Mr Pennock: That is a huge fire issue too.

Ms Flint: Anything in the west is a huge fire issue.

Mr Angus: Just on that fire thing, ACT parks and conservation have spent an enormous amount of money this year carting potable water from Banks out to tanks at Honeysuckle and Orroral. I think they have done some at Birrigai and Tidbinbilla, for firefighting purposes only. If you had another reliable water source here they could use in the long term it would save some money along the track. But this year is certainly the year that we will need a reliable water supply.

Mr Pennock: Yes. We will have this conversation again in March and see where we are at.

Mr Angus: Tharwa will still be here.

THE CHAIR: We are on a tight schedule. I very much appreciate you all appearing before us today, even though we did organise this at short notice. Thank you very much for coming along. It is invaluable hearing directly from you here.

Mr Angus: Thank you for the opportunity to talk to you. It has been a frustrating process to date for most us.

THE CHAIR: We are hearing that. You may have heard us mention before that in the coming days we will provide you with a proof transcript of what has been said today and recorded. That will give you an opportunity to correct anything if we have managed to mis-record it or if we have missed it in some way you will get that opportunity to review what has been said. Indeed, if there is anything that you think is worth adding, you are very welcome to do that as well. Thank you.

McCARTHY, MS AMANDA, Tharwa resident
LUBIEJEWSKI, MR ALEKSANDER, Tharwa resident
VARSANYI, MS VERONICA, Tharwa resident

THE CHAIR: Thank you very much for appearing today. I understand that you have heard a bit of what has been said before. Would you each be able to confirm that you have read and understood the privilege statement?

Ms Varsanyi: Yes.

Mr Lubiejewski: Yes.

Ms McCarthy: Yes.

THE CHAIR: Would you each mind stating the capacity in which you appear?

Ms McCarthy: I am a resident of Tharwa and have been since the late 1980s or mid-1980s. I am representing myself and I am also a member of the Smiths Road bushfire brigade.

Mr Lubiejewski: I live in Tharwa. I moved here in about May this year, so I am very new to the village and this process and all that sort of thing. I am here representing myself, but I am in the village community association as well as the southern RFS—the shed just there.

Ms Varsanyi: I am here representing myself also. I am also new to Tharwa. I am homeschooling three kids here. Between Aleks and me we have five who live in the village, quite close by.

THE CHAIR: Do any of you have a statement you have prepared or something you would like to open with to share with our committee?

Ms McCarthy: I would like to just say that over the 30 years that I have lived here, I have brought up my children here. When we arrived in Tharwa, the non-potable water system was owned and run by Val Jeffery, and we have the same sized water tanks now that we had then.

Over that period of time there have been floods but there have also been droughts. As you are probably aware, right now we are in a particularly bad rainwater time, which has a real impact when most of the water in your house is from your roof, so it means that there are many more occasions of buying water than there ever have been in the past.

The non-potable water supply has been intermittent at times because of problems with the tanks. The river has been remarkable in that it has stayed at this level, but now you can see every day that the river is decreasing, so the opportunities for drawing water for the community non-potable water supply are decreasing. This then means that if it is not raining we basically have no soil moisture, nothing coming off our roofs and nothing from the river. This means that we are pretty much out of water. That is what

we are facing.

The other thing I would like to say is that talk about releasing land, which the ACT government has decided that it will do in terms of the planning, is very nice but it does seem to me to be that they have not actually considered the issue of potable and non-potable water for the new blocks that are being released, and I think it is something that we should really think about in terms of the future. We are also not on sewerage, so there are always issues, being close to the river, with further development in an area like this.

THE CHAIR: That is very helpful. This is new information for us.

Mr Lubiejewski: I think I said most of the main points that I had in my submission. I have two concerns. One is that that the process seemed to be going very well. When we arrived, there was a community consultation. The project manager came out with a consultant and we had lots of discussions, and there was a fairly unanimous view that the option that was selected was not appropriate for the town. There were offers of: “Let us know, let the town know, what we can do to help you get from this option which nobody wants to an option which everyone would accept.” As far as I know, that was never taken up. It just seems like that is the process.

The second thing is that I am here because I and my two kids, who could not make it, do not really like the idea of having some great big water tanks and stuff in the middle of the main street. We think that will negatively affect the amenity of the town and the reason that we came here, which is that it is a peaceful place and a very pretty place. We really love it here. We would hate to see that affected by something that, with a little effort, could probably be changed.

THE CHAIR: With the consultation process, am I right in summarising, based on what you have just said and what we heard earlier today, that essentially—and I appreciate that you only moved here this year—it was not, “Let’s go and ask the community what they think would work and get the different views from different sectors and then put something together,” but more that something was provided to you, there was a consultation held and people were listened to but none of that feedback actually resulted in any changes, despite there being a unanimous view that this was not the desired outcome.

Mr Lubiejewski: Right. That is certainly my impression of what happened. As Amanda said, there are more and more water issues here as the drought gets worse, with the river going down, with water being, I think, about 10 times the price. If we have to get water trucked in, it is about 10 times the price that you would get it for if you turned on a tap up in Banks.

Ms Varsanyi: And we have done it how many times since May? Three or four?

Mr Lubiejewski: Three or four, yes.

THE CHAIR: How much do you get trucked in?

Mr Lubiejewski: About 14,000 litres at a time. That is, I think, the biggest the trucks

can be. It is about \$260 for that much. And it is always a process too. We have to be here to help load the tanks. I have got an interesting tank configuration, so I come to help, to make sure that we can get the water in the right place. I knew when I came here that that was going to be one of the things. I am not pretending that I thought, “I’ll come here and magically there will be decent water.” But if we are looking at a solution for water, I think we should look at the broader needs as well and see what can be done, rather than: “We need to do something and this is something, so let’s do it,” which is kind of what it feels like.

Ms McCarthy: With this project there was money in the budget and, as far as I understand, the money in the budget that was given to this project was specifically for firefighting purposes only. That is really, to my mind, where this project went wrong. I do not know the details of why it was put up like that, but I know there was the study before—

THE CHAIR: There were two specific—

Ms McCarthy: There was the study before. When you get money for a certain thing, that is all you can spend it on, so the consultants have been working towards spending the money on the thing that they were told the money was budgeted for. I think that is really where a lot of the problems have come from, because there is no flexibility once it has been approved.

THE CHAIR: Perhaps before that budget bid was approved there was a misunderstanding of what the community actually needed, so it was—

Ms McCarthy: Yes, and then they just came up with proposals to meet that, and that was very narrow and inappropriate.

THE CHAIR: If a different consultation had been done and the right questions asked, then—it seems to me from the previous comments as well—it is unlikely that it would have been restricted to such a narrow endeavour. That appears to not happen very often. When it does happen, it is not that useful.

Ms McCarthy: It is pretty concerning that we will have the water here but the people who are going to use it will not be here. The fire trucks and things will have to come from somewhere else and the people to drive the fire trucks from here will have to come from an area, so nobody has got any access to it. If there was a house fire, you would be able to watch a building burn before anyone actually managed to get here to access the water.

THE CHAIR: Whereas if residents had that access then they could take things into their own hands quickly.

Ms McCarthy: In the experience of the 2003 fires, there was an active member living in the village—Val—and it was a mammoth effort to protect this village and backburn in the evening beforehand. If the wind had not changed, we still would have been in trouble. But there are two different things, I guess: the bushfire threat and house fires. I just do not see that it is really going to be that useful in terms of house fires. Bushfires will probably be a different thing. But there is always a lot of activity when

there are bushfires, the noise of the trucks filling at 2 am and things, I guess you live with that because it is important at the time, but if it is a more regular thing, the sound in the valley is—

Ms Varsanyi: Yes, it is a bowl.

Ms McCarthy: It is a bowl and you can hear—

Ms Varsanyi: We can all hear each other eating.

Ms McCarthy: Yes, you can; it is extraordinary. This is slightly off track, but I had the green waste people coming out here. I was the only person who signed up. They arrived at 7 o'clock in the morning. They were not allowed to start moving—they arrived at a quarter to seven. They had the truck going just up here and it was waking everyone up in the village. Then it would drive round to my place, empty my green bin and tootle off, but it had been there for half an hour going “bang, bang, clang, rattle, rattle”. Those things impact on everyone. I cancelled.

Ms Varsanyi: And it is not that that is not welcome; it is not that there is not a recognition amongst people, I think, that that needs to be something that we can contribute to if we can. But a question for me that is not answered is: why not 100 metres down the road? Why is it right in the centre, where little children are crossing and trying to go to preschool? Having worked in preschool, I can't imagine having to teach a day with trucks going back and forth. Little children can't handle that kind of level of excitement and also focus on their task at hand. It would be impossible.

THE CHAIR: If the site was further up here, would the trucks still be going past, though?

Ms Varsanyi: Perhaps, but it is possible that they could even be refilling further up the road. Why right near a school? I actually, this afternoon, got in contact with Fire & Rescue and tried to find out where the line is drawn, because if this is going to be the place where people come to refill, how many fires? What is the scope of the area that we are talking about? How many days are likely to be disrupted for these kids? Those are the questions.

It is all about probability, but what are we really talking about? Is this going to be something that happens on a week-to-week basis, depending on how many kilometres in which direction we are looking after here? As an educator, I do not think that is fun for kids. Seeing it at a fair with their parents, where the sirens are going, is fine, but they still recognise even at a very young age that this is a rescue vehicle for a purpose. A lot of the ones that come into the bush school here, I understand, live out and about and have properties, so they are not silly about this topic. So to see this level of intensity in a place where they are supposed to be relaxed and in a position to learn is misguided. That is the best thing I can say. I do not like it. And it is ugly.

THE CHAIR: We have heard that.

MISS C BURCH: Ms McCarthy, you mentioned in your submission that you

believed that the intent of the project was to benefit the community but that what is being undertaken is contrary to that. Do you also not believe that the community is getting any benefit from the current project?

Ms McCarthy: Some of the current project down there is very much, I think, the opposite. It is just disruptive and I also think it is dangerous. I wrote letters and got a response saying that they had considered the trucks coming in and out, but it seemed as though they had not even looked at the plan, because the five hydrants are supposed to be on that side of the road, across the road from the school. You can see how close that is. There is only one road through Tharwa. There is the little lane, which I live on, but it is difficult. We nearly crashed the other day, didn't we?

Mr Lubiejewski: Maybe not crashed but—

Ms McCarthy: We were going opposite directions. You have to pull over. That was not even a truck. The garbage trucks that came along that road used to be littler. The road was tarred to get the garbage trucks through. Now we have much bigger ones. In a fire situation, when you have a lot of fire trucks on the main street, people will try to go round that way, and it is really not feasible. I feel that the design siting of any project really needs to be considered. It is difficult, because we are in this little bowl. I do not know what all the options are. I can see some faults in this one.

MR MILLIGAN: From the submissions and what we have heard today, the priority that I see is more or less having potable water rather than tanks to use for firefighting purposes. It has been so long since a fire has come through this area or been close to it. I think it was 2003.

Ms McCarthy: It seems like yesterday.

MR MILLIGAN: What are your priorities? Do you see this as a priority or do you see potable water more as a priority? If tanks were installed for firefighting purposes, would a priority of that be to have residential access to those tanks as well and possibly have hydrants placed in different locations throughout Tharwa so that more residents can get access to that water?

Ms McCarthy: Perhaps, yes.

MR MILLIGAN: Where does all this sit for you as an individual and as a resident of Tharwa?

Ms Varsanyi: I can talk to that. A lot of this is about protection of the surrounding areas from bushfire, but what you are dealing with is a very small community. I do not know if that point has been driven home, but there are 13 houses that we counted. There are really not a lot. It is really tiny. Something like this is really big for a population that small. If we have to cooperate with and tolerate fire trucks coming and going in the event of fires—no-one is saying that we disagree with being helpful towards that goal—perhaps one of the trade-offs could be that there be extra water assigned for us.

We have five kids having showers, seven people in one household. We have two

water tanks that are not very big. That is not fun. When our children go to other places, we say, “Just have a shower there. Go and wash your hair. When you are there, can you wash your hair?” When we got here, we accepted that that was going to be the case. And it is no big deal for our kids—they are good; they understand—but it would be really good to be able to have a more sure supply.

As I say, if there is something that we have to now put up with, tolerate or accept as part of this hamlet—it is tiny—maybe there could be something for the residents and their water supplies, including the fact that we need to be able to fend for ourselves in a fire event. Aleks has been part of the RFS in the past, but he has just redone his training. Now I am going to do it as well. If I am stuck at home with the five, I need to know when I go, what I do, how I prepare.

Along that street we have a lot of ageing residents. I have spoken to a few of them. They do not know what to do in a bushfire event. That is neither here nor there, but if I can be of use for that, that is good. But we need to know—at any point in time a fire can come through—what are our options for water, what are our options to leave and all of that.

We have to be able to build a structure around an evacuation plan, really. That needs to rely on a reliable idea about where our water is from and who has what. What do we do? Has that person got diesel for that pump? There is all that sort of stuff if we need to plan to that level, which I think we do.

THE CHAIR: If the site remained the same as currently flagged—I know you hate it—would a sensible trade-off be being able to have residents have access to it?

Ms Varsanyi: From my particular perspective of homeschooling these three at the moment, this is a perfect place to do it. They used to go to the Steiner school. That is based on nature, based on experiences in nature: gardening, botany, zoology. We can do all of that here.

I see a disruption in the building of these tanks in either location. Gravity-fed is a big thing for me too. But the preference is for a bit away. It is really cute as you first drive in; it is beautiful to see that old milk shop and everything. That is all under the plan to develop that. We are going to have to put up with noise, soil disruption and all that sort of thing, which is going to impact on me and my teaching in either case.

I still think: “If this is going to be the case, why not make it a bit more secure for us? Can we please have seven showers a day and all the rest?” Why can we not work that out? We are in the ACT. Banks is there. Lanyon homestead needs water, I understand. They are running restaurant stuff there, as they are here at the shop. They need to provide food-grade water for their exercises, which they are having to purchase.

I used to have two restaurants for 10 years. No other restaurant in the ACT has to put up with that kind of thing. If they are providing a community service, which they are—not only coffee, but the post office and everything—why should they not have access to the same cost and quality water as everyone else in the ACT? It is not even fair. I must have got off track, I think.

Mr Lubiejewski: I would like to answer that question as well, if I could.

THE CHAIR: Please.

Mr Lubiejewski: If my understanding is correct, the system will be pressurised by a diesel pump. What happens is that every time somebody turns on their tap, this pump fires up to make sure that the pressure is right. That could negatively impact the amenity even further, particularly if it is here, where there is no scope for gravity-fed.

At the moment it is gravity fed from the top of the hill. That helps us with watering the garden and those sorts of things. If the pump fires up every time someone turns on a tap, that will be less than ideal, and worse.

I will come back to the question that you asked: “What is your preference in terms of water?”

THE CHAIR: Yes.

Mr Lubiejewski: If you said to me, “In the street or nothing,” I would probably be tempted to say, “Nothing.” If you said, “On the hill,” I would be more inclined to support that. If you said, “On the hill with access to us,” I would be even more inclined to support that.

But if potable water was an option, that certainly would be the highest preference. Everyone would probably agree with that. As Veronica said, it makes it a bit easier for managing households; it makes it way more cost-effective for us to do standard household things. I do not want the implication to be that people are missing out on showers or anything like that, but it is a matter of trying for two minutes in and out, water-saving showerheads and all that sort of stuff. It is a different experience to a nice 10-minute rain shower in Canberra.

THE CHAIR: Yes, and I also appreciate that that is not what you are asking for. You are not saying, “We just want unlimited water.”

Ms Varsanyi: No.

THE CHAIR: I suspect that if you had access, it would not just be: “Happy days; let’s just leave it running.”

Ms Varsanyi: No.

Mr Lubiejewski: Of course not. The other thing we have to deal with is septic systems, so we do not have that scope. But to have a bit more water security would be great. That would be my personal order of things.

MR MILLIGAN: That is good to hear.

THE CHAIR: Is that your view, Ms McCarthy?

Ms McCarthy: I was just going to say that it is true that the core of the village is

13 houses, but there is also the Cuppacumbalong area and an enormous enclave of people at Outward Bound. They have their own bore water system. I am not quite sure what Cuppa is reliant on, whether it is just on rainwater. The old non-potable water supply is currently disintegrating, slowly, because the pipes are wearing out and all that sort of thing. It is not metered to the house either. There is no way of knowing who uses what. As you know, it has always worked okay, but when you are opening up the district to five new houses on top of 13 houses, as I said in my submission, this is—

Mr Lubiejewski: It is a big percentage increase.

Ms McCarthy: It is a huge percentage increase. It does not sound like much, but it is an order of magnitude in terms of the number of people living in the village and also, potentially, young people with families coming in instead of people who only have two people in the household or whatever.

Ms Varsanyi: Yes. And we are trendsetters, you know.

Ms McCarthy: It feels as though some more consideration should be given to that.

Bushfire fighting is really important. It is really, really important. We have been very lucky; we have a great bushfire brigade here and they know much more about it. I do not know much about it, but that is an essential component of this water thing. It is lovely that someone will put out a fire in my house if that happens.

My current situation is that I bought water in July. I can't now get water for another couple of weeks. As you would know, in the whole area everybody is buying water. The next time I can get water is on the 31st of this month. Luckily, I have put in an order early. I have my own fire pump, which runs off my rainwater tanks, but if I were to fire that up, I would have limited water to do anything with. The Tharwa water supply is not under pressure; it is a dribble, really, at best, especially if everyone turns on the taps all the time. It is the same as in town, basically. That just gives you a simple situation.

THE CHAIR: Having that residential access in case of a fire—and I appreciate a shower is helpful—would be enormously useful.

Ms McCarthy: Yes.

THE CHAIR: This is particularly for you, Ms McCarthy, but it is for both of you, depending on when you arrived: was there anything that was said by other people who have appeared today that you did not necessarily agree with? It sounds like most people are on the same page, albeit sometimes for different reasons. I noticed that you were keenly listening. I just wanted to check: was there anything that did not sit quite right with you?

Ms McCarthy: One of the things I would say about this whole submission process is that it has been fantastic for me because, even just from reading all the different submissions, everyone seems to be pretty much on the same page. But we are all coming at it from different angles. Different people have different expertise,

understanding and experience and this seems like a fantastic opportunity to bring all those things together in a really focused way. I have not written anything with exclamation marks.

THE CHAIR: That is a good sign.

Ms McCarthy: Yes.

THE CHAIR: Did any of you have anything that you wanted to say as a final statement?

Ms Varsanyi: I just have one final thing, and that is that the ACT government is releasing those five blocks, as was mentioned before. We all know that it takes water to build houses. I just wonder where their thinking is on that and where they think it is going to come from. They can't have mine. That is a really huge thing in terms of the potential money that I think that those blocks could go for. If there was some firm plan behind it or if we have even got just a plan for this many years or whatever. I think it does need to be addressed.

It would be good to have more kids around. There are some, but this is a great place for kids to knock around. It is so great. I would love to see some more here. We are old now but the new ones are not going to be the ones who accept that there is no water. Who are we attracting, then? We are trying to grow, I think. My perception is that everybody's feeling is that we are trying to get new children around.

You have got a rural background and I have got an agricultural background, and we get how to do water in tanks and septic and we understand that. Not everybody is going to. I think Banks is five minutes up the road. People prefer to live there. I do not get it. It is because of the regularity of some of those supply elements, I think.

Ms McCarthy: There are many other issues in Tharwa that are not related to water.

Ms Varsanyi: There are other issues.

THE CHAIR: Indeed, and they are probably outside our remit today but feel free to suggest them to us if they fall within this committee.

Ms McCarthy: Yes.

THE CHAIR: Thank you very much for attending today.

MCHUGH, MR BEN, Acting Deputy Director-General, Land Strategy and Environment, Environment, Planning and Sustainable Development Directorate
AZZOPARDI, MR ADAM, Director Design, Building, Design and Projects, Planning, Land and Building Policy, Environment, Protection and Sustainable Development Directorate
SMITH, MR JEREMY, Executive Branch Manager, Infrastructure Delivery, Transport Canberra and City Services

THE CHAIR: Thank you very much for appearing today. Could you please acknowledge for the record that you have read and understood the pink privilege statement?

Mr McHugh: Yes.

Mr Azzopardi: Yes.

Mr Smith: Yes.

THE CHAIR: Just for the record—and we stated this at the start of the hearing but it is worth doing again—we did invite ministers Steel and Gentleman but due to the short notice they were not able to appear. Minister Gentleman has stressed his willingness to appear and indeed has given us some further dates which work for us. We may, depending on the evidence today, call Minister Gentleman at a later date. I understand he organised your appearances today through Minister Steel's office as well. Thank you very much for coming along. Do any of you have an opening statement?

Mr McHugh: No.

Mr Smith: No.

THE CHAIR: Why does the current proposal have to be sited in the middle of town, on the main street?

Mr McHugh: I might defer the technical questions around siting and location to Jeremy, who has been responsible for the project, and I guess we will talk about the current proposals and previous proposals under that guise. We may then later talk about things that are more related to planning and strategic direction separately to those. I will defer to Jeremy.

Mr Smith: The proposed location of the tanks under the current DA, as I am sure the committee knows, is down by the river, on the river reserve. The feedback from the community in regard to that location is that it is not a preferable location, and they have cited a number of reasons for that: the vista to the river and safe access to and egress from the road for firefighting vehicles in the event of an emergency.

We then revisited some locations and had some consultation with the community in regard to those. Two locations were further identified, one being the existing location where the current poly plastic tanks are at the moment, which is the original location

for the water supply. That is at the top of a rather steep track leading off—

THE CHAIR: We are talking about up here?

Mr Smith: Yes, to your left, to my right. There are a couple of issues with that location, as there are, obviously, a couple of issues with the location to my left, your right. The issue on top of the hill is that it is on privately leased land and that creates some maintenance issues for Transport Canberra and City Services, who would be the entity responsible for maintaining these tanks as a non-potable water supply for a community purpose. They are site issues about being able to get maintenance vehicles up to those tanks, given the nature of the ground there.

In addition to that, we have talked to both the Rural Fire Service and the ACT fire brigade. Both those agencies have expressed some concerns about that location as well, mainly from the Rural Fire Service, in that they can't get vehicles up to that location easily in the event that the boosters, which are designed to sit beside the fire house, fail. They would need to get their trucks potentially up to those tanks and they can't easily do that.

They have also raised issues with the constraint laneway between the town hall here and the building just outside. In the event that they have got fire trucks moving in and around and through there, that is a constraint on the ability to be able to load those tankers as well.

The location down to my left, your right, has been discussed with the Rural Fire Service as well. That is actually their preferred location for usability purposes. There is quite an open piece of asphalt out there, which they can easily turn trucks around in, and they can have their trucks lined up waiting to be loaded as well. There are no access issues with a steep slope to the tanks there. And in the event that the boosters failed at the fire shed, they can actually get the trucks to the tank and use the boosters on the truck to load water onto those trucks in a much easier fashion as well.

In addition to that, Transport Canberra and City Services made it clear that that is their preferred location from a maintenance perspective as well. They can get their contractors in there to maintain it safely and easily and not impact the safety of their workers nor block off some of the access potentially to the fire shed with maintenance vehicles as well.

THE CHAIR: You also said that there were maintenance issues due to that upper location being on private land. Could a leasing arrangement or a land swap arrangement be considered?

Mr Smith: It certainly could be considered. It would be potentially a long game to do that. To go through a land swap we would obviously need to be negotiating with the current leaseholder of that land and seek an expression of interest from them as to what land they were looking to swap with and then we would need to go through a process of actually doing that. It would take a number of agencies to be involved in those discussions. I am not saying that it is impossible but there are some complexities to it that would need to be considered and sorted through as well.

MR MILLIGAN: Could purchasing of part of that land be an option or even a land swap?

THE CHAIR: The resumption of the land?

MR MILLIGAN: Yes.

Mr Smith: As in the ACT government purchasing land up there?

MR MILLIGAN: Yes.

Mr Smith: I guess it could be an option.

MISS C BURCH: Or a licence agreement?

Mr Smith: I think they are both options that could be explored.

MISS C BURCH: Have they been considered or is it that they could be considered?

Mr Smith: They could be considered. Purely from an accessibility point of view, though, it would be very expensive to build access to that block of land to still achieve the purposes of both loading and unloading tankers in the event of a pumping failure or getting maintenance vehicles up there still. Even if the land was in ACT government possession, it probably would not be the preferred site because of the access constraints for maintenance and loading purposes.

MR MILLIGAN: Has the rationale for choosing the location down below here been distributed to Tharwa residents, and have they been given the opportunity to provide their feedback directly based on that rationale for choosing that site?

Mr Smith: Yes. There have been a couple of consultation sessions with the community, both when the original location down on the river corridor was considered and with the new location just down to my left, your right. At that consultation session, we took feedback that was minuted. We brought that feedback back to consider it. Some of the views of the ACT government were also passed back to the community with regard to the location, I believe, in those consultation sessions. So yes, that has been canvassed with the community, and we have tried to take on board that feedback.

Mr McHugh: Just to add to that, potentially not formally, so through a consultation process where people were invited to attend. That was not a mandatory process, more a voluntary process. Obviously if a new DA was submitted, there would be a formalised consultation process around the new location, which would potentially capture your question more formally, Mr Milligan.

MR MILLIGAN: Yes.

THE CHAIR: How would that DA process work? Would it be the normal three weeks that people would have to be engaged in that process or would you allow for more time? Given that this affects a smaller number of houses but a broader

community, would there be a different way that consultation could be done?

Mr McHugh: Given the sensitivity of the matter, obviously government is very conscious of the community's views in this matter, and we would be open to an extended consultation process, if that is what is required to ensure the right outcome for the community and for the operational needs of the facility.

The DA also would go through a mandatory referral process. Those agencies in the ACT government that would be involved with either the maintenance operations or ownership of the asset would be mandatory referral agencies and required to provide comment as well. We are absolutely open to getting the right outcome, and if that meant that we had an extended consultation process, we would absolutely consider that.

MISS C BURCH: In terms of the use of the tanks, can you please explain why the firefighting only option has been chosen.

Mr McHugh: Did you want to consider that question?

Mr Azzopardi: We commissioned a second infrastructure report, following the first one, before we launched into the village plan work that we did. That study—I think Kevin Jeffery has that as well—looked at three options. It looked at an option for firefighting only, for supplying the community water supply as well, and for a combination of those. The costs that came in for those were quite prohibitive, so out of that process came a fourth option, which is what we are looking at implementing now, which is a rising main, either from the river or a bore, to a pump system through a pumphouse.

THE CHAIR: In terms of cost prohibitive, how prohibitive?

Mr Azzopardi: It was over two million, I think.

THE CHAIR: What is the cost of the current proposal?

Mr Azzopardi: I think it is 1.4.

Mr McHugh: The construction cost of the proposal is sub \$1 million at the moment, but we could take the details of those exact numbers with us and provide those back to the committee.

THE CHAIR: Yes, that would be really useful.

Mr McHugh: It is important that the relevance and scale of costs are provided in an accurate form.

THE CHAIR: I appreciate the comments from Mr Smith before, and I note what may have been said at the time, particularly from Mr Pennock when he was first consulted, but from the submission we have and what we have heard today, the bushfire brigade wants the best outcome for the whole community, not just for their select purposes, which they have said are really quite limited in usage. I think they reiterated what

Mr Lonergan said earlier in the day, that there is almost a preference for nothing if it is going to be the—

MISS C BURCH: Nothing is a sentiment that has been redirected a few times.

THE CHAIR: Yes, rather than having something if it is going to be at that location. The real preference is up here, but residents need to be able to have some access to that water, and perhaps in a strongly metered way. It has really been stressed to us that the community needs to be able to maintain their properties, and the maintenance of their properties with water is one of the best defences against fire. Also, if a fire broke out here, they would want to have access to that water to be able to make that defence themselves rather than necessarily having to wait for trucks to get ready to go.

I appreciate the comment about the restrictive nature, but I think that goes to the heart of what we are talking about here in terms of cost. What is the ultimate cost here? Is it really that prohibitive? I appreciate that it was budgeted, but was it budgeted based on not the full picture of what the community actually needs in Tharwa to make it viable, particularly given that this seems entirely inconsistent with the master plan? I would like some comments on the consideration of this with the master plan, which was quite favourably received.

Mr Smith: I will make one comment for the committee's benefit.

THE CHAIR: Please.

Mr Smith: We are happy to provide the last bit of written feedback. TCCS is happy to provide that from the Rural Fire Service, from Joe Murphy, the chief fire officer, for the committee's consideration.

THE CHAIR: Yes, great.

Mr Smith: In regard to the master plan, I will talk from a delivery perspective really quickly on that. Within the village plan there are a number of locations which are determined to be strategic firefighting zones. The location to my left and to your right is one of those locations. The location to my right and to your left at the top of the hill is not identified as a strategic firefighting zone within that village plan. When we put our design brief out to consultants we did ask them to take into consideration those strategic firefighting zones in the village plan.

THE CHAIR: The master plan also identifies that as open green space?

Mr Smith: I would have to take that on notice.

MR MILLIGAN: Community feedback suggests that potable water is an alternative preference to the tanks that are provided for firefighting purposes but then no access is given to local residents. Has any costing or analysis been done on installing potable water and hydrants in Tharwa for residential use as well as firefighting purposes? Have any costings or designs been done to look at that as an alternative?

Mr Smith: No costings and designs. Some high level analysis was done in the first

infrastructure study report, which was some years ago now—absolutely—and I think that is what has informed some of the decision-making about the village plan, the direction of the village plan and other things at that point in time. But no, no detailed costings or designs for a potable supply to the village.

MR MILLIGAN: Let's say you have got this location down here. The community are overwhelmingly against that and would prefer the location be at the top: two opposing preferences there. Where to then?

Mr McHugh: Obviously there is an opportunity here for us to continue to work with the community to find a solution that meets both the operational needs of the people who support the safety and viability of the village and also the people who live in the village. I think if we are restricting ourselves to too many things then we will never reach an outcome that appeases both. So flexibility is absolutely needed. How we achieve that and meet the operational requirements of the firefighters and those other people who are responsible for those assets is the challenge for us at the moment.

I think that if we are not hearing all the community views through the consultation process and the recommendation is that we reconsider how we might do that in a future DA then that is absolutely something that we will think about and obviously taking the recommendations from the committee back into that process is key as well.

Where to now? The question for us, from a project perspective and from a government perspective, is: let us hear what comes out of this hearing process and consider that in terms of making any decisions about how we might move forward with the next phase. That phase might be one of the existing locations that have been documented or it might be a combination of things that might have to include options that have been brought to the committee's attention by the community or even by some of our own people. Is it just a site A or a site B, or is it a hybrid of the two and is there an alternative outcome that we can come to? I think we need to go back and make sure that we have checked all those things before we come forward with our next proposal.

MR MILLIGAN: The community can have confidence that there will be substantive opportunity for them to provide further feedback into any other proposal being brought forward and that the government will give their submissions considerable attention?

Mr McHugh: Absolutely, both.

MR MILLIGAN: And obviously negotiate directly with the community on what they would like to see and also what the government would like to put forward?

Mr McHugh: Absolutely. The formal processes that sit around a DA provide the community with that opportunity, absolutely, and then I think we will have a conversation internally about how we can do things outside that formal process to ensure that when we get to the stage of submitting a DA we are not caught up with the time frames and the functions of the DA process that force us again into a situation where we end up in a committee hearing. Yes, absolutely.

THE CHAIR: There is a live DA right now?

Mr McHugh: There is.

THE CHAIR: For the original location?

Mr McHugh: The original location.

Mr Smith: The river corridor one.

THE CHAIR: There is going to be a new DA. Is that one being withdrawn?

Mr McHugh: There are processes in place that will ensure that that original DA is withdrawn. We will not execute those until we are confident that there are other mechanisms and other ways forward to progress this. Yes, we are in the process of considering what a new DA will include but, listening to today's commentary and the commentary from the community, I think there are two options.

One is that we could progress submitting another DA almost immediately and then go through the formal consultation phase, noting that that might be at a location that is not supported for a number of reasons, or we could wait on the findings and recommendations from the committee hearing and take those into consideration and have a look at what is proposed.

The one thing to note is the time impacts of those things. We obviously want to get to a situation where the village is prepared to deal with emergency issues as quickly as possible and are not sitting and waiting around for bureaucrats to decide on the right spot for a tank and then have an unfortunate incident evolve. Obviously there is that risk we want to take into consideration. We have those two options on the table and we would be interested if there is an opinion which the committee would prefer.

THE CHAIR: I will not speak on behalf of the committee but something that has been said today is that the community has felt a little blindsided or that the consultation has not necessarily felt like a consultation.

Mr McHugh: Yes.

THE CHAIR: It has more been, "This is what consultants have come up with. Thanks for your feedback, but that is probably what you are going to get," whereas, based on the submissions and what we have heard today, in good faith I think there is a willingness among residents and stakeholders in the extended Tharwa region perhaps to come together and to nut it out over a whiteboard and work out what is a favourable solution, bringing together all the information that every person has and can bring to it before another DA is submitted.

It may just be that there are a lot of aesthetic and amenity issues with the location currently proposed and it may just be, if all the evidence is put together, that is the better location still. I appreciate one resident is one resident but if that one resident's ability to refill their own water tanks is going to be impacted by that they will have to completely refigure their plumbing and their tanking system with the location

currently proposed. For a town of 13 houses, even impacting just one house is concerning.

We have also heard some evidence about the suitability of that location for very young children across the road, as well as the character that you can see and feel in this village and what people get out of it. I think, almost unanimously, it has been said that that will be disrupted by the location as proposed. I appreciate that time is of the essence but would government be open to having a sit-down meeting, getting as many people as possible to just work it out?

Mr McHugh: Absolutely. That is what we are here for. We are here to support the community to get the outcomes they need but we are also here to ensure that they have a safe and happy place to live. We want to make sure that they understand the operational requirements and needs—and we understand the amenity and experience and lifestyle needs as well—and there is a design solution, in my mind, to almost everything. That might not be locational specific. I think that we probably need to step back at this point in time and have a look at what is driving the outcome that we are currently getting. If there are other things that we should take into consideration that might drive a different outcome and a different output in that sense, then I think we should do that.

It should absolutely require sitting down with the community to make sure that this is a transparent and open process and everyone knows why a decision has been made for the current proposals that we have got and, if there is a different outcome from a different process, then we will be more than happy to go through that. That can happen during a formal DA process; that can happen outside that.

There is flexibility in terms of how and when we can hold those consultations. I think my takeaway is that probably having that before a DA was submitted is the right outcome. We will go away and have a think about how to pull that together as quickly as we can, noting the time of the year and availability of people. It is difficult but we want to make sure that we do not run another consultation process and three months down the track have half a dozen people say they were not consulted or were not involved. We need to make sure that we design it to give everyone the opportunity to be there, either physically or through the submission of their ideas. Traditionally we do that through a formal process but I think we can find a way to try to achieve an outcome outside that.

THE CHAIR: I think a community such as this village having ownership of the DA when it goes in would be useful.

Mr McHugh: Yes, absolutely. Ideally, the next DA process is an agreement on an outcome, absolutely.

THE CHAIR: It is unusual for us to be doing an inquiry into something that is subject to a live DA and is probably not something we want to get into the habit of doing.

Mr McHugh: No.

THE CHAIR: My concern is that if you proceed with the DA as it is currently proposed for this site, even with an extended consultation process, you will get a copy and paste of submissions which have already been provided to us.

Mr McHugh: Yes.

THE CHAIR: Which you can access yourself. But, again, it might feel quite duplicative for perhaps the same outcome.

Mr McHugh: Yes. In my head, without seeing the detail of some of those submissions and complaints, the question I would ask the designers initially is: can we respond to those through a design resolution or are those issues outside the ability for a design response and is it a more fundamental and more strategic decision that needs to be made before we start down that process again?

THE CHAIR: On that, Mr McHugh, are there current restrictions with the budget funding? Is that where this all stems from?

Mr McHugh: In terms of time frames?

THE CHAIR: In terms of time frames inasmuch as there are restrictions there, but more in terms of what is being proposed. Almost every submission has said that it is quite restrictive and does not really address what the community would hope to achieve out of such a big investment in the village. I wonder if that is based on information that did not quite capture what the community really wanted and thus is a bit restrictive in terms of that funding as well?

Mr McHugh: It is a difficult question to answer without understanding the genesis of the business case.

THE CHAIR: That is something we do not have full visibility of either.

Mr McHugh: Yes. I would need to go back and review the genesis of the business case and what it was designed to achieve. That is obviously a very stringent process and a consideration that government goes through, including pretty high level analysis from our treasury counterparts and others in terms of how we can justify an investment in an outcome. It is all referred back to a need and a benefit. That would explain the why: why we are doing this. The why would need to be detailed in that business case. I am making the assumption that that why is to address a risk associated with the management of fire in the village and that would then drive what a physical outcome might look like.

If the question was different in that business case—that might be the question the community might be asking: we want to resolve not only that short-term fire risk for the village, but also all these other amenity issues and livability issues—that business case would evolve differently. There might be a different figure at the end of the day and a different time frame and different benefits.

THE CHAIR: That business case exists?

Mr McHugh: It does, yes.

THE CHAIR: Are we able to see it or would that be in confidence?

Mr McHugh: I think it might be budget in confidence at the time. However, an extract from it is published in the budget papers to explain what the project is there to deliver. I could seek advice.

THE CHAIR: It would be very useful to know if the business case was prepared well before the conclusion of the Tharwa master plan. The Tharwa master plan was published in September last year. My understanding is that the budget funding for this project was in the 2016-17 and 2017-18 budgets. This might explain the question that has kept coming up for us about why this does not accord with the village plan.

Mr McHugh: Yes. It might be that it was a separate response to a separate risk at that point in time and was not designed to be in response to the other priorities that came out of the master plan.

THE CHAIR: Indeed. Something really big in the master plan is the expansion of the village, which I understand the villagers have largely welcomed, but as Ms McCarthy pointed out, going from five residences to 13 is significant.

Mr McHugh: Yes. If there are other requirements from those planning decisions around growth and other priorities for the community, absolutely. Potentially this business case was not designed or planned to address any of those. The timing might be the demonstration of that. It might be that what we are hearing from the community and what we are asking today are related to issues that sit outside the scope and benefits of the project around the provision of water for fire management.

We can separate those things and we can have separate conversations about what might be needed for the community in the future and what might be the basis of future business cases for government to consider, absolutely. That might be an output from a community consultation process that says, “We have an immediate need; we have a budget available to address that need; these are the items that are priorities for the community that could be considered in preparation of a business case for government in the future to consider to achieve those outcomes.”

THE CHAIR: The only thing I would stress is that I do not think they are necessarily separate. What we have heard today is that residents want this water to maintain their residences so that they are at a reasonable standard if a fire comes in. It is in all the bushfire preparedness literature that having a relatively greenish property is a good defence. Having access to the water in that way and then, if a fire approaches, being able to defend themselves are all related. It is not just all amenity and making the town pretty. It is related to that bushfire thing that we are talking about with the original business case. To the extent that you are able to give us anything that is available from the business case, it would be very much appreciated.

Mr McHugh: For the committee’s benefit, we will see what we can get access to.

THE CHAIR: Thank you.

MISS C BURCH: Could you also provide, on notice, the time line for the business case?

Mr McHugh: It will be written into the business case itself, so we can share that.

MISS C BURCH: Going back to the question of current time pressures, you mentioned the main time pressure being potential bushfire risk. Going back to the point that Ms Cheyne just made, it does sound as though the community do not see there being much benefit coming out of this project at all. Are there any other time pressures that we are looking at here?

Mr McHugh: Not that I am aware of, no. Obviously there is the funding availability within the budget cycle process, but there are ways to manage that.

I would like to thank the committee and the community for the opportunity to come out here today and experience the community. It is great to see these committee hearings in place and on country. I acknowledge that; thank you.

THE CHAIR: We appreciate the effort involved in getting down here, not that it was too far.

Thank you very much for appearing. It is very helpful for the committee to hear directly from officials, so we appreciate your willingness in coming. We again acknowledge that if Minister Gentleman could have been here, he would have been.

You have taken several things on notice that you will be following up.

Mr McHugh: We have, yes.

THE CHAIR: You will get a proof transcript.

The committee adjourned at 5.03 pm.