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THE PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS MET IN COMMITTEE ROOM 1, PARLIAMENT HOUSE, HOBART ON TUESDAY 31 MARCH 2026.

NEW TASMANIAN YOUTH JUSTICE FACILITY

The Committee met at 2.00 p.m.

CHAIR (Ms Butler) - Welcome, everyone. Before we commence the hearing, I will introduce the members of the Committee: to my left we have Mark Shelton; we have Dean Harriss, Deputy Chair; myself, Jen Butler, Chair; we have Tania Rattray; to my right, Helen Burnet; we also have Georgia and Mary, who are our Secretariat today; and we have Lilith on Hansard. There are no apologies for the hearing today.

Secretary, would you please read out the message from Her Excellency the Governor-in-Council referring the project to the committee for inquiry.

SECRETARY -

Pursuant to section 16(2) of the *Public Works Committee Act 1914*, the Governor refers the undermentioned proposed public work to the Parliamentary Standing Committee on Public Works to consider and report thereon:

New Tasmanian Youth Justice Facility.

Pursuant to section 16(3) of the act, the estimated cost of such work, when completed, is \$150 million.

CHAIR - The Committee is in receipt of 14 submissions. Could I ask a member to move that the submissions be received, taken into evidence and published.

Ms RATTRAY - So moved, Chair.

Submissions received.

Department for Education, Children and Young People

CHAIR - The witnesses appearing before the Committee today are representing the proponent, the Department for Education, Children and Young People. Could I ask each of you to state your name, your position and organisation and then make the statutory declaration?

Mr PETER WHITCOMBE, DEPUTY SECRETARY, CHILD SAFETY AND YOUTH JUSTICE OPERATIONS; **Mr BRYCE TAPLIN**, PROJECT MANAGER, YOUTH JUSTICE FACILITIES REFORM, DEPARTMENT FOR EDUCATION, CHILDREN AND YOUNG PEOPLE; and **Ms SARAH PADDICK**, SENIOR ASSOCIATE, GRIEVE GILLET ARCHITECTS, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

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CHAIR - Thank you for appearing before the Committee. The Committee is pleased to hear your evidence today. Just before you begin giving your evidence, I would like to inform you of some important aspects of committee proceedings. A committee hearing is a proceeding in parliament. This means it receives the protection of parliamentary privilege. This is an important legal protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without the fear of being sued or questioned in any court or place out of parliament. It applies to ensure that parliament receives the very best information when conducting its inquiries. It is important to be aware that this protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the confines of the parliamentary proceedings. This is a public hearing. Members of the public and journalists may be present and this means your evidence may be reported. Do you understand?

WITNESSES - Yes.

CHAIR - Mr Whitcombe, would you or one of your colleagues like to make an opening statement?

Mr WHITCOMBE - Thank you, Chair, Thank you, Committee. I firstly want to acknowledge that the proposed works on Brighton Road, Pontville, are located on Aboriginal land beside the Jordan River, Kuta Linah, within the traditional country of the Mumirimina people of the Oyster Bay nation, and I recognise that this area holds really deep cultural significance for the Tasmanian Aboriginal people.

Youth justice and child protection exists within the context of empowering children and young people and families, of self-determination, of helping see children and families heal and recover. Over generations, at times, it has not lived up to that endeavour. However, what I would say is that this project, this new facility gives an opportunity to provide a type of care that deeply respects the children who it's there to care for, recognising that 34 per cent of children over the course of the last year were Aboriginal, and we hold responsibilities to reduce that disparity and provide different pathways for them.

I want to begin with an overview of why we're here and what this project will deliver and then I'm going to pass to Bryce Taplin to present a fly-through, an overview of the facility. I want you to turn your eyes to the screen. This project has been born out of children and young people's voices, their experiences, what has happened over the decades at Ashley Youth Detention Centre and the calls for change, and what we heard from victim-survivors through the Commission of Inquiry.

CHAIR - Mr Whitcombe, if you can please explain for the record what's actually written on this screen and with a bit of an explanation as to the picture on the screen for the people who are at home or listening to the broadcast.

Mr WHITCOMBE - Thank you, Chair. On the screen, we've got a picture from a young person that has recently been created, and within the picture you can see tattooed on the arms, 'out of sight, out of mind'. It is important as we embark upon a conversation about a build, a facility, that we recognise that it is the children, it's the young people and it's their care experience that is really important, and we need to see them in the context of their lives and who they are, and actually the huge opportunity that lives before them in terms of their lives. As I've said, this is about children and young people. They are children and young people who

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have faced significant challenges in their lives. Many have been victims of serious harm, and many have needs that have fallen through the gaps over the years.

Alongside that, we have responsibilities to the community to be as effective as we possibly can be in reducing the numbers of victims of crime. What we do, both in the facility and in terms of our response as services, as a government, needs to drive towards creating less victims of crime and providing the things that children need to have a good life. The development of this facility sits at the centre of Tasmania's broader youth justice reform agenda. These reforms are designed to establish a safer, more therapeutic, child-centred system, one that genuinely meets the needs of children and young people. Right now, we don't have all of the things in place that young people need.

Root causes of offending include poverty, homelessness, trauma, disability, mental health challenges, and alcohol and drug issues that too often have been left unaddressed. As I opened with, we cannot ignore the Aboriginal children and young people who remain significantly over-represented. The Commission of Inquiry was clear: the Ashley Youth Detention Centre must be closed, but Ashley Youth Detention Centre can't be closed without an alternative, one that provides for the safety of the community while also ensuring the safety, rights and wellbeing of the children and young people in our care.

To achieve better outcomes for children and young people, we must build a system-wide response that prioritises preventative, early intervention and community-based supports. Evidence shows that therapeutic environments staffed by compassionate, skilled professionals deliver far safer and more effective outcomes than traditional custodial models. These environments reduce reoffending, enhance life opportunities, and strengthen community safety.

I want to also acknowledge that we sit in a context of a highly regulated legal environment. Youth detention facilities, rightly so, are amongst the most highly regulated environments in Australia. Any new facility must comply with relevant legislation, industry and international obligations to ensure the rights, safety, wellbeing, security and meaningful engagement of children, young people, staff and all others who access those environments.

It includes compliance with youth justice legislation, international frameworks such as the UN Beijing Rules and OPCAT [Optional Protocol to the Convention against Torture], and alignment with the *Disability Rights, Inclusion and Safeguarding Act 2024*. Together, these frameworks set the minimum requirements for humane treatment, therapeutic support, accountability, and safe operation. The regulatory bodies play a critical role in monitoring, investigation and accountability for our services and they ensure the lawful treatment, safeguards and the risks and wellbeing of detained children and young people, and as well as that, uphold community expectations for safety, transparency and standards of care. I now just want to pass to Bryce, who's going to provide an overview of the project and present a fly-through of the facility. Thanks, Bryce.

Mr TAPLIN - Thanks, Peter. What you can see on the screen here is an overview of the overall facility that's proposed.

CHAIR - It's a map.

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Mr TAPLIN - It is a map, yes. It's showing the various buildings that are incorporated into the facility, including the car parking, the secure perimeter for the site. Overall, the proposal is for a 16-bed facility, 16 residential beds, with an additional two beds in the health and an additional two beds in the admissions component of the facility. The facility includes an entry building. Running up the centre of the site, we have a visits building, administrative building, education building and then on the end is a recreational building. Around the outside of the site is the health and admissions building, which I mentioned. We have two four-bed and two three-bed accommodation units and we have a single two-bed unit, which is also flexible to be configured as two single-bed studios.

Also shown on the plan in the bottom-left-hand corner is an additional four-bed unit, which was included in the development application and that was put forward for future expansion capacity, but it's not currently part of our funding. The surrounding areas of the buildings contain a variety of outdoor recreational areas, including a bouldering course, a pump track, a kitchen garden and basketball courts on either side of the central spine. There are also an outdoor cultural garden and a cultural facility, which is the round building on the bottom right-hand side. We will now take you through a short video fly-through, and I will talk you through the views that we're seeing as we're going through that.

This is an overview looking from the end of the site that has the entry building, the entry building being the closest. We're now just coming down to the pedestrian entry to the entry building. This is the reception area, waiting area, and then up on the top right is the screening area, security screening. Once you've passed through that security screening, you will enter this courtyard, which is the visits building directly in front. Inside the visits building, we have two aspects: this is one side of the visits building which is a more informal dining space. Further down the central spine is the education building. This is one of the multipurpose rooms within the education building, one of three.

These are the houses. This is going into the entrance - the front door of one of the four-bedroom houses. This is the open-plan kitchen, dining and living space with the four doors for the bedrooms for the children and young people in the back wall. The next shot is of an outdoor - secure outdoor yard, so each house has one of these secure outdoor yards attached to it. This is one of the bedrooms. We're looking at the recreation building now, which includes a half-court gym; and then finally, this is the cultural garden looking back on the cultural building, and this is a view from inside the cultural building looking out to the cultural garden.

In closing from myself, the project is seeking consideration by the Committee at this time to support the timely progression of the project. The design process is in the final stages of completion and the project is working through the finalisation of planning approvals, and is seeking the consideration, prior to commencement of procurement, for the works.

CHAIR - How we like to work as a committee as part of our scrutiny is to move chronologically through the submission that you have in front of us. There is a lot of information that has been provided to us, and I thank you for your efforts in relation to that. I'd also like to thank you for today's tour of the proposed site, and I would like to open with a request from the Public Works Committee that we do visit the Ashley site, the current site. It helps us draw a comparison from what currently is used to provide those youth services and then we can compare it to the proposed project that we're looking at today. We'd like to officially request that tour.

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I will start with the allocated project budget is around \$155 million; estimated construction cost \$117 million; and the estimated project cost being \$140 million. Do you believe that these estimated project costs - especially in light of the current oil crisis, which is happening globally, do you believe that these project estimate costs are feasible?

Mr WHITCOMBE - Yes, we do. We have built into the budget appropriate level contingencies. We have also, in light of the potential delay to the build process, re-phased some of the budget in relation to the facility. We can't account for all manner of what may happen, but we certainly have confidence that we have inbuilt contingencies at the appropriate level.

CHAIR - Okay. Another question around the project status: we understand, from the submission, that a planning permit was issued by the Southern Midlands Council on 11 December 2025 and that two appeals have been lodged with the Tasmanian Civil and Administrative Tribunal (TASCAT). Can you please talk us through what those appeals are about, and the risks associated with those appeals and the proposed project?

Mr WHITCOMBE - Sure. I will pass to Bryce shortly to talk through that process. Obviously, we are still proceeding with some of the works around the landscaping at the site and with the planning process, but we also recognise that there are delays and there is a process that we're working through. I will pass to Bryce to talk through that.

Mr TAPLIN - So, obviously we are going through that appeals process at the moment. We're partway through the development of evidence, as it's called. We are waiting for that process to be complete, for all of the parties to provide their evidence. Then we expect the tribunal will schedule the hearing, which is probably the key component of that appeals process.

I guess while we are going through an appeals process, we're limited in the information that we can share about that, just to maintain the integrity of that process. We have provided an overview of some of the issues that have been discussed within the appeals process from a planning perspective in our submission. So if there are any questions about that, we can consider what we can share at this time. Otherwise, we might have to take some of those questions on notice.

CHAIR - How long do you think this appeals process could potentially take? I know no-one has a crystal ball, but we know that these things can often be very time-consuming. Also, they're two distinct appeals, is that correct?

Mr TAPLIN - TASCAT has an ability to hear the appeals effectively as one, which when we first met with them, that was effectively the agreement. So, while they are two distinct appeals, they'll be heard as one matter together.

CHAIR - Okay - and how long do you expect?

Mr WHITCOMBE - We expect it to be a three- to 12-month delay.

CHAIR - A three- to 12-month delay. Do you have an estimation of the costs of legal fees and associated costs with those appeals to date, and whether or not the project cost will include the legal fees associated with these appeals?

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Mr TAPLIN - From a forecasting perspective, the figures that we put forward have allowed for what we believe is the reasonable costs to support that appeal process. I don't have the exact number at my fingertips. If that was something that you wanted, then we can certainly find that. It's certainly accounted for in our forecasting that's presented.

CHAIR - I think it might be helpful for us as a committee, because I understand that some of the people who have gone through TASCAT with those appeals may be paying for their own legal costs. It would be interesting to see how much this process is costing, especially costing the community. So that would be great if I could have that on notice.

Mr WHITCOMBE - Yes, we'll take that on notice.

CHAIR - One more question. It's unusual for us, as a committee, to hear a proposed project when there are significant legal impediments already in place. Why was the decision taken to bring it to the Public Works Committee before this was potentially remedied?

Mr WHITCOMBE - I'll lead off from a children and young persons' perspective and the commitments that have been made through the Commission of Inquiry, which is to close Ashley Youth Detention Centre as soon as possible. In order for that to occur, we know we need a new facility.

In terms of the care that we wish to provide young people every day, we know that we're doing things right now to improve the quality of care at the Ashley Youth Detention Centre. But we are inhibited by the infrastructure, by some of the challenges that we've had through the workforce - and there is an imperative for us to do what we can with the time that we have to create the shortest possible pathway to opening a new facility, so that we can see the closure of the Ashley Youth Detention Centre. So it's with that principle in mind, and then there are obviously risks and responsibilities that we have to the process. I will pass to Bryce to talk a bit about that.

Mr TAPLIN - I guess, from our perspective, in line with what Peter's saying, while the appeal process is underway there are certainly plenty of things that we can be doing.

There's a lot of planning work, as in design work, finalisation, preparing for procurements, all of those aspects of a project that still need to occur. While we're seeking or waiting for the outcome of the appeals, we will be delivering those aspects of the project so that we are as ready as we can be, should we get a favourable outcome from the appeal. Again, as Peter outlined, that's to minimise the amount of delay that we experience from it. We can't commence construction and we wouldn't make commitments until we do have the outcome from the appeal, so it is just preparatory work that we would be doing up until that point.

In terms of the referral to the Committee at this stage, while the appeal process is a little bit unusual, it is just one avenue of us needing to seek approvals for the project. And doing so for a complex project like this, and continuing our work and seeking that recommendation, just gives us that surety that once we do have those things in place, we're ready to go and ready to move.

CHAIR - With all due respect, it was in September 2021 that it was announced the Ashley Youth Detention Centre would close and be replaced with the new fit-for-purpose facilities. That's four-and-a-half-years ago. Why is it taking so long to get it from the

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announcement to where we are today? It's four-and-a-half-years. It was asked to happen immediately, I believe, in the Commission of Inquiry.

Mr WHITCOMBE - September 2021, you are right, and fast-forwarding two years, the Commission of Inquiry report came down in September 2023, and as well called for the closure. It's at that point that the Youth Justice Reform team was established in the Department of Premier and Cabinet. There's been a significant process of determining what appropriate site, that met a range of criteria, would be suitable. I believe around 200 sites were assessed, through a desktop process, around particular criteria.

From that time, we've had a project team established. We've had a design team, architectural team pulled together. We've needed to work through what the true cost of establishing this facility is and work through business case approaches around that true cost. We've done that in the course of the last year.

We've needed to establish actually what the experience and outcomes need to look like for children and young people, and therefore what is the model of care that we will be working to that needs to work in parallel and inform the design process. So, recently, we've established what that model of care is, and we're out for consultation currently with that.

We've wanted to engage widely with community organisations, with children and young people, with our own staff, to inform this work, and we are now well progressed with the design of this facility.

I appreciate and acknowledge that it has been a long time, and too long for the children and young people who we're there to care for, but I am comfortable and confident with the progress that is now being made with the facility.

Ms RATTRAY - Thank you. Following on from your question, Chair - at the site visit this morning - and it's always useful for the Committee to travel to the site and have a look over it - your early works have commenced, and it's some landscaping. But I'm interested to understand how much, and how far, are the early works going to be before there's an actual decision from the appeals process as well, because if that doesn't seek the project's favour, then effectively there's been a lot of money spent with no outcome. Just to have some idea of how much of that work is going to be undertaken before you say we will have to wait.

Mr TAPLIN - Yep. So, the early works that we've currently got underway, as you said, is the perimeter landscaping. So that landscaping, we've taken a view of developing that as early as we can so that it provides the trees and the vegetation that's been planted time to establish and form a screen and buffer around the site. That work is the only work that we're currently undertaking on site. Any other work on the actual property is subject to the planning permit, which is out for appeal.

We have proposed to do early works in Rifle Range Road, which is in the Brighton municipality, and the intent for us with those works is to bring services to the site. The site is currently un-serviced. It doesn't have water, power, communications or sewerage. We plan to bring, as part of the early works, a power supply to the site, communication conduit to the site, and a water supply to the site.

Ms RATTRAY - Can we have some indication of what cost that is likely to be?

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Mr TAPLIN - We can, yes. We'll get you that.

Ms RATTRAY - Thank you. And that will be it - you won't put any roads in, you won't do any upgrades to roads, until there is a result from the appeals process?

Mr TAPLIN - That's right, yes. We can't do any work onsite until we have a valid permit. The works in Rifle Range Road, other than what I mentioned, so the upgrade of the road that we've discussed, we wouldn't be doing that until towards the end of the construction period prior to operation.

Mr WHITCOMBE - The costs of the project to date are \$7.88 million.

Ms RATTRAY - Does that include any of the providing the utility services to the site?

Mr TAPLIN - It includes some of the landscaping costs to date, but we'll get a number for the actual estimate of those early works for you.

Ms RATTRAY - Thank you, and can that include a breakdown?

Mr TAPLIN - Yes.

Ms BURNET - Thank you, and through you, Chair. Just subsequent to Ms Rattray's questions - and I think it comes up later in the report - but there was some work to identify Aboriginal heritage. Can you tell the Committee what was located? And obviously there's some sensitivities towards this, but how would that impact how you might develop the site?

Mr TAPLIN - Yes. The site has an Aboriginal heritage site overlaid over it. It's only a very - well, a slither of the site, I would probably call it - but also Rifle Range Road is included in that site.

We undertook a range of both desktop, initially, and then in-field investigations, to explore the extent of that site. We were able to determine, through a range of test-pitting work, so shallow test pits that were undertaken across the site, a high degree of confidence around the extent of that particular site. That informed the initial planning for the location of the facility. The main facility itself, where it's located onsite is outside of that heritage site, and it's within what our consultants have called the low-risk area. So we're not expecting there to be any impacts to any heritage values as a result of the development in that particular location.

We will obviously have things like unanticipated finds, processes in place that will be required for the contractor to adhere to. We have sought, which is outlined in the submission, an Aboriginal Heritage permit. Because we are doing work within that heritage site, we do need to seek that approval. That is mostly related, but not exclusively, but mostly related to the works that will happen in Rifle Range Road.

As you can probably imagine, though, we did have a study of Rifle Range Road, and it is a highly disturbed environment, having already been a road corridor. So, we did receive that permit, and that gives us the permissions for those works in Rifle Range Road as well.

Ms BURNET - Any sort of other European heritage factors as well?

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Mr TAPLIN - Not on our site, no.

CHAIR - Any further questions? We might move on to page five.

Anne Hollonds, AO, is a former National Children's Commissioner and spokesperson for the Justice Reform Initiative, and she says:

Governments are pouring record funding into a system that increases harm and fails to reduce crime.

and I quote, she states:

We are spending record amounts on a system that almost all children come back to. Around 85 per cent of children released from detention return to sentenced supervision within 12 months.

How many children in Tasmania return to detention under this current model we're using in Tasmania, and what are your projections in improving that with the building of the proposed site?

Mr WHITCOMBE - I would need to take the question, in terms of the exact percentage of children, on notice. We do know that it is high. Conversely to that, we also know that for many young people who are a part of the youth justice system, most of them don't go to Ashley Youth Detention Centre or don't go to a custodial environment, and a very significant proportion of them don't go on to reoffend. I say that because this facility is not a facility that is being set up in isolation of the wider youth justice reform. The youth justice reform, in terms of the recommendations through the Commission of Inquiry and the Youth Justice Blueprint, is based on international and contemporary best evidence, which talks to how you do everything you can to support change and support the things that young people need within their communities earlier.

We know that, obviously, their home environment and the work that we do with families, with communities, keeping them in education, those things in the long term are hugely preventative and safeguard our children from a pathway of offending. We want to have those services in place to the right levels that meet the need, and we want to minimise the numbers of children going into a facility like this. Facilities around the world can expose young people to peer influences, and it's often the peer influences that are much greater than the adult influences. It is why this facility has specifically been designed to keep cohorts of children within the facility small, at either three- or four-bedroom homes within the facility. It is why the facility is not a large-scale facility and why, as I've said, it sits in the context of legislative and service-based reforms that we believe will be effective in reducing offending into the future.

Mr SHELTON - I have a question on numbers. It's really on page 18. For the benefit of the Committee and anybody listening, could you just run through what the cohort, the age bracket and how many people have gone through the Ashley facility over the recent history, and what you predict this facility might need to cater for?

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Mr WHITCOMBE - Sure. The graph that I believe you're referring to is the one that shows the numbers, on average, of children and young people in the facility year on year since, I think, 2015 through to 2024-25. It's peaked, on average, at around 16 young people. The size of the facility, as you're aware, has 16 bedrooms, and the work that we have undertaken to understand the capacity has involved overlaying some of the policy that is stated within the Commission of Inquiry and blueprint, like the recommendations to increase the minimum age of criminal responsibility and the minimum age of detention, and introduce appropriate other care options for young people and diversionary services.

When we do an analysis of the young people in the facility, knowing what we know about them, their needs and an overlay of those policy initiatives, it takes what we predict in terms of the numbers of children who would ultimately be in a facility like that significantly lower than that 16 mark. We do need to plan for peaks and for changes in policy. That is why the planning application has actually applied for a 24-maximum limit, and we have come into this work with the analysis that we've done now confident that the facility is right sized for the population.

I do want to come back to a question that was made earlier around the return rate: the figures that I have in front of me across the 2021-2022 financial year had a 50 per cent return rate for young people within 12 months to the facility.

Ms BUTLER - Okay. Any further questions?

Ms RATTRAY - I've got a question on page seven. The key project objectives - and it lists quite a number of those and refers to the Commission of Inquiry - but we've also received some evidence about a joint statement backed by 15 community organisations, groups, legal, Aboriginal, allied health consultancy and domestic family and sexual violence services, saying, and I'll use their words:

The proposed Pontville Youth Justice Facility is the wrong model in the wrong place and will not make Tasmania's children or communities safer.

I won't list all of those. I think it's probably readily available, but would you just like to comment on the fact that there were a lot of submissions against the site of this proposed site and facility, and very few - I think it was about 11 or something in favour, and there are 15 who have put their name to a document saying this won't work, this won't do what it set out to achieve. I'd be really pleased if you could comment on that.

Mr WHITCOMBE - This facility and this model of care, if we implement what we have said we wish to implement, will be, I believe, the most evidence-based and effective model that we can provide for Tasmania's children and young people in the youth justice arena. The placement of the site, of the location, in terms of it being near Tasmania's largest population, means that many more young people will not have to travel far or be significantly separated from their community, from their family in terms of the location of that particular site.

The site provides us with a real opportunity to work with other community organisations, with other government organisations and for children and young people to have access to the services that they need in a much greater way, and we've integrated some of that service need into the facility design. I equally recognise that it does not service all of the young people in the north, north west of the state and we have obligations -

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Ms RATTRAY - You pre-empted my next question.

Mr WHITCOMBE - We have obligations to those children and young people as well. This conversation is about this facility and the design and build and the investment into this. I think there are other conversations, certainly that we're having within the service that I lead, about how we can make sure the right care options and alternatives are in the north of the state, but we've got work to do to establish those.

Ms RATTRAY - Do you have some up-to-date figures of the split between north and south of the current residents of the Ashley Youth Detention Centre?

Mr WHITCOMBE - It does fluctuate a bit, and we could take that on notice if that's helpful for the Committee. What I do know is that around 60 to 70 per cent have come from the south of the state. So, it's that sort of 70:30 or 65:35-type split. We can get more up-to-date figures on notice.

Ms RATTRAY - Because the advantage to families of residents in a southern facility is going to then in turn disadvantage the residents who are northern based in a southern facility. We're virtually going to just swap it around.

Mr WHITCOMBE - Yes. I agree, except we are going to be serving a greater proportion of our young people in terms of keeping them closer to their communities, and allowing their families and those who support them to be closer to them and be able to visit more frequently. How we support those families in the north who would need to travel down, or those people who are close to them, as part of the operational planning and decision-making that we need to think about, we have a role and a responsibility to build their connection to their families and to their communities in this work, and so we need to consider that.

Ms RATTRAY - At some stage, and it doesn't have to be right now, I'd like to address the question of those current staff who are employed at the northern facility who may not be offered a position in the south, may not want to relocate to the south. I think that's important. Where we do that, Chair, I don't mind. It's just one of those important aspects because it's not only the clients, but it's also that staffing contingent that has been under enormous pressure for a long time since the announcement at the drop of a hat in 2021.

Mr WHITCOMBE - Chair, I would just like to say those organisations that were referenced in the lead-up to the question by the member of the Committee have been involved in consultation and invited to consultation. We wish to continue to engage with them in this work, and it is our expectation that we will be.

Ms RATTRAY - I didn't read them out.

CHAIR - Subsequent to Ms Rattray's questioning on recruitment, we may as well ask those questions now so we're not jumping too much while we're on topic.

Ms RATTRAY - You're in charge, Chair.

CHAIR - I think that would be prudent. How many staff do you anticipate will be required to facilitate the proposed project? How many staff do you currently have at Ashley

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Youth Detention Centre? What's your staff-to-incarcerated person ratio? I think each state has, I suppose, their 'in a perfect world', like 3:1 or 2:1. What's your current ratio? What is your anticipated ratio? How are you going to recruit efficiently to be able to meet that demand? There are about 20 questions there for you.

Mr WHITCOMBE - There are. I will embark on answering some of those things, and if you bring me back to the ones that I haven't covered: in terms of the current numbers at Ashley Youth Detention Centre, we have an FTE footprint of in the mid-80s in total who support the children and young people there. On a day-by-day basis, within a shift we work to having 15 care workers, or youth workers, what we would term 'on the floor' with the young people. Typically, we would have between 16 and 20 or 16 and 21 young people there at any one time. So that says something about the ratio in the here and now.

CHAIR - Are you understaffed at the moment? You can't meet that ratio demand at the moment. Is that correct?

Mr WHITCOMBE - We have, I would say, over the last six to 12 months at times been very challenged with our staffing numbers. In recent times we've had very successful recruitment campaigns where we've gone far broader and wider in our recruitment for staff into the facility. We've had many hundreds of applications for Ashley Youth Detention Centre, and we've had over the last probably four months - and I'm talking in approximations to the Committee - but over 20 new staff start at the site. In terms of the project team, behind me are key members of the project team. I will pass to Bryce for the specific number within the team. It's not a large team and it's made up of a couple of key leads when it comes to establishing the operations of the site - a key lead when it comes to the practice and model of care that will be determined, and those two professionals, who are deep professionals in their field, work alongside the design team, some of which is a core project management team and then some of which is the other specialists we work with.

CHAIR - I'm more interested in the day-to-day running of the site itself, so what's currently happening and whether or not you're going to be able to recruit enough staff to meet the new demands, and what your ratio is of people who will be working within that new proposed site.

Mr WHITCOMBE - What we have modelled - and it is subject to decisions - is that with a maximum of 16 young people at the site, we would have a 1:1 ratio, so that we would have 16 workers onsite working with young people alongside them in the facility. That is a significant ratio.

We would also be changing the shift roster that we work to, which currently is a 12-hour shift roster, to an eight-hour roster, which we think is far more conducive to better care. We ultimately have modelled, against the model of care, a staffing cohort and totality of around 170 FTE.

That is subject to decisions, it's subject to resourcing, but it is the work that we have done to date.

CHAIR - Does anyone else have any further questions on recruitment and staff and ratios?

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Mr SHELTON - I'd only make a point, and as members would be aware, I've walked the highway between Launceston and Hobart three times now, and I can tell you that the centre of that trip is Woodbury, just south of Tunbridge and just north of Oatlands. To build it up there wouldn't allow the operation to succeed in either having the ability to attract the right staff and/or being close to the services. I'd just make that point because we were talking about location.

Mr WHITCOMBE - You know, we are wanting to attract some specialist skills to the facility, and we do believe that the location of it does enable us to have a better chance at getting really skilled people into the work.

CHAIR - Victoria's Malmsbury Youth Justice Centre cost an estimated \$141 million; that was for 30 beds. I believe that was completed in late 2024. Victoria has stated that it costs \$2.6 million per child who is in detention in Victoria. Do you know how much it costs per child per year in Tasmania? Is there any projection about what those costs will be? There must be in some future budgeting. I just saw the Victorian quote and thought, well, if they can do that, we must have an understanding about what it costs.

Mr WHITCOMBE - It is hard to compare bigger units or bigger capacity.

CHAIR - It's about the same cost as this and it's half the beds.

Mr WHITCOMBE - Yes, and in terms of it being a greenfield site that we are building on to establish from scratch all of the services. Back to your question, though, about costs - again, I can come back during the committee around the specific costs -

CHAIR - I am happy to take it on notice too.

Mr WHITCOMBE - Operationally, we're working to a budget for Ashley Youth Detention Centre of around \$14 million a year. And at any one time in the course of this year, we're working with 16 to 22 young people, so the cost per bed at Ashley would currently be about the \$1 million mark.

CHAIR - Does anyone have any questions on page nine?

I have a question: will the Pontville site accommodate young people currently in the Hobart Remand Centre and the Launceston Remand Centre watchhouses? Because we had that issue. Will that go to trying to alleviate that major issue for us at the moment?

Mr WHITCOMBE - Our Department is committed to working with Police and Justice in finding solutions to those current issues, in terms of placing children and young people within the reception prisons within watchhouses. This facility is not designed to respond to that need, and, from a professional perspective, I think it's appropriate that it's designed not to respond to that. The moment that you have an entry of a young person into a facility like this, you sort of break that moment in terms of their perception about what it might be like, and I certainly don't want to expose any more young people to the population there than is absolutely necessary.

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At the moment, we work within legislation that wouldn't allow young people to go to a custodial environment like that at that point in their justice journey. It would require legislative change.

CHAIR - I also believe that it wasn't on the watchhouses, and young people in those watchhouses were not looked into in the Commission of Inquiry. It's almost like they were kind of missed during all those inquiries. I really would like, on the record, for a solution to that to be found soon by the Government, whether or not this was the opportunity.

Shall we go onto page 10?

Page 11, Ms Rattray.

Ms RATTRAY - One of the members on the Committee that represents the area that houses the current AYDC facility, I note in the information that was provided that it talks about 'the Ashley Youth Detention Centre is limited by its age and design, and the benefit of any further infrastructure development on this site is restricted'. Yet it's a 39-hectare piece of land that includes a working farm.

Can I have some understanding of why it's considered that you couldn't have any further development at that site and repurpose what is already there - setting aside Commission of Inquiry recommendations - because I don't quite understand why the site would be restricted? I mean, yes, you might take a paddock out that's currently used for growing grass, but why is it restricted in size? And it's written here. I didn't write it.

Mr WHITCOMBE - I'll respond, in part. Ultimately, the current location of AYDC remains an issue. It is away from a population base, away from support services. And when we were looking at criteria - and this is before I arrived - those criteria against a new site, it would not have stacked up well in terms of some of those key issues.

In terms of the site as it stands, the facility itself is old and it does require continual upgrading and maintenance, but you cannot get around the design that exists of some of the units, of the way that it groups larger cohorts of young people together, of the institutional feel of the place. And it would be a significant cost to redevelop a new site there.

In terms of a long-term, sustainable future for the workforce, for access to services, all of those things that I've talked about, Pontville remains a better alternative.

Ms RATTRAY - Even though it's currently staffed 24 hours a day and it is permanently funded for the maximum of 24 children and young people, noting that AYDC has not averaged that maximum number of young people for many years? And again, it's supported by professional services staff, as well as health staff, trained youth officers and an Ashley school. I mean, it's got all the services. Are we just saying they're no longer appropriate services for the young people who will be in a new facility?

Mr WHITCOMBE - No. I am responsible for children and young people's care right now, and we have to be ambitious for the care that we have right now, and a huge amount of my days and my time is spent on firming up and responding to firming up the quality of care that we have at Ashley Youth Detention Centre. And I want to acknowledge the leadership and

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the staff who work every single day with those young people in really difficult circumstances at times there. They are doing a great job.

However, if I'm to look across that staff cohort, by and large it is an inexperienced staffing cohort. We've just had a discussion about the numbers that we've needed to recruit to keep the site at safe staffing levels. We've had to look well beyond the state to be able to recruit people into the facility, and we're continuing to do that, because we are committed to care. But we are having to go above and beyond, with some significant challenges given its location, on a day-by-day level.

Ms RATTRAY - It's really hard to hear that, from a person who represents that area, that it's hard to find good people, because I know they are there.

Mr WHITCOMBE - We have, as I've said, amazing people who are turning up to work every day in hard circumstances, doing a great job. Absolutely we want to acknowledge those staff.

You also asked a question in relation to their future and the new model of care. We absolutely want there to be staff who are experienced at working at Ashley Youth Detention Centre who come to the new facility as part of our staff and cohort. That must be based on merit, and on fit, skills and capabilities. We are active in wanting to work with the staff at Ashley, for those who do want to be a part of the future, to get them in the best possible position to be successful and being a part of the new facility.

Ms RATTRAY - At an earlier time, out at the site today, I asked a question about some of the issues that have been raised through the Commission of Inquiry, where allegations have been made from former and current residents of the Ashley Youth Detention Centre. You assured me that there'll be no CCTV in rooms, in bathrooms. I asked about how staff would be protected as well as the residents of the centre, and you indicated that there'd be body-worn cameras. Are there body-worn cameras for staff now at the Ashley Youth Detention Centre? Do they all have that currently?

Mr WHITCOMBE - Yes, there are body-worn cameras for staff in the here and now. Not all staff are wearing them all of the time at the moment. Part of that's to do with getting the cameras, having them configured correctly, and they have been ordered. We're working at pace to make sure that we meet the Commission of Inquiry's recommendation, which was that staff wear body-worn cameras. Look, I don't think it's appropriate that there are cameras in bedrooms or in bathrooms, and I do think it's appropriate that there's CCTV in the rest of the facility that is communal, and there will - I think we're predicting that there will be over 400 cameras across the facility for that.

From a practice perspective, the best thing that you can be doing as a practitioner is always working with another practitioner. There shouldn't ever be situations where practitioners are one-on-one with children. There should always be line of sight. The current design of Ashley Youth Detention Centre doesn't always facilitate that as easily as it needs to. This facility has been designed with that in mind, to best preserve line of sight for staff wherever possible.

Ms PADDICK - Just leading on from that, I might make a point, Ms Rattray, about the feasibility of extending or upgrading Ashley. There are some significant practical reasons as

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well, from a design perspective, that make that quite challenging. The overall layout and design of the facilities is not, sort of, the current standards of a world's best-practice youth detention centre.

Similarly, undertaking works either in or adjacent to an existing facility, and then recombining the two to create one larger facility, is an inherently difficult process for a number of reasons - practically, but also in terms of disruption to the existing facility. And the final outcome is never as good, I suppose, as a purpose-built facility, and I think with the model of care that is based on world's best practice, it would be very difficult to come up with a solution that really fitted that very well, if we were to modify an existing facility, particularly one of Ashley's age.

Mr WHITCOMBE - I have a response to one of the questions on notice, and to test with the Committee whether it will suffice. Of the cohort that we have in Ashley today, we have 18 young people. Twelve of those young people are from the south. Six are from across the north or north west. I do have the breakdown of the six in terms of north and north west, but we don't offer numbers below five. The split is 12 to the south and six to the north and north west.

CHAIR - Okay. Ms Burnet, did you have any questions on that?

Ms BURNET - Yes. If we're talking about sites, and you talked about your desktop study, Mr Whitcombe, of around 200 sites; I'm just curious to know why this was the pick of the bunch?

Mr TAPLIN - It was outlined in the submission from the Department. There were a number of rounds of those desktop reviews undertaken. As you mentioned, depending on the variety of criteria that were used, up to about 200 sites were identified as suitable. The Pontville site was selected as one of a handful to be looked at in further detail. As part of that process, they looked at further desktop information, which included: the topography of the land and the steepness of the site, which talks to how developable it is; the extent of native vegetation coverage, the extent of potential environmental impact that there might be; the proximity of the site to residences and other sensitive uses around that site; the visibility of the site, both in consideration of its amenity impact, as well as overlooking of the facility itself; and then also its proximity to townships and highways and the like.

After going through that, a number of those 200 sites were ruled out because of incompatibility, I guess, with those criteria. It was also determined that, while privately owned sites were considered, a government-owned piece of land was preferable, because it simplified the process of development in terms of not requiring acquisitions. Out of that, the 200 sites were narrowed down, and the Pontville site was then one of the ones taken forward for those further investigations and ultimately chosen.

CHAIR - Okay. Moving on to page 16.

Ms RATTRAY - Thank you: 2.4.10, Community and industry partnerships: I'm well aware that there's been a number of, over the years, Ashley Youth Detention Centre clients who have gone out into the Deloraine and Meander Valley community and worked on farms and have done various jobs. I'm just interested in how that type of community and industry partnership is going to be progressed in the Pontville area. It talks about partnerships that may

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support education, vocational training and transition to employment pathways for young people and will also strengthen local capability and service integration. I'm just interested in how that's going to transfer from what we've already seen as being quite a positive outcome up in the Meander Valley community to the Southern Midlands community.

Mr WHITCOMBE - I think when it comes to vocational options or employment options, those things need to be available ideally in the communities that the young people are coming from. I know our Community Youth Justice Team, which has the responsibility for throughcare for young people who go to Ashley Youth Detention Centre, actively do work in this space, in terms of working to bridge or broker opportunities for young people, whether it be getting them back into education, training or employment.

As a service we are going through some change whereby we're establishing what we call regional care teams. The service, between child safety and youth justice, has come together in the last year. It doesn't mean that they provide the same functions and that there aren't different people working in those spaces, but we are in the process of establishing what we call regional care teams, where we bring together other government agencies and community agencies to work to be able to better broker and bridge supports and services for children and young people and families.

In the same way, we have an intent and have already started to do that in terms of engagement with the local community in the Pontville area. There's a new school at Brighton, a high school at Brighton, that not so long ago I've gone and visited and I've met the principal. I know that there is a network - in the space of vocational training and opportunities that do exist out in that community - that we would want to be able to be a part of and tap into. So I think the location close to that school, from an educational perspective in particular, does provide some opportunities for flexible options for young people in their learning.

Ms RATTRAY - Right, so do you envisage that some of those clients, if that's the right terminology, who might be at a new centre would go across to the new Brighton High School and participate in some of their vocational and education classes that would be happening there? Is that what you're telling me there?

Mr WHITCOMBE - Look, I think that if that were to be the case, that would be a fantastic outcome for young people. It would have to be based around -

Ms RATTRAY - Their behaviour, for a start.

Mr WHITCOMBE - their behaviour and risk to the community, but I do absolutely anticipate - and there are situations currently where young people do come outside of the facility for some vocational learning - that we would want to be able to facilitate that in the future. We haven't made any firm arrangements and put in concrete anything with the school. What schooling looks like for the new facility is still being worked through, but I would love that to be an outcome for young people.

Ms RATTRAY - That's what this is? 2.4.10 on page 16, that's the initiatives that you're expecting to progress?

Mr WHITCOMBE - That's right.

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CHAIR - Any questions on page 17?

Mr HARRISS - Chair, I'd like to ask one, just on the economic and employment benefits. It's mentioned here at 2.4.8:

During delivery, the project has and will support local and regional employment, manufacturers, supply chains ...

Do you have any structures in place for that? How will that play out, or don't you know how that will, with local employment and regional employment, particularly with the construction side of it?

Mr WHITCOMBE - I think that we would be having those conversations when we're going to market and working with the preferred provider. I might defer to you, Bryce, about that. I certainly know that it's going to be a big employment opportunity in terms of the construction of the facility, but we might be ahead of ourselves in commenting too much, given that we're not at the point to go to market right now.

Mr TAPLIN - Yes, I think certainly from a construction benefit perspective this project is well in the realm of requiring a Tasmanian industry participation plan, which is a key mechanism by which the Government has to ask contractors when they're tendering the types of things that they would do to generate economic activity within in an area and region as part of a project. That plan - while it's a submission requirement - is also a document that sort of gets agreed upon signing a contract, so we would be expecting that the contractors would be outlining a range of measures that they would be undertaking as part of the construction work and the construction activity. I mean, we typically see contractors outlining the types of supplies and logistics and those types of things that they are bringing, as well as just simple things like the use of local cafes and restaurants and accommodation and those types of things that might generate as part of bringing workers to the site to work on the facility. As Peter said, we don't have all of the detail of that and that's something that we will be encouraging the market to respond to as part of that procurement process.

Mr SHELTON - Is it anticipated that the tender would go out to one major contractor and then sub it out, or because of the design - in a very large building like we normally look at, it's one big contractor, but this actually lends itself to segregation of different parts and different tendering processes to allow the smaller contractor to actually have a go at them. Is that a possibility?

Mr WHITCOMBE - I will pass to Bryce, but obviously we are separating out the build and the security components in terms of going to market, but I will pass to Bryce to talk to that a bit further.

Mr TAPLIN - We will be going to market as part of an open approach for a main works contractor, which will be delivering all of the works with their subcontractors, as you note, other than the security work. While it's conducive to a number of work fronts - the individual nature of each of the buildings - there still is an obligation from an overall site-management perspective, the logistics, all those types of things, and we really only have one entrance to the site, so there are a number of risks that, if we were to break it down into smaller contracts, that the state would take, and probably not in a position to be able to take and manage those types of risks. It's much better for us to be able to pass that on to the contracting market. They can

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manage traffic management consistently. That helps with communicating with stakeholders as well; safety, security, all of those aspects get managed under one contract with all the subcontractors working under that same plan.

Mr HARRISS - Do we know how many Tasmanian builders would be capable of building something like this?

Mr TAPLIN - We have looked at - the project, because of its size, ticks into the national prequalification scheme and there is obviously a requirement for both Treasury, local prequalification, but also for national prequalification.

Ms RATTRAY - There are not that many of that level, are there?

Mr TAPLIN - All of - I won't say all of, but most of the larger state contractors, so the ones that are Tasmanian-based, would be capable of delivering this. It may well attract some interest from the mainland potentially.

Ms RATTRAY - We'd choose local first, anytime.

Mr TAPLIN - Absolutely. I was just going to say, I don't think it's of a scale sufficient enough to really bring in an outside player into the market, but you never know.

Ms BURNET - Subsequent to that question, and I think it comes up in the report later on, but in relation to that competition with other projects that are coming up, how do you see that as an issue, how that might play out? I guess it's part of the risk profile of the proposal.

Mr WHITCOMBE - I will defer to you, Bryce, on that one.

Mr TAPLIN - We constantly keep an eye on the forward pipeline of work to understand what's coming and we would - obviously getting into the market as early as possible is favourable from us, because we are aware of a number of bigger projects that are coming. I guess we're constrained a little bit about when we can go to market because of the appeal, but we've made provision. From a costing perspective, to your point around market conditions, there's only so much that we can forecast around that, but we're aware and we're monitoring that and we've provisioned for it.

Ms BURNET - Is that likely to drive up the costs, do you think?

Mr TAPLIN - It depends what exactly the projects are that we are competing with at the time. Some forward-looking projects are probably unlikely to necessarily require the same sort of quantum of subtrades that we might. We're going to have a lot of very specialist-type construction for this facility. It really depends on what projects are happening exactly at the same time.

CHAIR - Any questions on page 18, 19? We've asked questions about the population already, and the cohort overview. It states here during 2024-25 there was an average of 14 children and young people detained at a time and that there were 70 distinct children and young people in detention, and 80 per cent of those were on remand. How long is the remand, on average, for that cohort of young people?

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Mr WHITCOMBE - It fluctuates, and it's around the 40-day mark last time I looked, but I'm happy to take that on notice and come back with a more specific figure.

CHAIR - Will you be separating male and female clients - I think we used the right terminology - onsite? Or would that be done on an individual basis with their worker or with the person who does the admissions? Is there a process for that?

Mr WHITCOMBE - Currently, in terms of the way that we care, we certainly have young women in separate accommodation. We would be continuing to work in that way. There are some occasions where, depending on the activity, there would be some mixing, but it would be risk-based and there would be assessment around how we bring particular groups of young people together. There have been occasions where there have been siblings as well, and we acknowledge the importance of them being connected.

Ms RATTRAY - And partners?

Mr WHITCOMBE - Sorry, just to clarify the question -

Ms RATTRAY - A boy and a girl who are in a relationship.

Mr WHITCOMBE - We don't facilitate them to be together in a facility like that. No.

Ms BURNET - I just want to ask one further question about the cohort overview. It says here, that seven of the cohort in 2024-25 at Ashley were aged between 10 and 13 years old. How do you deal with that kind of age differential in a facility?

Mr WHITCOMBE - I think it's one of the reasons why it's important to see the age of criminal responsibility, age of detention, lifted. 10- to 13-year-olds - a 12-year-old mixing with 17- and 18-year-olds, they're at a completely different stage of development. At the moment, there are limitations in how we can cohort and keep groups separate from each other, in terms of the current facility.

In the new facility, I think we've been really creative: there are two four-bedroom homes, there are two three-bedroom homes, and then there is a multipurpose two-bedroom home, essentially, that can actually be configured to two one-bedroom homes, or units. This is just going to allow for us to think really carefully about who we have mixing.

In the new facility, it has not been designed around 10- to 13-year-olds, and that's because of the Commission of Inquiry recommendations that talk to raising the age of criminal responsibility.

Ms RATTRAY - Thank you - 6.2.4 talks about community concern, and you at that side of the table can't see what I'm looking at, but there's a significant amount of interest from the community, I'd suggest, in not only the submissions that the Committee received, but it's acknowledged here as well. I'm just interested in having on the record how that concern is being managed with the community, setting aside that there is the process going on at TASCAT as well. Just talk me through what sort of engagement there is with the broader community around the community concern.

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Mr WHITCOMBE - Okay, I'll lead off and I will pass to Bryce at some point. In terms of stakeholder and community consultation, the master plan community consultation period ran from 5 May to 25 May last year. We really welcomed feedback from the wider community at that time. The project team coordinated a mailbox drop to notify residents and landowners within a 2-kilometre radius of the site of the master plan's release, as well as upcoming community drop-in sessions for that. We've been a part of those community drop-in sessions. There were some concerns that were raised from adjacent landowners and businesses, and there were varying perspectives across that. Some were anxious about the development and the impact on their safety, whereas others were very interested and wanted more details.

Ms RATTRAY - I'd be interested to know whether there have been any changes to the design of the facility to accommodate some of those - probably leaving out the landscaping buffer zone. Obviously, it's significant, but it's not a key issue, I don't think.

Mr TAPLIN - I will just say in regard to the landscaping buffer zone, we had intended on delivering that in any case, but we did make modifications to its positioning and layout, which was a direct result of the feedback that we did receive.

Ms RATTRAY - More of a buffer zone?

Mr TAPLIN - We had some requests to move it away from some property boundaries, so we didn't have overshadowing issues and those types of things. We absolutely worked through that with stakeholders - that process.

Obviously with undertaking work on a site, we've been doing a variety of investigations. We're doing the landscape works now; we've had a variety of activities that we've been undertaking on the site, and we've been keeping the nearby landowners and other stakeholders that are in proximity to the site up to date as those processes have been undertaken. We've tried to keep them informed of key milestones around, for instance, when the development application was lodged.

We need to be careful, obviously, particularly around that, in that's a council-run engagement process. We provided some high-level information about the submission, but we needed to leave council to run the open process that they run through that. But overall, we've tried to communicate through the project and hold those information sessions as we can, and provide information as we can, as we've gone through the design to date.

Ms RATTRAY - What about the operational controls? It talks about that. Is that something that was addressed through that community engagement? Actually, I don't even know what operation controls are.

Ms PADDICK - I might be able to speak to that. There were some concerns - valid concerns - about sounds that might be generated from a facility like this: sirens or alarms going off, lights being extremely bright. We were able to - and certainly during the design process - make sure that our consultant team was aware of the sensitivity of those types of things, and we've come up with solutions and operational practices that will mean that doesn't happen. Without going into micro details, there are ways that you can go to one or the other of the extremes, and we've very much chosen to be very mindful of -

Ms RATTRAY - The bells don't ring for dinner, is that what you're telling me?

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Ms PADDICK - Yes, and the amplification of some of the communications equipment on the site has been designed in a way to make sure that it's quite specific. Similarly, the perimeter lighting - to give you another more detailed example - the selection of light fittings that really cast lighting downwards that operate at very low light levels until there is a potential event, at which point they're able to be controlled as required. That's probably just a couple of quick examples.

From a broader design perspective, we heard from some of the community concerns about the mass of the site, you know, a facility like this - the overall massing and its impression in what is a large rural landscape. You'll see - and you might've noticed when we did the fly-through - there's a lot of variety within the roof shapes. It's not just one large, massive building. You could design something like that as a very significant large structure. We chose to really break it down and try to get a more of a village feel to it with the roof forms and the roof angles. I suppose, as a design team, we tried to take as much of the feedback as possible and, where practical, bring that through into the design.

CHAIR - Can we run through the two main issues that the community has raised, and that's the medicinal cannabis farm and the closeness of that farm to the proposed site? It's pretty much straight across the Midland Highway from the proposed site. Reading through correspondence that's been provided to us, and I know definitely through my office, I've received countless reports of odour. I've smelt that quite strongly myself and not just, where it says here, 'around harvest times'. I'm talking all year round. I believe that is potentially expanding even further in their operations.

Can you talk us through the concerns that have been raised by the community about that odour, and whether it is appropriate to have that - and it can be a significant odour, I have smelt that myself - for young people within a detention centre, of sorts? Also whether they may have - and I don't want to stigmatise or generalise too much about the upbringings young people in the facility may have - but whether it would - one could assume that many of those younger people would have been exposed to that odour and smell in environments as they were growing up, and that could be part of a re-traumatising problem?

Mr WHITCOMBE - I'm happy to make some initial comments in relation to that, and I would just agree with your comments. We don't want to have a smell that is triggering; that is strong or overpowering. It wouldn't be conducive to the kind of care that we want to provide. In saying that, there is limited additional information that I'm able to provide beyond what is already in the submission. The primary odour source is understood to be incineration, and Tasmanian Botanicals has commenced the process to transition away from incineration to mulching, and it is believed that that will significantly reduce the odour issue and environmental nuisance. So, we're really positive about the potential solution in that space.

CHAIR - Would you consider relocating the whole site if that doesn't prove to be correct? If you're wrong? That it's not just mulching, that it's a consistent complaint that comes from the community? I can say, through my office, I have constituents in Bridgewater that can smell it. I have residents that complain to me that their washing smells like the odour when they've hung it out on their clothesline. It is a strong odour, it can't be ignored, and I don't know whether it's just mulching. What happens if you're wrong and it's not a good fit because it is too close? What happens? Do they close up the business across the road, or do you choose another site, if it is too traumatic for people that are within that facility? It is a big risk. I'm still

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not quite sure why that site was chosen when there is such a strong odour really close to the facility. I don't think it would be, what, 50 metres?

Mr WHITCOMBE - Yes, so we were at the site this morning and none of us could smell that odour and yet, as you say, there are times when the odour is there and there are times that I've driven through the area and the odour is there. We would be exploring every possible option to minimise the impact of that odour, both operationally and in terms of any other options that we would have, would be my response.

CHAIR - It does state, as well, because you have the gun clubs that are nearby, and we understand that, I think they're open seven days a week, but there are peak times when there's more firing than other times. It talks about sufficient acoustic treatments to protect indoor spaces from noisy intrusion, but I thought part of the whole appeal of having this lovely landscaped area, outdoor spaces, a swimming pool, those kind of additions was so people, clients can spend more time outdoors. So how would you minimise the impact of two rifle ranges in quite close proximity to the clients? Give them earphones, or how do you minimise that? I don't mean that in a facetious way. I'm trying to look at this from a practical perspective.

Mr WHITCOMBE - I think, firstly, the design of the buildings and the acoustic nature of the facilities and what's being thought about, these facilities do need to be robust. I think when you're inside, the impact of noise will be significantly, if not completely, reduced. I will just refer to my notes. As part of the development application, the project team submitted a report prepared by an acoustic engineer and it included noise monitoring, modelling and a comparison with other jurisdictional standards. It included several daytime visits to the site during 2024-25 and March and April 2025 to monitor noise levels at the site.

During those visits, the ambient soundscape was found to be dominated by road traffic noise. However, gunshot noise was audible above traffic noise whilst the shooting was occurring. The monitoring found that the level of noise hazard to outdoor areas of the proposed facility is within, but at the upper bound of, the acceptable range for amenity based on comparison to shooting noise and noise guidelines from other Australian jurisdictions. Other jurisdictions' guidelines have been referenced, as Tasmania doesn't have established criteria or guidance for noise from outdoor shooting ranges.

These measurements showed that noise is most audible from the clay target club, which operates, the clay target club, every Wednesday and Sundays, so Wednesday afternoon and Sundays all day, and there are other days during the year that it sometimes operates. The noise modelling and associated report found that the noise from the nearby shooting ranges does not pose an unacceptable noise hazard for the facility, finding that the facility will be moderately impacted by shooting noise from the Hobart Clay Target Club. So that was moderate, but the noise impacts from the other club, the Tasmanian Pistol and Rifle Club, will be insignificant. Did that make sense? Just that last part? Yes. We believe that through operational strategies, through practice during those times, we will be able to manage the impact of the gun clubs.

Ms BURNET - Sorry, Chair, but that might be the noise that you hear, but from a professional perspective, what sort of impact does that have on young people, and likely to have - the concerns that have been raised publicly and that you'd be well aware of, so the noise from gunshots, is it likely to be triggering for younger people who have gone through trauma?

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Mr WHITCOMBE - From a professional perspective, I think that's a really fair question. What I would hope is that, obviously, when we're at the site, when it's operational, we will have a range of things in place, in terms of the activities and the structures and routines of the day, that may not mean that, if it was a really significant impact, young people are outside during that time. There may be particular young people that it impacts more than others, and we would want to have, as we do with young people, a specific care plan that is unique to them that understands some of those things from a trauma-based perspective and how we can best be informed in our practice and responsive.

Ms BURNET - So in essence, you can identify when the clubs are in action, and you could mitigate behaviour or have indoor behaviour or whatever, distracting behaviour at those times; is that what you're saying?

Mr WHITCOMBE - I think that's a fair summary, but I also think that there is a uniqueness to how young people may or may not respond or be impacted, and we would respond in a unique way if there was a particular issue for a young person.

CHAIR - Do you know if there's any other youth detention facilities in the country that are close to a marijuana plantation, insofar as having that odour, and firing ranges, because before you were talking about the noise and that had been assessed as acceptable. But how do we know that's acceptable? Has that been attempted anywhere else in Australia? I go back again to my original question: surely there could have been a site from somewhere across Tasmania that didn't have those two deterrents? Do you know if there's any other site in Australia or even the world, potentially, that would have those two potential triggering points for young people, for a youth detention facility? It's not ideal.

Mr WHITCOMBE - I'm familiar with all of the detention centres in New Zealand. I'm familiar with some of them here in Australia. I'm not aware of any that face those particular challenges. I am aware of other challenges that other particular locations face as well. When it comes to the noise at this particular site, there are other external noises and stimuli that are going to be around in the course of young people's days. There's obviously the road noise - it is actually the thing that you can most often hear at the site. It's not loud, but it's the thing that actually masks a lot of other stimuli.

CHAIR - Also a quick question, just to go backwards a tiny bit to page 27 - the bushfire assessment. I believe that the site is in a bushfire-prone area and -

Ms RATTRAY - You saw how dry it was.

CHAIR - It's very dry. Could you run us through the strategy in case of the site having to be evacuated in the case of a bushfire, and where you would put the clients in the case of a bushfire?

Mr TAPLIN - I will start, but then I will get Sarah to talk a bit more from the design perspective, but because of the bushfire zone, we are required to have an onsite refuge. So, as you noted, it's very dry, it's a grassy area, so one of the main sources of a fire-generating event onsite is a fast-moving grass fire. In that instance, we might not necessarily have the time for an evacuation. The facility is being designed such that the education building and part of the administration building will actually be an onsite refuge. Sarah might be able to talk a little bit about the design features that go into that, but that would be the primary refuge for the site.

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There is also a bushfire hazard management plan, or strategy rather, that's developed as part of the initial design and planning process. That will need to be developed into a proper bushfire hazard management plan. There will be a number of triggers for different types of events; some of those might trigger evacuation, some of them might trigger refuge on site. It might also be that there's early evacuation of nonessential staff and then refuge onsite, or a combination of those things. Sarah, did you want to talk a bit about the design response, there?

Ms PADDICK - Just further to that, what that means is that the education building and, as Bryce said, part of the administration building is designed to maintain a tenable environment for a period of time - I think off the top of my head, it's four hours - that allows the number of people who are on site to take refuge in those areas. We deliberately chose the education building because it gave us some flexibility in keeping groups separate. We had originally thought the gym, but then went to the education building. Additionally, the master control room is a refuge environment as well, acknowledging that that part of the site needs to stay occupied during a bushfire event. Externally, there are considerations within the landscape - so the type of planting that is close to the building is a particular type of planting: bushfire-resistant-type plants. So, there has been a number of design solutions that we've adopted to manage that particular scenario.

Mr WHITCOMBE - We have an operational lead as part of the project team who would be working from a business continuity planning perspective with DPFEM [Department of Police, Fire and Emergency Management], and establishment of broader business continuity arrangements as well.

CHAIR - Did you have any questions up to page 34?

Ms RATTRAY - No.

Mr WHITCOMBE - Chair, I can come back to a question on notice that I now have a response to. It's in relation to remand periods. It's not perfect information. It's the information that I've got to hand. The shortest time can fluctuate from just a few days right through to young people on remand for around a year, so there is a huge variation. The average amount of days that a young person during the course of a year has spent is 80. That is made up, at times, of multiple episodes. It's not a just one-episode makeup. It is the total number of days, on average, for a young person.

CHAIR - Okay. So, how does that work? So, if the young person has left -

Mr WHITCOMBE - They will have been remanded in custody. They would have been -

CHAIR - Released, and then back?

Mr WHITCOMBE - bailed into the community, there might have been a further situation, and they've needed to come back on remand. The average amount of time per young person is 80 days in those scenarios.

CHAIR - Thank you. Did you want to ask that?

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Ms RATTRAY - Absolutely. Page 34, 6.44 - The Tasmanian Government Art Site Scheme. I'm interested in whether the project team is looking for a useful item to fit into this, or are we looking at something that we will just say, oh, that cost \$80,000. I'm always interested that it's going to be something useful, if that's the way the project proceeds. Do we have anything in mind?

Mr WHITCOMBE - I agree with you on the useful.

CHAIR - I've seen a few that have been very un-useful, if that's even a word.

Mr WHITCOMBE - Within the submission there are some things that we're thinking about, in terms of it being culturally and environmentally meaningful, as you say, relevant to the site, to the rural setting, and also relevant for young people. It may well be relevant in ways that we can tell stories about their connection to their heritage, or to their culture and community.

Ms RATTRAY - But that would also need to reflect European, as well as indigenous -

Mr WHITCOMBE - That's right.

Ms RATTRAY - because we won't just have a full focus on the indigenous aspect; would that be correct?

Mr WHITCOMBE - And culture and heritage and where we belong is important for all children.

Ms RATTRAY - Absolutely. I will look forward to taking note of what that might look like should the project proceed, Madam Chair.

Mr WHITCOMBE - Thank you.

CHAIR - If we get an invitation to the opening.

Ms RATTRAY - Which we don't often.

CHAIR - Mr Shelton, did you have a question?

Mr SHELTON - Thank you, Chair. Question: I'm on page 35 with the diagram that's on top of 35, and that schematic or photo of it. We mentioned out at the site - and from my perspective, the community could have an issue with the fact that this facility does not have a fence all the way around it, and that the buildings are part of the outer perimeter. I think it's worthy of a bit of a discussion about what's been put in place for protection of the community. These young people are there for their own good to try to rehabilitate them, but they're also being put behind a fence to protect the community as well.

On that safety issue - on that issue, number 10, which are the numbers down the bottom, there appears to be a pathway through the facilities from inside to outside. If that was the security fence, then how is 10 - if you come in through the front gate, you will have a double security process to make sure they can't get out through there. How does the access from the buildings, those units, come out of 10 with some decent security around it?

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Ms PADDICK - Yes. I see what you're seeing there. It is deceptive. The external pathway leads to a door to the plant, which is a completely distinct area from the remainder of the building.

Mr SHELTON - Right.

Ms PADDICK - There's no connection between the two, between that space and inside. Looking at it now, I can see that it looks like there's a pathway through. That's not the case.

Mr SHELTON - There is not. Right. The first part of the question was an explanation of the design to make sure that it is protecting the community and hopefully keeping the young people with the most ingenuity from getting out of the building.

Mr WHITCOMBE - I will pass to Sarah in a tick, but building a new facility like this gives us the opportunity to get it right from a security perspective and to build a facility that is using the current best practice in this space to ensure that it is absolutely secure, and that has been our intent in the design, while achieving some of the small and homelike, less institutional feel to the facility. I know that we currently experience challenges at Ashley Youth Detention Centre about retrofitting some of those features to a site, so my opening remarks are about the opportunity that this gives us to be far stronger in this space.

Ms PADDICK - In terms of the philosophy of adopting the building as perimeter, it was an early decision by the design team, and we looked at both options, what would be traditionally the campus-type model, which, as you say, has a fence around all the buildings. We felt that the building-as-perimeter model, particularly on this site, opened up some wonderful opportunities to take advantage of the views to landscape and we know, through the literature and through research, that long-range views, being able to see the movement of the sun and the clouds, et cetera, looking out to landscape, it can be an extremely therapeutic situation for someone who's suffered trauma, so we thought that that was a great opportunity.

In terms of being confident that those buildings and the fenceline itself provided us with the most achievable level of security as possible, we had some robust conversations with our security team, our electronic security team. We have a combination of physical security measures, so the height of the fence, the material that the fence is made from. Similarly, the buildings that do sit on the perimeter have the highest level of security, so a level 1 security rating in terms of how they are constructed, and that is the wall, the window, the ceiling, the floor, et cetera. Those buildings have been designed in such a way as would withstand a high-level attack over an extended period of time.

In terms of those buildings, in our detailing, we've also gone to great lengths to ensure that they are not climbable, so simple little details that eliminate climbing points, step points, hold points on the building; but again, we have a layer of electronic security that reinforces that as well. As with our secure perimeter, we have early detection and warning, electronic security on the secure perimeter. So too on the houses and the buildings that sit on the perimeter, we have an electronic security system that gives us early warning of anyone trying to scale those buildings.

Then there's the operational response component that also fits into the overall security on the site. As Peter said, we have high ratios of staff to young people. If you look at all those

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things in conjunction, we're confident that we've designed the facility that, as much as is possible - and there will always be potentially an Olympic-level parkour athlete who might exist - but we are very confident that we've done everything we can to balance those two objectives: our broader objectives remaining small and homelike and also maintaining the security of the perimeter.

Mr SHELTON - I noticed on the fenceline itself there's a sterilised zone -

Ms PADDICK - Correct.

Mr SHELTON - so even though the first one's only 1200, there's basically a no-go zone between there and the fence.

Ms PADDICK - That has our volumetric electronic detection in it, which gives you that early warning. It's always a combination of the physical, the electronic and the operational.

CHAIR - Subsequent to Mr Shelton's question: that electronic surveillance in that perimeter, does that activate a light?

It does.

And so you wouldn't have a situation of native animals potentially activating lights which would keep neighbours awake?

Ms PADDICK - No. There are two - if an alarm is generated within the site, the alarm will go to the master control room. The control room operators - the master control room is 24/7, 365 days a year.

CHAIR - They're not a sensor as such?

Ms PADDICK - They're a sensor, but the response goes to the master control room. Your question about lighting is a valid one. The cameras that we will be using to the exterior of the site have the ability to detect the type of movement that is causing the alarm to go off. They're smart enough to be able to determine if it was a horse or a rabbit or a possum, so we've considered that, because we certainly don't want lights ramping up at all times.

Ms BURNET - Before we get off this page, I just want to understand - we have the cultural area, which is for indigenous folks, but I'm just wondering about that sort of spiritual element that might be present in the design. I note that a recent development in the city, which is fundamentally for students and a lot of international students, didn't actually include a prayer room. So I'm just wondering about, you know, utilisation of rooms for spiritual guidance. You know, this isn't my thing, really, but we are becoming a much more pluralist society, I suppose.

Mr WHITCOMBE - I think it's a really great question and thing to raise and think about. The intent of the cultural centre is not for it to be purely for Aboriginal children and families. It's for all children and young people. Going back to the comments that I made about individual children and young people who we work with, we should always have a care plan that's unique to their needs and their spirituality, their identity. Those things are an important part of how we respond in the right ways and have solutions for them individually.

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CHAIR - Can I ask a question around the interior - the materials that are used. The understanding from the Ashley Youth Detention Centre site is that it's been subject to a number of internal fires and, therefore, sprinklers being activated and flooding. How are you going to mitigate those issues in the proposed project?

Mr WHITCOMBE - I will pass to my colleagues. There's some really good design solutions that we've been thinking about and working through in conjunction with DPFEM.

Mr TAPLIN - Thanks, Peter. I might start, and then, Sarah, maybe you can talk to some of the materials. We've had some really good engagement with the Tasmania Fire Service in recent months around fire sprinkler coverage of certain areas of the site. We're well aware, and they've brought to bear their significant experience in sort of responding to incidents at Ashley. We've been able to adopt a system that, while I haven't officially signed off on it, we've still got to do the paperwork around that, we got an in-principle agreement to a system.

Ultimately that system - it is in place in some of the areas of Ashley and it does reduce the risk of unintended activations of sprinklers. So that's where the water damage issues have come from, where fire sprinklers may have been damaged onsite and then they release water. The intended system and its operation that we would have onsite would avoid that. It's called a dry-pipe system, so it requires two levels of detection to actually trigger a sprinkler to go off. So, it requires both smoke and heat to be detected. That, as one of the measures which, as I said, TFS have endorsed in principle, will be adopted in to try to mitigate the risk of unintended water damage. I don't know whether, Sarah, you want to talk to some of the materials in the selections and those types of things?

CHAIR - And if we could also talk about how the design incorporates intended internal fires and sprinkler activation as well? Just from conversations with staff and so forth - there has been a number of incidents, because that could be unsafe, but also very expensive as well to try to fix.

Ms PADDICK - Yes. So certainly to the point of the materials, what we can do to help reduce the risk of a fire event within a bedroom - that's the most critical area. We've looked very carefully at the fire load within a room. The materials that have been chosen for the bedrooms are all a group 1 fire rating, which is the highest level of criteria that is required to provide protection against fire.

In terms of the sprinkler, I suppose the sprinkler heads are one of the more important things: their ability to be tampered with, their ability to be damaged and unintentionally set off. We've done a lot of looking at the systems that are available on the market to choose the ones that are the most robust and the least likely to be able to be tampered with, but, as Bryce mentioned, the dry-pipe system provides a bit of a second chance, in terms of if someone's trying to tamper with the system. In terms of the advice that we got back from the young people: they were equally frustrated by the use of sprinklers on site. We did look at the options of not having sprinklers, but we've decided that the best option, from a safety perspective and in conjunction with Tas Fire, is that we need to have them.

Ms RATTRAY - I've turned over the page, Chair, to page 40. I'm just interested to get an understanding - this is a significant amount of money, and I don't really understand why you would put round circle windows and holes, which are going to cost a lot more money, than just having a good old square or rectangular window. I know it looks lovely, but you know, for the

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practical aspect, that it costs more. So, probably a question to you, Sarah. It does, it looks lovely, but we don't have endless amounts of money.

Ms PADDICK - I understand exactly where you're coming from. The circular window that you can see in that elevation there, the one on the right, is actually looking into a specific child's playroom area. So, when young people are at the centre, if they have siblings, we've got a specific area in the visits rooms that is to cater for a young person. I think we can probably argue - well, not argue - discuss endlessly -

Ms RATTRAY - I don't want to argue. I just want to know.

Ms PADDICK - the benefits of including whimsy in design, including beauty in design, including colour and things. Often things cost more, but the value of them is still quite high. We have worked very hard with this design and with this project to take away the institutional nature of it. Wherever possible, we've tried to make decisions that lessen the institutional feel. It's very difficult when you've got a big fence and it clearly is a detention centre, so even the smallest little things that we can do, and in the scheme of the overall project, we have also worked very hard on value management over the course of this project. We have taken a lot of things out, but we have also opted to keep some elements so that we do not lose that core principle that we are trying to create a facility that does not appear institutional as much as we possibly can. I would say that that particular example of a circular window, and there would be other things that we could point to, I think they actually really help in that overall impression that we're trying to create.

Ms RATTRAY - Okay. Well, if it goes over budget, you know what I will be coming back to, don't you: round windows and round portholes that are not necessary. My view only.

Ms PADDICK - We will come back and put a square window in.

CHAIR - Page 41.

Ms BURNET - There was, in one of the submissions, a concern about the use of a cafe and kitchen as a training facility; could you just explain why that was chosen?

Mr TAPLIN - Sorry, just in terms of clarification, the central kitchen? Because there are two kitchens onsite - well, there are multiple kitchens, actually - but there are two main kitchens onsite. There's the central kitchen, which is in the visits building, but then there is a dedicated training kitchen, which is in the education facility.

Ms BURNET - The training kitchen.

Mr TAPLIN - The training kitchen.

Ms BURNET - That's not page 41, but might as well go for it now.

Mr WHITCOMBE - And in terms of the purpose of it?

Ms BURNET - Yes.

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Mr WHITCOMBE - Yes. Look, we're working with young people who are often transitioning to independence. They've actually often been living at times independently, or have been homeless. All that we can do to build into them the skills and capabilities around food preparation is where we want to be. There's an opportunity for them to gain credits, and, look, I don't have the right language in the Tasmanian system, but from a vocational learning perspective it's really valuable.

CHAIR - Is it also - will the young people also be participating in the cleaning of the site, as well as the cooking and food preparation?

Mr WHITCOMBE - We would want - and as much as possible, the daily routines to reflect normal life; and it is why we do have kitchen facilities in the units. Certainly, as a practitioner for me, I started my life working in facilities like this, in terms of my professional work, and we did as much as we could alongside young people, in terms of cleaning, in terms of chores, in terms of food preparation, as we possibly could. There are some limitations with that around risk, and at times who we're working with and helping them get to a place where we can do some of those activities, but we want to normalise this living experience as much as possible.

Mr SHELTON - Along with that, in the flyover, it was mentioned - you were in the accommodation section, and I don't know whether it was a miscommunication - but I think you indicated there was a kitchen in those facilities. There are the two kitchens we're just talking about. Having a kitchen, you need your utensils. You've got utensils and three or four people in the one facility. How are you managing the risk around -

Mr WHITCOMBE - I will lead off with an answer to that and then I will pass to my colleagues. In the units, yes, there is some open kitchen and it will be limited in the open space actually what is available, and then there is a back part of the kitchen which is in a separate room, off to the back and side, which would hold some of the other things like a stove top, et cetera, for that particular kitchen facility. For the facility as a whole, it is important that we have an industrial kitchen. Not all young people are going to be able to come to the facility and be involved in their own food preparation. We need to be able to have that service onsite and that's the purpose of the industrial kitchen. If there are further comments you want to add?

Ms PADDICK - In the houses in particular, having the two types of kitchens - the more open kitchen, which as you acknowledge, there might be scenarios where you would want to restrict use of that. We've designed the storage and the joinery such that it can be locked down, or it can be left open, depending on the cohort you have. What we didn't want to do was design a facility where you were always pitching at the most extreme-risk scenario, but have options across each house to allow for different groups to use it in different ways. If the group was able to, you could have a very normalised situation where they would be able to cook a meal, but if you had a higher-risk group, you can lock things away and have much more levels of control over how it's used. Hence, the different types of food preparation and kitchen facilities within the houses. We didn't want to just be locked down to the highest-risk scenario.

Mr SHELTON - Security-wise, there is an issue locking it down. I will just relay a story from a football perspective: I went to a community and the only way that they could keep their gear safe was to actually weld the door shut in between football days and then grind it open during - whatever facilities are in there and are lockable, I can only imagine there will be a very capable young person who manages to get in there. That's why I say: just how are you managing

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the risk? I don't disagree with the fact that you need to take these young people through life skills, but then there's the risk associated with whatever you do.

Mr WHITCOMBE - If I could comment on that: I think the design of the facility and the security around it will really strike that balance between being very robust and being as homelike as possible, and allowing for flexibility, as Sarah has talked about. The biggest thing that we can do around safety and security is the staff who are there in the facility alongside the young people, having relationships with them, not being hands off, but being alongside them, and I wouldn't foresee a moment where there would be the time and space for young people to smash down a door without staff being there.

CHAIR - Moving on to page 50. Can you quickly run me through 6.6.1, around environmental and socially sustainable design? It says, 'opportunities for water harvesting and reuse, particularly for external landscaping'. Can you run me through what that means? Excuse my ignorance there, and also 'the use of thermal massing and principles of thermal inertia'.

Ms PADDICK - We have a couple of large rainwater tanks on site that are collecting water from building B. It's always challenging on a secure site to incorporate things like rainwater tanks simply because they become a climbing risk. Within the site landscape itself, we've managed the overland flows across the site to best service the landscape throughout the site. The site itself will be partially irrigated because we acknowledge the importance of the landscape, but we haven't adopted what you would consider to be a full stormwater collection option on this site for the security reason. Wherever possible we have, and that's the building outside the line of the perimeter where we're collecting rainwater.

In terms of the thermal mass, by nature of the types of buildings that we have, we have very high thermal mass in the walls and wherever possible we've tried to orient the buildings to best accommodate that. Again, in a secure facility like this, you're limited in how you can do that because of the nature of the way the buildings are positioned on the site. We do have a high level of insulation within the building walls that will allow them to keep a stable temperature and make the best use of the air conditioning that we have within the buildings as well.

Ms RATTRAY - Are there going to be solar panels, and will they heat the swimming pool?

Ms PADDICK - No, there are not; and again this is a security concern that is often the case. We don't like to have anything on the roofs in secure facilities. That was a discussion that we had quite early on because, yes, ideally, it would be a sensible solution, and we also looked at options for panels outside the fence. Ultimately it wasn't adopted for a number of different reasons.

Ms RATTRAY - I did ask at an earlier time for the pool costings. Also, what is envisaged will be the ongoing cost of maintenance for a swimming pool to service 19, 18, 16 young people at a particular time of the year? If you can't provide that now, I'm happy to take that on notice, or the committee is.

Mr WHITCOMBE - We will talk to the pool costs now, but I am going to open that conversation by saying that, from a professional perspective, having a pool in these situations isn't just a luxury recreational tool for young people.

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Ms RATTRAY - I think there would probably be a lot of people around our state who would argue against that, but please go on, Peter.

Mr WHITCOMBE - I have worked with young people who are aged 14, 15, 16 who have not had the opportunity to develop and to play in ways that certainly I was able to, or my children were able to. I've seen them playing, and I don't say this lightly in this context, but I've seen them playing with dolls. I've seen them playing in sandpits and experiencing and growing and developing at a different developmental rate than we would expect. Having a pool where children and young people can interact, where they can learn new skills, where it is in a place where they are contained, they don't get to go out and have the liberties that other young people do, is an important part of their care within a facility like this. I'm making those opening remarks to say this is not just a nice to have, this is about age-appropriate development and skill-building for children and young people, and I will just pass -

Ms RATTRAY - And I do acknowledge that there is a swimming pool at the Ashley Youth Detention Centre. So I'm not saying -

Mr WHITCOMBE - Yes. And it is a normal part of all youth justice centres, you know, throughout New Zealand and Australia, but I will pass to Bryce.

Ms RATTRAY - But we are in the southern part of Tasmania as well. It gets pretty cold.

Mr WHITCOMBE - It was pretty hot there today. It was very warm.

Ms RATTRAY - That, it was.

Mr TAPLIN - I guess in regard to the costs for the pool: the pool infrastructure itself is in the build cost of the pool. The pool itself is approximately \$200,000 for the pool. There's \$300,000 for the pool equipment, so that would be the pumping and the filtration and all those types of things, then about \$150,000 for what we would call sundry items, so sundry building expenses, so that might be handrails and the flooring and those types of things around the outside of the pool, so about \$650,000 for the pool itself.

In terms of a maintenance cost, we don't have an exact estimate of what the new pool will cost to maintain, but the experience with maintaining the existing pool at Ashley, it's estimated to be around \$10,000 per year, which excludes the electricity cost. Obviously, that's not necessarily able to be split up. We would expect the maintenance costs for the pool at the new facility to be less than that. It's a similar-sized pool, but it's new infrastructure and more efficient pumps and all those types of things. We also have improved access to the services that would be providing for the pool, so better plant access and those types of things as well onsite.

Ms RATTRAY - And so staff would have to be accredited life savers, all of them would have to be, or a majority of them?

Mr WHITCOMBE - I would not want to put the Committee wrong on that. We will need to check what requirements we need, given the depth of the pool that's planned and what would be required from a safety perspective. We would need to work through that as part of it.

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Ms RATTRAY - Well, you certainly can't open a pool anywhere across the state where there's public access - I mean, I'm not saying - but these are public, these are Tasmanian people - without having a lifeguard onsite; but anyway, come back to it.

Mr WHITCOMBE - And to provide assurance on that, we would not be embarking on a pool without the right safeguards in place. We certainly have, you know, nurse staff, we have staff who are trained in first aid, all of those safeguards will be in place in terms of how we operate the pool. There is a question on notice that I did want to come back to at the right time around cost of care per child.

CHAIR - Okay, we will come back to that, but we will just finish on this topic if that's okay. That estimated \$10,000 a year for ongoing maintenance of that pool, does that include the person employed to maintain that pool or a contractor that would come in to check the pool? Like, how would that be done, because that's quite expensive to have people come in and do that work.

Mr WHITCOMBE - I think we'd need to seek advice for exactly what that covers, but my understanding, without committing to it, is that would be for the supplies and things that would be provided for the pool, so that would be the chemicals and those types of things that go into maintaining it. I certainly don't believe that would be for the contracting costs or the staffing costs component.

CHAIR - Okay. Could you provide what that might be as well on notice as well?

Mr TAPLIN - We can do that.

CHAIR - Thank you.

Mr SHELTON - A quick question on the pool: on the diagram, and I presume it's because of the size of the diagram, it looks as if it's 15 metres deep, but it would be 1.5, I'm sure. Is that the same depth as the Ashley pool now? 1.5 metres for kids of 14 and 15, I would imagine it's beyond their depth, but -

Mr WHITCOMBE - I haven't jumped in the pool in Ashley, so I don't know the answer. I think that we might be able to find that out - 150 centimetres is five foot; it would not be over the head of the vast majority of children at the facility.

CHAIR - Alright. Can we go back to the questions on notice?

Mr WHITCOMBE - Yes. This is a correction to my approximations in terms of my operational budget for Ashley Youth Detention Centre and the numbers of children there: the total cost, essentially per child, on average in the facility is \$1.87 million per year.

Ms RATTRAY - You're only .87 out.

Mr WHITCOMBE - Yes, and look, my apologies for putting the Committee wrong. I was referring to my operational budget, but there are a range of other costs that feed into that full picture.

Ms RATTRAY - I thought it was quite reasonable, but anyway I thought I don't know.

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CHAIR - Thank you for bringing that information to the table today. It was a question on notice, so we appreciate the efforts there.

Mr TAPLIN - Chair, I had one other answer to a question on notice, if you were so obliged to let me. It's just in relation to the earlier question about the costs for the early works. I think the question was about the split of the costs for the early works.

Ms RATTRAY - You told me seven-point-something.

Mr TAPLIN - It's \$7.88 million spent on the project in total to date. But in relation to the estimates for the early works that we would be undertaking, we have - and I won't give you the full breakdown because some of these are not let contracts, they're ones that we're still yet to take to market. In terms of the split between landscaping, that's approximately \$1.1 million, and in terms of the services, which combines all of the other services that I mentioned, that's also approximately \$1.1 million.

Ms RATTRAY - That includes TasNetworks, TasWater?

Mr TAPLIN - Yes. I'll just be clear with that, though. That's the work that I mentioned that would be early works, which is only the work on Rifle Range Road, so not the component that's onsite, which wouldn't be early works.

CHAIR - We will move on to page 58. A lot of these questions we will probably have to come back to, I imagine, after we speak to other people providing evidence. Page 60, 61, 62, 63. Let's move on to page 64. Page 65, I think we've covered most of that. Page 66, 67. We might move on to page 68.

I will just ask a quick question about the proposed budget. At the moment, because we're expecting that the project will be delayed, the completion and closure, and that will delay the completion and closure of the Ashley Youth Detention Centre up to 12 months, you're estimating. When are you expecting this particular project to be completed? That's if, for example, if we are adding the additional 12 months, what's your expected completion date, if this is signed off?

Mr WHITCOMBE - There are a couple of questions in there. In terms of the anticipated budget, we have submitted a re-phased budget, subject to budget announcements, whereby it takes into account the potential three- to 12-month delay in the delivery of the facility. We are still aiming for a 2028 delivery timeframe for the facility, but we will need to obviously adjust depending on the time that it takes to appropriately work through these processes.

CHAIR - So, 2028 completion?

Mr WHITCOMBE - Yes, so the project has been on track to deliver by the end of 2027. If we ended up with that full 12-month delay, we would anticipate the back end of 2028.

CHAIR - Okay. So, the contingency's just for Ashley to remain open until the completion of that? That's the strategy, I anticipate? There's not really any other option, is there?

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Mr WHITCOMBE - Well, we need to continue to grow the quality of care at Ashley, both in terms of the program and supports for children and young people, and the way that we grow and support our staff there. There are some opportunities with the model of care that's currently out for consultation for us not to sit on our hands and think about that just in relation to the new facility, but start to implement aspects of that as we can at Ashley Youth Detention Centre. That's what we intend to do.

CHAIR - Page 69. Page 70.

Mr HARRISS - Chair, on page 69, the consultancy costs, estimated at about \$11 million - do we know how much has been spent on consultants at the moment out of that \$7.88 million?

Mr TAPLIN - We can take that on notice.

Mr WHITCOMBE - And I think, as a comment I'd make in relation to that, a lot of the upfront design and work that we are doing, you know, there may be a portion of that. So we will find you that information and give that to you on notice.

CHAIR - Thank you. Questions on page 70? Page 71? So, the questions around the tribunal and the legal costs - and that's the timeline here.

Mr TAPLIN - Chair, I do have some information, because I think the costs from the tribunal perspective is one of the questions.

CHAIR - Yes, perfect.

Mr TAPLIN - I guess we've split our costs into two components. We have obviously a range of witnesses who we will be putting forward that we will be presenting to the tribunal as part of the hearing. We've currently made allowances, based on fees and those types of things that have been provided, for \$65,000 for that.

From a legal fees perspective, it's a little bit more complex. We are being represented through the Office of the State Litigator. We're not necessarily going to see costs from them to the project, but they are also obtaining some external legal advice, so we're in the process of formalising what those numbers are. We do have contingencies available to that, but we haven't specifically allocated an amount for that.

CHAIR - And that is inclusive of both appeals, not just the one?

Mr TAPLIN - Yes.

CHAIR - Thank you. Page 73, 74. I might jump a number. They're the recommendations of the Commission of Inquiry.

I did have a question based on public transport options to the site and what that would look like for families that were trying to access their family members who are in that centre, knowing that there are no buses to Brighton on a Sunday. Apparently, they're meant to start in May this year, but there hasn't been, and sometimes it's a service of maybe one a day that might be anywhere near there. That is limiting transport options for a lot of families, who I understand

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don't drive cars and might not have access to vehicles to visit their family within the site. Can you run through some of the options that may be provided for those families, if it's all about connection and improving those relationships between people but there's very limited public transport?

Mr WHITCOMBE - Look, it's a challenge that we face right now, and our service does provide a small amount of financial assistance for families to be able to travel to see their young people, absolutely. And the reason is to those points that you made about connection and building those relationships. We want to see an increase in families and those people who are involved in those young people's lives visiting the facility, and that goes to some of the ways that we've thought about the area where visits can take place, in the cultural centre and things like that.

We don't know what the future will hold in terms of a bus service and about the demand for that. As you've alluded to in terms of the future prospect, we do hope that eventuates, but we will be a service that continually commits to supporting families to be able to meet with their young people in the ways that we're committed to right now.

CHAIR - Okay, so it's not a strength of the proposed project - accessibility through public transport is a bit of a weakness, you could say.

Mr WHITCOMBE - There is more work to be done. I don't think it's a weakness. I think it's actually stated really strongly in the model of care, in terms of the underlying principles and what is intended to build connection to community, connection to family, connection to culture and who they are and their identity. The operationalisation of that, you know, we are still a couple of years off. There is a lot of planning to be done, and I think that we're demonstrating right now that commitment in terms of the way that we support families to be able to visit Ashley Youth Detention Centre.

Mr HARRISS - Chair, I'm going to be a pain, if I can, and just go back to some costing. The project estimate, excluding contingency, is \$140,280,000. Then over the page on page 70 - and I'll get you to explain it because I don't understand it - when it says 'contingency approach', you have the allocated project contingency, which is currently \$22,915,000. Can you explain that? Yes, you can? Good.

Mr TAPLIN - I know exactly where you're coming from. Simply put, with the two differences, the \$140 million is an estimate. We have a quantity surveyor that puts forward our estimate for the project costs. They do a measure of the build, of the plans. We forecast a range of other costs, including our consultant costs and internal government department costs and those types of things, and that's what makes up the \$140 million. Inherent in that cost is some risk. We are guessing what the market response is going to be, you know, when we put this out to market. We don't know the degree to which inflation and escalation are going to affect our costs, so we carry some of that risk within that \$140 million.

The number over the other side of the page, the \$22 million, that refers to the amount of money that's effectively put to the side. It's not available to the project team. It's only releasable through a clear governance arrangement with our steering committee, and that's our target contingency that's been assessed as being appropriate for the type of the project it is and the various risks that we're expecting to take.

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Until we actually get to the point where we've signed contracts and we better understand our risk position, there's always going to be a discrepancy between the number that's in our estimate and the number that we're showing from a contingency amount. As I said, the main reason for that is that we do carry some of that risk that's already accounted for or allowed for in that contingency amount within our estimates effectively.

Mr HARRISS - I won't hold you up too long, Chair, but normally, I thought we see project estimates including the contingency. Are you saying at the moment that this project with contingency included is \$162 million?

Mr TAPLIN - No.

Mr HARRISS - Right. You've just separated that.

Mr TAPLIN - Yes.

Mr HARRISS - That's fine. No worries. Thank you.

CHAIR - Mr Shelton, any further questions? Ms Burnet? Ms Rattray? Okay.

We will ask if you can withdraw from the table, and we'll have other witnesses come and provide statements and then we'll ask you to return.

Mr WHITCOMBE - Chair, I just have one final clarification in terms of one of the questions that has come up before we depart, which is in relation to the pool and the running costs or operational costs per year. I can confirm that that \$10,000 amount that we cited does include both supplies, equipment, and the contractor cost per year, okay? It's a total amount.

Thank you.

CHAIR - Thank you.

The witnesses withdrew.

The Committee suspended at 4.29 p.m.

Robert Benjamin AM KC

The Committee resumed at 4.35 p.m.

CHAIR - The next witness is Mr Robert Benjamin AM KC, Child Safety Reform Implementation Monitor.

Mr Benjamin, I note that you are appearing before the Committee from outside the Tasmanian jurisdiction, so you will not be required to make the statutory declaration, but can you please just state your name, your position and organisation.

Mr BENJAMIN - Robert Benjamin. I'm Tasmania's Child Safety Reform Implementation Monitor, and I'm appearing in that capacity.

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CHAIR - Thank you very much for being here today. We do appreciate it, Mr Benjamin. Would you like to make an opening statement?

Mr BENJAMIN - Yes, please. Thank you for that opportunity.

As many of you may or may not know, I was one of the three commissioners of the Tasmanian Commission of Inquiry into Child Sexual Abuse in State Institutions, although I don't appear as a former commissioner, I appear as the monitor.

I was also very briefly chair of an expert panel to assess the best way to approach the model of care and the type of structure on the Pontville site. I finished that up soon after I was appointed monitor.

I have lodged a written submission, which I take it you have before you.

CHAIR - Thank you.

Mr BENJAMIN - Can I say this: there is a huge body of evidence that shows closed institutions in relation to child detention heighten the risk of a child being exposed to sexual and other abuses. The Commission of Inquiry report spent about 1000 pages on youth detention, and can I commend those to you: it's volume five, which is in three parts - book one; book two; and book three. There was something like about 10 reports prepared in relation to the Ashley Youth Detention Centre in the period 2003 until the start of our Commission of Inquiry. That was followed, I think, by either three or four reports subsequent to that, including a report of a Committee of the Tasmanian Parliament; a report of the Custodial Inspector; another report, I think, of the Custodial Inspector in relation to transport in recent times; and there may, but I'm not sure, have been another report by the Children's Commissioner.

I don't think I want to add more than that at this stage, but I'm open to questions in relation to my thoughts on the Pontville centre and its role in youth detention, or children in youth detention in Tasmania.

CHAIR - Thank you. In your submission, you state that this year will be the fifth anniversary of former Premier Gutwein's announcement and determination. Then you go on to state:

This issue continues to play out in the headlines, and the United Nations Human Rights Council has again recently highlighted AYDC as a site of particular concern.

I think that was how it ran.

Mr BENJAMIN - Yes.

CHAIR - Can you just outlay, for the record, some of the concerns that have been raised on that international level in relation to AYDC, and why it's so important, from your perspective, that this proposed project proceeds?

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Mr BENJAMIN - I don't have that UN report in front of me, but I'll have a copy sent to you with a brief outline of what it says.

CHAIR - Okay.

Mr BENJAMIN - What I can say is that it and other reports show a large body of evidence showing closed institutions such as Ashley carry heightened risk of child sexual abuse. The Royal Commission and the Commission of Inquiry both talked about the design and features of a facility that can minimise or reduce the risk of child sex abuse. And when I'm saying that I'm talking about an open institution, but not one you can walk into and walk out of, but one which is far more open. It is small, home-like and enables the building of trusted relationships.

The detention centre should not be seen on its own. It must be seen as part of a significant and complex change in the way Tasmania treats children, both in out-of-home care and in youth and child detention. And the whole design is predicated on reducing the number of children and young people who end up in a detention centre, and provide other and better facilities for them, such as bail facilities, better out-of-home care, and diversionary frameworks. But the centre is a necessary part of it.

CHAIR - Mr Benjamin, it was my understanding, through previous research, that you're part of a team of people who are tasked with the large job of putting together all the jigsaw puzzle pieces of the recommendations of the Inquiry, and feeding them all in to create a comprehensive, or complete jigsaw, I suppose. Can you talk to the importance of this detention centre in completing that jigsaw puzzle? Does that make sense, that question?

Mr BENJAMIN - It does, and you're quite right. It is a complex and detailed approach. The detention centre is designed to properly accommodate those children and young people in a safe and secure way, in a trauma-informed way, which can hopefully alleviate some of the trauma which the young people and children would have already dealt with and tried to manage, and to provide - I'm just looking at my notes here, bear with me for a moment.

CHAIR - We didn't quite catch that, I don't think.

Mr BENJAMIN - I'm absorbing your question - because it's such a broad approach.

The detention centre, with the model of care that has been developed and will be developed, and with the staff whom models are being developed for, will offer a far better opportunity for the young people and children who are there to move back into society. It will do that through education, looking outwards, not inwards, developing the skills that they have, through addressing their health needs, their psychological health needs and their psychiatric health needs, in a far better way than we've seen at Ashley over the last 20 or 30 years.

CHAIR - Thank you.

Mr BENJAMIN - It is specifically designed for that purpose. We know that many of the young people and children who are taken to Ashley will almost invariably end up in Risdon. It's for those at that very hard end that we're trying to look for ways to give them opportunities to not continue in youth detention and the difficulties that they're already facing.

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CHAIR - Ms Rattray, did you have a question for Mr Benjamin?

Ms RATTRAY - Thank you very much. In your submission, you have asked the government and the parliament 'to cut the gordian knot and use their respective powers to bring these delays to an end'. Are you aware that there's a legitimate appeal process going on at the moment from adjoining neighbours and members of the community where the proposed site is? Are you saying 'don't worry about those, just bring in something into the parliament and we'll get on with it?' Is that pretty much what you're saying in your submission?

Mr BENJAMIN - I'm not saying that. I'm saying that last year there was an application to the Upper House to move this forward, to have it done and not delay it for another two or three years and leave children exposed to abuse, the possibility of abuse and the pressures that the report set out in relation to the Ashley Youth Detention Centre. The parliament, in its wisdom, decided not to take that step in relation to this one, but it's still open for parliament to do so if it considers it's appropriate to do so.

It took a decision, I think, earlier this year or late last year, I can't remember when, to proceed with the stadium, and that's a decision of parliament. I don't either support or reject that. That was an approach that was adopted. As far as I'm aware, the work that was done by the expert committee, of which I was chair, took the view - it didn't decide on the site, the site was decided by DPAC - but we took a view that this was the approach that best suited the children there.

That approach was initially adopted by government and then it was adopted by the council. What I can see now is young people and children - bear in mind some people as young as 10 can end up in Ashley Youth Detention Centre - being held there for another six, nine, 12 months until this process is finished. And if that process gives a result contrary to the objectives, it may then end up in the Supreme Court, so instead of, they're talking about a five-year delay this year, we might be talking about an eight-year or longer delay. That's what I meant by cutting the Gordian knot.

I don't wish to reject the views of other people, and I haven't seen those views, and I haven't engaged in those, but it's been through a process over a significant period of time. Perhaps, and what I'm suggesting there, is it's time for a decision to be made in favour of children. And that's what we saw; that's what the Commission of Inquiry saw, where the interests of adults often were treated as more important than the issues of young children in need of support.

Ms RATTRAY - My question really was around that there is already an appeals process underway, and so that was really the preface of my question, but thank you. I appreciate your response to my question.

Ms BURNET - Thank you and thanks for your submission and the work that you've done in this space to date.

I'm curious to know: if we have this site, which we are considering, and the expenditure around this site, I'm curious to know what your opinion is around the impacts of the Tas Botanic facility across the road, as well as the rifle range and impacts there might be in relation to young people and children.

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Mr BENJAMIN - I am sorry, there were two issues. The first one I didn't quite hear, which was that issue? That was the cannabis farm? Is that right?

Ms BURNET - Yes.

Mr BENJAMIN - And the other one was the noise from the rifle range? I asked those very questions when I was chairing the independent expert committee. I was told, in terms of the rifle range, that the Department had acoustic experts look at the impact of the sound and the extent of the sound, and I was informed that the sound was such that it often didn't come above the ambient level and that the design of the building was such that with trees it would be rarely, if ever, noted. But that's more a matter for DECYP, rather than me. But I certainly looked at that.

In terms of the cannabis plantation, which I think is about 500 metres from the proposed site, I understood, again from DECYP, that steps have been taken to change the way they collected the stubble at the end of each planting season, and instead of burning it off they used other methods, which would either reduce or prevent any smell and odour coming from that work.

Ms BURNET - Sorry, my question really was: in your opinion, what would be the impacts of the sound from a rifle range. Yes, I've been to that site on a Saturday when you can clearly hear the sound. I've also been past the site, and at the site, when the smell from the cannabis, Tas Botanics, has been quite evident. I'm just curious to know what the impact on children and young people would be, not what you've been told by the Department.

Mr BENJAMIN - Well, they were questions I asked and I thought you'd want the answer, so I provided it to you. There are various young people suffering from various issues. For some, the sound may have some impact. I'm not a psychologist, I can't tell; but in every area that you picked, there will be sounds. There will be sounds of trucks moving up and down, perhaps sounds of car accidents, it's near the corner there; but that's part of the ambient noise that's there. I don't know. I don't think it will be as marked as some who catastrophise it. I don't think it will be wholly insignificant, but I am told and I accept that it is likely to be relatively insignificant.

Mr SHELTON - Thank you, Mr Benjamin, for your submission. It's been a number of years, of course, since you sat through the Commission of Inquiry. Just to talk about Ashley Youth Detention Centre for a moment: most of the submissions were in fact a decade or so old. There's been substantial changes to Ashley and so, in your position at the moment - there's a risk when you put young children in any institution, whether it be this one or Ashley, significantly more at Ashley, but what I'm trying to get to: have you seen changes put forward in Ashley that makes it less risk over the last five years than what it was previously?

Mr BENJAMIN - I've been to Ashley on a number of occasions since the Commission of Inquiry delivered its report. I can't and won't comment on my deliberations within there; they're set out in the report, but I know that there was a report last year of Committee B, that talked about the impact of Ashley on the young people. There was also the report of the Custodial Inspector last year, and I think there was a report late last year from the Custodial Inspector in relation to other aspects. I'm sure that efforts have been made to reduce the trauma in relation to young people and children in detention, but I don't think the underlying problem has been ameliorated significantly. That's not criticising the staff who were already there and

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it's not criticising the effort put in, but it is the wrong place with the wrong culture and doesn't meet the needs of those who will be there into the future. It is not small, it is not homelike, and it's not one that builds trust and relationships.

I was on a private visit to the United Kingdom late last year, and whilst over there I took the time to go and visit a detention centre in Dublin, which was much more open in its thinking, its approach and its design. What I noticed in Dublin, which has a population, fortunately for my arithmetic, of some 5.5 million people, give or take a few, which is 10 times greater than that of Tasmania approximately, and they have 46 detention places. We currently, with a population of about 500,000-plus, have about 20, or 19 on average, in Ashley. It seems to me that if we put the whole of this process into place, including building a new child and young person's detention centre, we can bring those - and together with a whole complex, a whole jigsaw puzzle, we can bring those numbers down to something equivalent to that in Ireland. I also went to one in Scotland, which was a little different, but also drove a significant change for the young people. Under European laws, they look after children and keep them there, or young people, until they're either self-sufficient or 26, recognising that childhood doesn't really end until that age.

Sticking where we are at the moment, given the reports and where we're trying to get to, isn't the outcome. Bear in mind, by the way, my job is not to implement these. My job is to monitor the implementation. I'm doing so with regard to what was seen and what was recorded in the Commission of Inquiry and in the 2017 Royal Commission before that. There was a huge problem. There probably is still a huge problem, and we can do better for these children.

CHAIR - Thank you. Any further questions for Mr Benjamin, Committee? Okay, Mr Benjamin, before you leave the table, I'd like to run through a statement after evidence. What you have said to us here today is protected by parliamentary privilege. Once you leave the table, you need to be aware that privilege does not attach to comments you may make to anyone, including the media, even if you are just repeating what you said to us. Do you understand that?

Mr BENJAMIN - Yes.

CHAIR - Thank you, Mr Benjamin. I really appreciate you providing us with evidence today. Thank you very much.

Mr BENJAMIN - Thank you for the opportunity to speak.

The witness withdrew.

Ross Tudor & Rebecca Wilkie

CHAIR - The next witnesses are Ross Tudor and Rebecca Wilkie. Mr Tudor and Ms Wilkie, could you please introduce yourself and then make the statutory declaration. We'll give you a second.

Mr ROSS TUDOR and Ms REBECCA WILKIE WERE CALLED, READ THE STATUTORY DECLARATION AND WERE EXAMINED.

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CHAIR - Thank you for appearing before the Committee. The Committee is pleased to hear your evidence today. Just before you begin giving your evidence, I would like to inform you of some important aspects of committee proceedings. A committee hearing is a proceeding in parliament. This means it receives the protection of parliamentary privilege. This is an important legal protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without the fear of being sued or questioned in any court or place out of parliament. It applies to ensure that parliament receives the very best information when conducting its inquiries. It is important to be aware that this protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the confines of parliamentary proceedings. This is a public hearing. Members of the public and journalists may be present and this means your evidence may be reported. Do you understand?

WITNESSES - Yes.

CHAIR - Mr Tudor or Ms Wilkie, would you like to make an opening statement? Also, just to advise that there's a restriction to about 15 minutes of your evidence statement because we are running short of time this evening. We'd love to hear your statement and then the Committee will ask you questions from that. Thank you.

Mr TUDOR - No problems at all. We will start with the opening statement. Again, apologies for the 25 people in this room that we're even discussing a youth detention centre that is literally next to a marijuana plantation, a gun club, on the most heritage roads in Tasmania. It just seems crazy that they're even talking about this. We will jump straight into the odour impacts from Tas Botanics. Basically, there's a report from Brighton Council to EPA that states, and again I quote:

There will be major financial and political implications if legitimate nuisance can be established and legal action becomes necessary.

There is actually a site map that actually shows the actual odour area. Now, there is actually complaints of odour smells exactly like we said earlier on, up to 12 kilometres away from the site, yet we're talking about an attenuation site that is literally less than 500 metres away. Again, odours on clothing, all those things. It basically says scientific research shows that emissions from cannabis facilities can cause, and again, I quote, 'burning eyes and throat, problems sleeping, nausea and headaches'.

This facility is very much needed. There is no backing down, the youth detention centre is definitely needed. I feel in every way, shape and form that this is definitely the wrong site, whether or not we talk about the odours, the headaches, the proximity, the gun club, again there's been - well, actually going back on to the Tas Botanics, there's a lot of talk about all these changes technically taking place. We've actually been in touch with Tas Botanics and actually been asked to actually keep a survey for the last few weeks on odours. Currently we are one day out of the last 14 where there hasn't been an odour smell. It is literally 90 per cent of the time that there's the odour. We're only in one direction from that site. Obviously the actual youth detention centre is literally half the distance away from where we are.

If we then jump over to the gun club, in particular, there has been a thing over the last few years where the site has been undertaken in terms of the noise sort of side of things, but very unsurprisingly, there's not actually either a new noise sound check because the actual checks on when it was actually originally done was on wet, windy days where noise is

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obviously impacted. If you had days like today or days that you've had, you can hear gunshots clear as day. There is road traffic, yes, there is obviously noise in the area, but being a rural area, a gunshot is very clear, very distinctive. So they're the sort of side of things -

Ms WILKIE - Could I add to the odour impacts? There are two points here: one is that we've never seen an odour assessment done or an odour study done on the site, despite us asking everyone we could possibly think of to ask. We're not very wealthy, but we think that that's a natural move of \$7.88 million that's been spent on the project to date, has there been an odour assessment completed on the site?

CHAIR - We can ask that question for you.

Ms WILKIE - That would be great. The other thing that concerns us greatly is that this cultivation of marijuana for medicinal purposes, it's a plant growing to make medicine which has impacts on our psychology, that's the point of producing this plant. We know that there's scientific research out there to the impacts of that to the community, and we don't believe - most of the scientific research that we've found to date is out of North America. That's because they're much more advanced in this than Australia is, despite this being Australia's largest marijuana facility. In North America they're much more advanced in their studies. I would argue that the Tasmanian Planning Scheme is not adequately equipped to understand this site - Tas Botanics - and doesn't currently have appropriate controls in place to protect the community.

CHAIR - Would you like to complete your statement and then we will ask some questions?

Mr TUDOR - Yes, absolutely. Going on to the third point that we submitted, we were talking about the road earlier on the Rifle Range Road. Brighton Council road approvals are actually not currently in place for that road. They have not been approved, so the works that they're talking about haven't actually been authorised. Lack of accessibility - one of the things that we actually heard a lot of was the word hope, we hope that there will be public transport. The nearest public transport spot from the actual site itself is about three kilometres away in the centre of Brighton. As you said, there are no buses at certain days of the week. The timings of the buses is very irregular. The idea that there will be a bus going to Pontville anytime soon is unbelievably low. Again, accessibility is just not something that's there.

Part of the site as well has to have proximity to local services. Yes, there is a medical facility and everything on site, but the actual nearest hospital to the site is actually in the centre of Hobart, which is about 30 minutes' drive away. Again, the medical facilities that are currently in Brighton, there is regional doctors and things like that, they're literally only open nine to five and can't deal with emergency situations.

Ms WILKIE - They talk about their site selection being 30 minutes from Hobart so that they have the infrastructure and services behind it; that's not actually that different from Ashley and Launceston. There's like three or four minutes' difference between this site and the Ashley site.

CHAIR - They've actually got Deloraine Hospital, which is -

Ms WILKIE - Probably closer.

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Mr TUDOR - Well, they have Deloraine Hospital, which is literally much, much, much closer. The same thing as well, again, you need authority to actually - if things do escalate on site, you need like actual police and things like that, so not technically in the same council, because this falls under the Southern Midlands Council, but in Brighton Council there is Bridgewater Police Station which is about 10 kilometres away. Again, proximity is not in a great location.

Then I have point five, we have government pressure to close Ashley. One of the biggest things that we are sort of pushing back on is that, exactly like you mentioned earlier on, there was 16 organisations, that are either through mental health or youth support, that were completely against this. There were 43 representations or written representations. There was a petition with 57 signatures and over 100 objections. Now, if you've been to Pontville, that is basically the population of Pontville.

Ms WILKIE - More than.

Mr TUDOR - More than the population of Pontville. Yet somehow we're talking about this because Southern Midlands Council went on a vote from four to three, and that's why it went through. Again, there's more discussions, we talk about that. Do you want to go through

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CHAIR - If you can prioritise a few statements, because we're running out of time - leave a little bit of time for us to ask you some questions.

Ms WILKIE - We will just do scale and heritage impacts. This proposal is for 8200 square metres of facility. Our home, directly across the road, is 210 square metres. We're a pimple on this giant behemoth that's getting built across the road. The fences are six metres high; the buildings are up to 11.8 metres high. Despite them talking about it being like a rural village, it's an intense use of this site compared to what's there at the moment. Our houses are tiny. This is going to dwarf us. It is going to have a massive institutional feel to the community.

CHAIR - May I ask which property is yours?

Ms WILKIE - 463 Brighton Road. It's the restored two-storey sandstone Georgian.

CHAIR - On the hill?

Ms WILKIE - No.

Mr TUDOR - No, we're straight on the flat. So, with the actual size of the property, it's 8200 square metres. It makes it bigger than Cove Hill, which is -

Ms WILKIE - Cove Hill is about 6200 square metres.

Mr TUDOR - The actual whole site of Cove Hill, the Hungry Jacks, the Cove Hill site, 6200 - this is 8200 on a rural site.

Ms WILKIE - It's 45 of our house.

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Mr TUDOR - So I mean, when you put it into context of actually the site, the location, the proximity to the main road, the sounds, the marijuana plantation and the actual size of it, in my opinion, there's so many things flawed, which is why, when we were talking about - or one of the questions you had earlier on was: are there any other facilities in Australia that are next to a marijuana plantation or a gun club? The logical answer is there's not, because why would you? There are over 200 sites that are much, much, much better suited, that would have the infrastructure, could be much easier.

Ms WILKIE - Just on that point: earlier they said there was a handful of sites that were reviewed in detail. My understanding is that there were three sites that were reviewed in detail. There was the Pontville site, one on Risdon Road and that was right next to the Tasmanian Aboriginal site - that's offensive just to me - and the other one was in Goodwood, which is in like a residential area near a primary school, I understand; so it's like these three sites, none of them were appropriate.

Ms RATTRAY - I asked about the engagement with the community when we had our previous witnesses before us. Can you give me a bit of a feel for what part of that community engagement that you actually undertook?

Ms WILKIE - We went to all of it. We went to the meetings at Brighton. We had the ERA Planning people come to our house. We met them on site. It was one directional. We were never - none of our issues were ever resolved, as you can see. They're still outstanding.

Mr TUDOR - With that, just to escalate it, we would have people come to our house and go through the plans, or the most up-to-date plans. What was actually brilliant is they actually held an event that was, as always, in the middle of the day. Obviously we work, taking time off is very difficult. We took time off and went to this event. It was the most perfect day: it reeked of weed. It was funny. We were talking to a lot of the architects and it stank. We were all there talking about this. What was interesting is, the night before, they were actually at our house with the plans. Then we go to the site, to the - whatever it's called, the Brighton Oval - and all the images were there, with different images.

Ms WILKIE - They were different.

Mr TUDOR - They were different plans. They had different outbuildings. They had 16 rooms, 'Oh, actually it looks like there might be 24', so there was room for growth. All this information -

Ms WILKIE - None of the ones we saw the day before.

Mr TUDOR - what we were provided and what was actually at that event were two very different things. Now, I should point out that Bec is also an architect. She reads plans every single day, so to spot differences was not particularly challenging for her at all.

CHAIR - Do you believe that if the project proceeded it would cause the valuation of your properties to be diminished?

Mr TUDOR - Without a doubt: 100 per cent.

Ms WILKIE - 100 per cent.

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Mr TUDOR - Without a doubt. Like I said, it's on a heritage highway. Myself and a couple of the people at the back are literally on the land side of things. They're stone properties. The password for here is 'sandstone1869'. Our house was built in 1810. It's one of the oldest houses in Tasmania and we're going to put a youth detention centre literally on the other side of the road. On the other side of the road which actually borders it, so we will have a six-metre fence, is another sandstone property that was built in early 1800s. So absolutely will it not only devalue our properties, it actually will devalue the whole heritage area.

I know this is probably a bit more far-fetched side of things, but the site is actually an Aboriginal heritage site. When the Midlands Highway was built, from my understanding, a lot of the Aboriginal remnants was actually thrown underneath the Brooker. It is definitely being tarnished. Even now, going back to the gun club, there is actually still shells from the gun club. Even though they've actually secured or made it safer -

Ms WILKIE - They built a higher berm at the gun club.

Mr TUDOR - There would be the higher berm, to alleviate the noise - it doesn't alleviate the noise - but there's still actually shells on the site.

Ms WILKIE - I don't know if they're still there, but Jamie will tell you when-

Mr TUDOR - Yes. Jamie will tell you. There are some on the site. It's one of these things: there is just so many, in my opinion, just miniature flaws that -

Ms WILKIE - I think, more significantly, is the risk to the children that are put in this facility, because of the odour. We experience headaches, nausea, sleepless nights; and they're going to experience much worse than us because they're closer. So, I think that this is just an inappropriate site.

CHAIR - Okay. Before you leave the table, I would like to reiterate the statement I made earlier around about committee proceedings. As I advised you, what you have said to us here today is protected by parliamentary privilege. Once you leave the table, you need to be aware that privilege does not attach to comments you may make to anyone, including the media, even if you are just repeating what you said to us. Do you understand that?

WITNESSES - Yes.

CHAIR - Thanks again for coming in today. I appreciate it.

The witnesses withdrew.

Jamie Nye and Elena Nye

CHAIR - The next witnesses are Jamie and Alina Nye. Mr Nye and Ms Nye, could you please introduce yourself and then make the statutory declaration.

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Mr JAMIE NYE AND Ms ELENA NYE WERE CALLED, READ THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR - Thank you for appearing before the Committee. The Committee is pleased to hear your evidence today. Just before you begin giving your evidence, I'd like to inform you of some important aspects of committee proceeding. A committee hearing is a proceeding in parliament. This means it receives the protection of parliamentary privilege. This is an important legal protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without the fear of being sued or questioned in any court or place out of parliament. It applies to ensure that parliament receives the very best information when conducting its inquiries. It is important to be aware that this protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the confines of the parliamentary proceedings. This is a public hearing. Members of the public and journalists may be present and this means your evidence may be reported. Do you understand?

WITNESSES - Yes.

CHAIR - Either Ms Nye or Mr Nye, would you like to make an opening statement?

Mr NYE - I will kick off. A lot of what I will say has been said by others, but I suppose because we're in parliament, I really want to just talk about how our democratic process works. Now, I'm stuttering and stumbling, and I've got 10 minutes, damn it. I did legal studies many, many years ago at school, and we were taught about proportional democratic representation. When a council gets 118 people saying no and no one is saying yes, proportional representation would say 'off the table, it's gone, it's dead'. They got a yes, they said yes. How does that represent the people? Now, the council dressed it up as, 'Oh well, today we're not here as your representatives, we're here to enact the planning scheme so, you know, it ticks all the little boxes: tick, tick, tick, tick, tick'.

Another thing I'd like to add is the mayor that day who's the chairman - yes, they did let us speak, they didn't have to, that was very indulgent of them - his attitude from the beginning of that meeting was: 'This is going through, we don't care what you've got to say'. It was just obvious. They will hear us, but we're passing it, or he's passing it anyway. We got three to agree with us, so that was nice. I've been told this a few times, yes, they're acting as a planning representative of the government, that's what they do, tick the boxes. They're no longer there as our democratically-representative people. However, your own law says it is supposed to create a legal framework in which to enact the *Land Use Planning and Approvals Act* (LUPAA) in using a discretionary power to pass development applications. Part of that is their obligation to function - sorry, now I have to find where I'm up to in my rush and nervous haste.

CHAIR - Slow down, you're okay.

Mr NYE - Thank you:

Sustainable development means managing the use, development, and protection of natural and physical resources in a way, or at a rate, that enables people and communities to provide for their social, economic, and cultural wellbeing -

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Now, the councillor never once, in telling his councillors in making their final vote - 'please, remember this when you're making your decision. We're just here to go tick, tick, tick'. The Act is meant to overarch that decision-making process. Put that overarch, 118 people saying, 'This hurts us economically, this hurts us culturally, this hurts us' - whatever the third point was, which is relevant - then you can't tick the boxes. You can't even pass the thing, and yet it passed. I'm sort of hoping you as a more senior democratic system can look at that and say, 'Hmm, that's not the way it's supposed to work'.

CHAIR - Well, part of our function is to assess and scrutinise the information that's put in front of us in relation to a particular project and to consider all submissions and information that's provided to us. Would you like to make a statement before we ask some questions?

Ms NYE - Yes, I would.

CHAIR - Had you finished, Mr Nye?

Mr NYE - After that, all I can really add on is what the others have said: the reek of marijuana - one point that the other gentleman alluded to, could go to the High Court. Yes, it could also go to the High Court that someone that is under the care of the state is now suffering from being impounded in prison, held, confined, where they are regularly subjected to that stench. It is causing them a problem under Australia's signed agreement with the UN Rights of the Child, we're putting them in harm's way. They've got an open avenue straight to the High Court to make an appeal. What happens if they win? What happens to the \$150 million centre then? You have a centre you can't put kids in because they're getting hurt by marijuana. Or do you close down the marijuana farm, a really big local employer which wants to double in size? Will this thing be able to say to the marijuana farm, sorry, you can't make yourselves any bigger, you're already enough of a problem on us; but hang on, they were there first.

On a personal level, I own the block of land that literally will look down into this thing. I'm not as young as I used to be. I've just kicked over another zero birthday. I'm not real happy about that, but that's what happens. We get older, and I'll probably need to cut some of that land up to fund my retirement. They can probably say, 'Oh, we don't want a house built up there. It's looking in our backyard'. Where's the value of my land gone? Where's my retirement plan gone?

So they're just very personal things, but not irrelevant to, not even irrelevant to the planning scheme, because that's social and economic impact on me. If it's selfish, but that's what the law's for. I've put that in the written one, but it's a good quote: smell is almost certainly one of the most robust triggers for trauma, says professor from a major university. I can read you full details, if you like.

CHAIR - Oh, we've read the submissions, so we've got it.

Mr NYE - So I don't need to repeat that.

CHAIR - It was a really good submission as well. Thank you.

Mr NYE - We've spoken about the gunshots - oh, Ross and Bec want me to mention - so, I knew the land before the highway. I used to live where the place has now been planned to be built. My neighbours just had the next block up when I was fencing with them way back

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when I was about 19. Yeah, we could pick up bullets out of that paddock. That was apparently not shells; actual projectiles. So, the pistol club have what they call a 'practical shoot'. They aim to hit the top of the heavy metal target and knock it over. The projectiles, they used to ricochet. You can see they were deformed and they ricocheted off the top of the metal thing and they'd fly far enough to land in their paddock. Nothing, nobody, no horses, animals ever got hit, but they still landed. A bigger berm probably stops that, but it'll only take one hit with that pistol to aim up above the berm because they decide they want to shoot a crow or something. That place is in a ballistic fall zone.

CHAIR - It just shows you the close proximity. Is that what you're indicating?

Mr NYE - Yeah, and essentially, we're getting back to potential harm's way too. I mean, the odds of being hit by a falling projectile should be zero, because no-one should be aiming above the berm, but people do stupid things and accidents happen.

CHAIR - Should we move to Ms Nye? Would you like to provide your evidence?

Ms NYE - Yes, one of the things I'm not sure if I put in my submission is related to gunshot noises. I don't think that the kids inside won't be able to hear from indoors the gunshots when they're going off. When I'm at home inside, with headphones on listening to music, I'm still able to hear the gunshots, and it is quite distressing, even though I know that the shooting range is nearby and that is most likely just people practising. You don't know, and that can be really distressing for me as a young person and also especially for kids inside, especially for kids who might have trauma associated with that kind of noise. Yes, there's always going to be noise, like the cars and the trucks, but that does become ambient eventually. For as long as I've been living in our house, which I have since I was 12, those gunshots have never been ambient noise. You always notice them, and it's never been something that you can just move past easily.

The marijuana smell, I think, is also quite distressing, but we've talked about that a lot. One of the things that I wanted to talk about is the consideration for the mental health of people living around the facility. Me and my mum especially are really, really worried about it being so close to our house. We're worried, not just about potential breakouts from the facility, but it just being there is a really huge mental load for us, just looking at that space. My bedroom window looks directly out to where the facility is meant - sorry.

CHAIR - You're right. Take your time.

Ms NYE - It looks directly out to where the facility is meant to be, and just thinking about it, going there now is extremely distressing every day for me. Of course, it's not just about me, but I just think it's a wholly inappropriate area with the distressing stimuli of the gunshots, of the marijuana smell, and also that it's along the Heritage Highway. You don't put a giant industrial compound like that next to so many - I mean, all the houses have to follow restrictions that they assimilate well with what's already existing there, and this kind of makes that redundant, because there's no real value to that area anymore. You go into Pontville; it's kind of like you've been taken back in time, because it is so true to hundreds of years ago. That doesn't mean anything anymore if you put this - like, it's bigger than Cove Hill. You put that in the middle of Pontville and that value is completely gone. So, that's what I worry about.

CHAIR - How old are you, if you don't mind me asking?

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Ms NYE - I'm 18.

CHAIR - You speak really well.

Ms NYE - Thank you.

Ms RATTRAY - Thank you, and there's nothing wrong with wearing your heart on your sleeve. So, don't worry about that. I do it every day.

Just in regard to your submission, you've talked about the fact that 'it will see a line of trees on our property's edge cut down - our only privacy from the road and the facility by extension'. You also added that the trees were home to native birds living in the area. Can you walk me through why those trees have to be cut down? Also, has there been any engagement with you and your family around the new arrangements for that - what's it called? A shelter belt?

Mr NYE - No, this is really an assumption on our behalf, to be quite honest. Essentially, they're saying they're going to put a big roundabout at the end of Rifle Range Road. They've been out with markers and survey markers to say this is - we don't know what they're going to do yet, but judging from the survey markers, judging from the fact that the road has already pushed to the eastern boundary right onto the road reserve, they're going to have to take the road reserve back into our property as far as they can if they need to widen for an extra lane. And yet that's the end of our buffer zone around the front of the house. So, if they do that, then those trees that make our buffer zone, including *viminalis* which might be housing pardalotes, with a bit of luck, would have to go, or they can't design the road that way. We haven't seen a final road design, but we know it's their intention to put in a roundabout and a turning lane, and we've seen the pegs and the rest is assumption.

You were asking about the community consultation process earlier. So, yeah, we went to some of those, not as good as Bec and Ross. And yes, there's going to be a little development right up here, up the top, where I was talking about that used to be the Justs block of land. Then we go to the council and, 'Oh no, no, it's a huge thing all around here'. So, we're a bit sceptical about what we've been told might or might not happen, and assume the worst, because that's the lived experience.

Ms RATTRAY - So, you're not actually 100 per cent sure at this point in time around what's going to take place around those trees that what you consider is your buffer zone.

Mr NYE - We have no idea, to be honest. All I know is that they do, unfortunately, fall within the road reserve. It's been the shape it has been probably since not long after settlement. The trees have been there a very long time. They are our buffer. And after that, we're just frightened, I suppose is the most accurate and fair word to use. What will happen, as the others have said, is they'll have to go through Brighton Council, and they haven't addressed it yet. So, we're hoping they'll refuse it.

Ms RATTRAY - That part of the project goes to Brighton Council. The approval, obviously, went through the Southern Midlands Council?

Mr NYE - Yes. And that is -

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Ms RATTRAY - Because it's just that one road that -

CHAIR - Rifle Range.

Mr NYE - Rifle Range Road boundaries. Rifle Range Road belongs to Brighton, and our dwelling straddles both. My house is in Pontville. My land and stables are in Southern Midlands. And who knows where the boundary is - it's somewhere between the back gate and the chook shed. That's just reality.

I just had something else I wanted to mention about that and has slipped out of my brain.

CHAIR - It will come back to you. Ms Burnet?

Ms BURNET - Just a question - you mentioned the heritage of the area and how important it is as part of that Heritage Highway. Were you surprised that there wasn't more consideration of that, with the development application through Brighton?

Ms NYE - Hugely surprised, definitely.

Ms BURNET - Southern Midlands, sorry.

Mr NYE - I think my personal opinion, which I suppose I'm not here for, but for Southern Midlands it's a bit of a windfall for them, I assume from the mayor's behaviour, because most people affected aren't in their municipality, because they're in Pontville, and Pontville's in Brighton.

Ms BURNET - But just getting back to the heritage element.

Mr NYE - Oh, sorry.

Ms BURNET - No, that's fine.

Mr NYE - The heritage point was brought out consistently and they just fell back on saying, 'Well, it's not a heritage block of land; heritage doesn't matter'. That was their argument through and through and through, and I think the Goudsouzians will have a lot to tell you about that. That's their area of expertise. But essentially, the fact it's surrounded by heritage - Shene Stables, *Brooksby*, Bec and Ross's beautiful little cottage, *Havilah*. 'Oh, well that doesn't matter because that piece of land is not categorised as heritage. We'll ignore the fact it's surrounded by heritage and ignore it'. As I said before, ticking little boxes one at a time, ignoring the holistic overview, is exactly how they've pushed this through. Again, that's what your Act, which I tried to refer back to before, is supposed to do, put that holistic overarch to stop things being reduced by little boxes and crazy things happening.

The other point that did slip my mind, and I have sworn an oath - I don't know it for an absolute fact, but my understanding is certainly if you want to do a development, you're meant to have access approved. Well, they need the Rifle Range expansion access approval and they haven't got it, so how can they be proceeding with the whole thing when they haven't actually got the legal access they require? So, I'll leave that with you, but that's - yeah.

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CHAIR - Sounds like it's been an ongoing and difficult process for you.

Mr NYE - Yeah. It's sort of like, do we want to stay? But now, if we go, we've lost - supposedly *Marlbrook* up the road had a signed contract for sale, and the bank pulled finance because they learned about the project. That tells you what it's going to do to real estate value. I'm in a fifth-generational home.

CHAIR - I was going to say, from your submission, your family has been there for a long time.

Mr NYE - Yes. I'm five, six generations. We don't really want to go. We don't really want to stay now either. It's a real pain.

CHAIR - Not something you would have expected ever to happen.

Mr NYE - No, not something I expected to change.

CHAIR - Okay. Any more comments that you think that we need to know?

Mr NYE - I have stolen enough of your time. Thank you.

CHAIR - Alright, well, before you leave the table, I'd like to reiterate the statement I made earlier about committee proceedings. As advised, what you have said to us here today is protected by parliamentary privilege. Once you leave the table, you will need to be aware that privilege does not attach to comments you may make to anyone, including the media. Even if you are just repeating what you said to us. Do you understand that?

WITNESSES – Yes.

CHAIR - Thank you very much for attending and giving evidence. We appreciate it.

Mr NYE - There was one other point. Just a really minor one, but right at the beginning: 'Really, we know our stuff, we've studied it. It's a great site, right next to Jordan River'. It's next to Bagdad Rivulet. Do they really know what they're doing?

CHAIR - Thank you.

The witnesses withdrew.

Department for Education, Children and Young People

CHAIR - I'd like to call the witnesses from the Department back to the table to give further evidence.

Thank you very much for returning to the table to answer some more questions from our Committee. I suppose the first question that I have, in relation to the additional information provided to us from other submissions, was around the odour assessment - has there been an odour assessment conducted? Who was it conducted by, when was it conducted, and what was the outcome of that odour assessment of the site in relation to the cannabis plantation?

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Mr WHITCOMBE - This matter is going through an appeals process, and we're limited in what we can say in relation to it, and everything that we can say we have said previously to the Committee in relation to the odour assessment. I want to check -

CHAIR - We don't want to compromise any legal proceedings as well.

Mr WHITCOMBE - From a planning perspective, we weren't required to provide one.

CHAIR - Am I allowed to ask if one was conducted, or is that going to prejudice potential proceedings?

Mr WHITCOMBE - I would like not to comment further on that.

CHAIR - Okay. Alright.

Ms RATTRAY - Well, you heard the discussion in regard to a neighbouring property's trees, and I'm interested in getting another full understanding of the application to the Brighton Council around the potential roadworks and the potential impact on what has been seen as a buffer. Now, I understand it's on the road reserve, but I'm just interested in what you've done so far in regard to that matter.

Mr WHITCOMBE - Sure. So, I can confirm there's no plans to impact on those trees that were referred to in the previous session. I will pass, in terms of that planning that you're speaking to, to Bryce to speak to that.

Mr TAPLIN - We've been working through the design of the upgrades to Rifle Range Road with Brighton Council. We did an extensive survey through that area to understand the constraints of that intersection.

Ms RATTRAY - Hence the pink ribbons?

Mr TAPLIN - Yes, hence all the markers and the survey markers that would be out on site. In working through that with Brighton Council, in looking at our own traffic engineering that was done to support that work, we have developed a design, which we will be putting forward to Brighton councillors as foreshadowed for the upgrade of that intersection, but it won't require additional lanes and it doesn't require any acquisitions or cutting down of those trees along Brighton Road. We are widening Rifle Range Road itself, and we will be sealing it, and we will be putting proper stormwater in. As I mentioned earlier, as part of the early works, we will be bringing some utility services down that corridor as well, as part of that work. But the intersection will remain functionally, in terms of its current layout, there's no plans for, from our perspective, for a roundabout or additional lanes or those types of things.

CHAIR - It's my understanding that the funding for that road upgrade to Rifle Range is not funded out of this project, is that correct? Because it's not finalised?

Mr TAPLIN - No, it is funded from this project.

CHAIR - It is? And is the plantation - is that the largest marijuana facility in the country? Is that an accurate statement? I'm not prejudicing whether I think that's okay or negative or

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positive, but that was a statement that was made previously. So, for the record, I think that would be quite interesting to know.

Mr TAPLIN - I wouldn't be able to factually answer that. I don't believe it is, but we can certainly find out to correct that, if that's desired.

CHAIR - Thank you. That would be good.

Mr WHITCOMBE - Sorry - but the largest by area? The largest by volume? How would you wish to ascertain 'the largest'?

CHAIR - That's a good question, I suppose. It would have to probably be -

Ms RATTRAY - Perhaps ask the facility owners.

Mr WHITCOMBE - Highest amount of production?

CHAIR - Yes. I'm not sure of how much they produce, but whether it would be the overall scope. So I suppose if you could just find out maybe on both, that would be really helpful. We can explore the statement that was made by the witness. That would be helpful.

Mr SHELTON - It would have to be largest by production, given the issue that we're dealing with and the burning of straw -

CHAIR - Size and scope.

Mr SHELTON - Then the larger it is, the more straw is burnt. If it's not larger, then less straw is burnt.

Ms BURNET - It's probably really big anyway.

CHAIR - Yes, it was an interesting statement.

Ms BURNET - Regardless of the development application process, I'm just curious to know whether there has been any sort of aroma assessment done? Because I would've thought that it was outside the development application process. Have you done any assessment?

Mr WHITCOMBE - I understand that that was the question that we were being asked before, and we were declining to provide further comment on that.

Ms BURNET - Right. Okay.

CHAIR - I think because of the TASCAT proceedings, it could impede that, potentially.

Ms BURNET - I see. That's interesting. Thank you.

Ms RATTRAY - I'm just interested - I mean, you witnessed a very heartfelt presentation, just before you came back to the table, from a young person about their concerns about living next door to a facility of this nature, regardless of whether it's home-like or not, so do you want

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to make a comment around that? I think we can't ignore that presentation and just dismiss it as some young person's concern. It's really important.

Mr WHITCOMBE - I agree and I would say, in terms of her presentation, it was articulate, in terms of all of the presentations of the community members, it was really helpful for us to hear them and we have been reaching out and providing opportunities to engage with us directly in relation to the establishment of the facility. These places working well actually rely on good relationships with the neighbours and with the people around it. Actually, I've seen over time when we've established facilities like this, and I have been through processes like this before, that great reciprocal relationships and ways of working together with the staff, with the young people, can be fostered. These kids that we're talking about, yes, they have done some really, really awful things at different times and they are still young people and humans. The first time that I went into a facility like this was when I was an 18-year-old playing basketball and I would want to extend that invitation to be able to work in an ongoing way with the community and that includes the young woman who spoke.

Ms RATTRAY - And the potential devaluation of property prices in the area, is that something that you addressed your mind to at the time of this proposal?

Mr WHITCOMBE - My understanding, and I can defer to my colleagues as well, is that when we look at the establishment of facilities like this, is that they haven't had adverse impacts on property prices and other areas, so we have turned our mind to that and tried to understand what that looks like in other areas. It is hard to find the right place for these types of facilities, and this is an option that we have that in many regards provides a pathway forward for a facility that will have the right kind of care, that will have access to the right kind of staff.

Ms RATTRAY - There was a huge push back on the eastern shore, wasn't there, when there was a proposal when they were looking at smaller facilities around the state? That proposal didn't last very long at all in the community.

Mr WHITCOMBE - One of the important things is that these facilities are not isolated, that they're not out in the middle of nowhere and they don't become viable when they are. I haven't also heard of a facility that there hasn't been pushed back and concerns, and it's not minimising or making those concerns not legitimate - they are and we need to think about them. We need to plan for them, and we need to work together and that's what we want to be able to do in the approach to how we establish this facility.

CHAIR - I think the community has popularly shown a genuine dissatisfaction with the proposed site or proposed project. They've largely attended a lot of meetings. They've done a petition, they're taking action, which I probably shouldn't talk about and legal proceedings because they are so concerned about that. Has any of their objection to any of these project's progress made any difference at all? Has anything been listened to or were they just told this is what's going to happen and this is this is how it is because that's not consultation, that's just delivering a message? Has there been any consideration of the community's concern? This is, for us as a Public Works Committee, a lot of submissions with community members - and it's not a large community as well, it's a small area. Has that potentially made the decision makers from your Department think, 'Well, maybe this isn't a good fit. It's right next door to a marijuana plantation; it's near a rifle range. The community are really unhappy about it. I haven't heard any advocates for it'. Has that swayed at all the decision that's been made? It sounded like it was a close decision from the Southern Midlands Council as well. Has that - and the delay

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because of TASCAT, has that made the Department consider whether this was a good option? Was there a potential to go back to the initial having small places in different parts around the state as an option? Can you talk us through whether or not the community's concerns and the negative parts of this project have given you reason to pause?

Mr WHITCOMBE - The decision for this site was made in September 2024, as I understand it, and as we have talked about, went through a longlist process and a shortlist process to determine where it was best sited. This was the decision that was made by government and we are in the role of implementing, to the very best of our abilities, a safe and therapeutic model of care and facility at this site -

CHAIR - Which we need.

Mr WHITCOMBE - which we absolutely need. Now, that's not to say we don't have opportunities to listen and to engage and to work alongside, and so I will defer to my colleagues in terms of some of the design considerations for the area that we've been thinking about, in terms of materials, and potentially to put to right any sort of misunderstandings about the design, but absolutely we're here to listen. We've also been talking with wider stakeholders, with the Aboriginal community, there's been some rich feedback that we've had from them, but I will pause and pass to the others in terms of how that feedback is useful. I do have to say: we are here to move forward and implement at a point in time where a decision has been made.

Mr TAPLIN - This is following on from a bit of a discussion that we had when we were at the table earlier, but to reiterate what Peter was saying: we've absolutely been listening to the feedback that's been given. We are balancing a range of factors in terms of the development of the design, the development of this facility. We have security to consider; we have the local neighbours and their issues that they've raised with us. We need to adopt all of those in the design as we bring the design together. Where we have listened to those and where we have been able to take on board some of that feedback, we talked a little bit about that before, and I think Sarah also covered off on some of those factors that we've been able to bring into the design.

One other one that we didn't talk about earlier, just to raise it as an example, I guess, when we were in the master-planning phase we had identified, that there was a potential for an Aboriginal heritage walk on site to try and tie in with, and it was a suggestion through some engagement with some ACCOs that we did on the site and the facility earlier on before the master-planning, to try and build that connection and engagement, and that's driven the location of the cultural building on site and the cultural garden.

There were some concerns raised around that in terms of it was very close to a number of those properties that back on to the facility. So, we took that feedback on board, and we've moved away from having that heritage walk due to those, I guess, safety and security-type concerns. We'd still really like, from an operational perspective, for those types of activities to occur in the future; but to understand that that was going to cause some potential issues, it was an item that we were able to adopt into the design and make a meaningful change. I don't know, Sarah, whether you have anything else to add from what you've said before?

Ms PADDICK - What I'm hearing and what I've heard today, as an architect, the responses that I can give to say what we've done, I know that's not going to give the people who've spoken today any solace at all. Yet I would like to say that I believe, as designers, we've

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tried to do everything we possibly can to create a facility that is not intrusive to the landscape, or as least intrusive to the environment of Pontville. I could list off the types of things we've done, and I know Bec would completely understand, being an architect herself, but I know that that's not going to give these people any solace. I find it very difficult because it makes it sound trite, what we've tried to do, so -

Mr SHELTON - On the planning side of it - and many of us have served on local government, and I had 11 years as a planning authority - the issue around the Southern Midlands Council approving it, but you still need to go to Brighton Council for the road and access. Mr Nye mentioned how could it happen. I presume that access to this whole block of ground happens off rifle road, whatever it's called -

Ms BURNET - Rifle Range Road.

CHAIR - Rifle Range Road.

Mr SHELTON - and what you're applying for is a change of access; would that be right? I mean the road we went into this morning is a different road where you said the access would come in.

Mr TAPLIN - The component that we need to seek approval from Brighton Council for, as part of the development application, is actually just for the upgrade of the road itself. That's work that Brighton Council have requested us to do because we're proposing the development, and that we've made a commitment to undertake. The change of the crossing, which is the component that you're talking about being slightly down the road, that wouldn't be subject to that development approval process.

Mr SHELTON - Historically, there has been an access to -

Mr TAPLIN - Correct. Off Rifle Range Road; off that property.

Mr SHELTON - Right.

Mr TAPLIN - It is a particular complexity of this site, having the two councils next to each other; but we have done quite a bit of work to work - well, obviously we've worked through that with Southern Midlands in terms of the proposal that we put forward to them and was considered and is subject to the appeal. We've done a similar piece of work with Brighton Council in terms of developing the design and understanding the requirements in terms of approvals on all those types of things. That will result in us making the application for the upgrade of Rifle Range Road as part of the normal development approval process, but it won't include the crossing component, as we discussed.

CHAIR - Okay. Any further questions? We have some more evidence to be provided to the Committee, so if you can leave the table for five minutes and we can then finalise. Thank you.

The witnesses withdrew.

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Robert Goudsouzian & Kerrie Goudsouzian

CHAIR - The next witnesses are Robert and Kerrie Goudsouzian. Could you please introduce yourself and then make the statutory declaration.

Mr ROBERT GOUDSOUZIAN AND Ms KERRIE ANNE GOUDSOUZIAN WERE CALLED, TOOK THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR - We are really short of time, but I'm going to read you this -

Ms GOUDSOUZIAN - Thank you so much for indulging us.

CHAIR - I will just read through this first. Thank you for appearing before the Committee. The Committee is pleased to hear your evidence today. Just before you begin giving your evidence, I'd like to inform you of some important aspects of committee proceedings. A committee hearing is a proceeding in parliament; this means it receives the protection of parliamentary privilege. This is an important protection that allows individuals giving evidence to a parliamentary committee to speak with complete freedom without the fear of being sued or questioned in any court or place out of parliament. It applies to ensure that parliament receives the very best information when conducting its inquiries. It is important to be aware that this protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the confines of the parliamentary proceedings. This is a public hearing. Members of the public and journalists may be present and this means your evidence may be reported. Do you understand?

WITNESSES - Yes.

CHAIR - Would you like to make an opening statement? We have about five minutes.

Ms GOUDSOUZIAN - Thank you. My name is Kerrie Anne Goudsouzian. As I've said before, my husband and I live at Wybra Hall at Mangalore, which as you may or may not know, was the original detention centre. We have been lobbying not against Ashley being closed; we firmly believe that Ashley needs to be updated and brought into the current times with an appropriate model of care as well, which we feel is what's failing in this situation: not so much the building, but the model of care. We still have people coming up that were at Wybra and they're either two types: career criminals or totally broken, mostly totally broken.

The reason we have been lobbying against not the idea of a new facility, but the site - the site is not fit-for-purpose for very good reasons: trauma to the children. Robert Benjamin said, 'Think of the children'. That's what we're trying to do, and nobody is listening to us. We have been lobbying against this for three years. We've had Roger Jaensch and Jane Howlett in our own dining room three years ago.

Mr GOUDSOUZIAN - With 20 people.

Ms GOUDSOUZIAN - In 2023 with 20 people. I have the list of names. It's a signed document. It's a legal document of who was at the meeting, signed. Basically, to summarise, because I know we're short of time, we brought up every one of these problems then: back then. Roger Jaensch, in front of everybody, basically said, 'Everything you're saying is right, but

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we're going to do it anyway'. That is fact and that can be backed up by multiple people. Very unfortunate.

CHAIR - That was three years ago?

Ms GOUDSOUZIAN - Yes.

Mr GOUDSOUZIAN - When he was the Minister.

Ms GOUDSOUZIAN - This is, unfortunately - Robert and I have been actively lobbying, to a point it's destroying my health. Two weeks ago, I had a mini stroke because of this, because of the stress, because of what we're going through.

Mr GOUDSOUZIAN - Can I continue: Roger Jaensch at the time was the Minister and he described himself as the architect and the engineer of the whole thing, and the mess he's left behind is what we're left with today. He admitted to us that the main priority of his decision was that it had to be a block of land owned by the Government. There was nothing - that was his main priority. That's what he said in front of 20 witnesses. He admitted that it wasn't fit-for-purpose. He agreed that it wasn't fit-for-purpose, that it was the wrong thing to do. He admitted and he agreed that it would do harm to the kids to do it. He just turned around to me and said, 'We're going to do it anyway and you can't do anything about it'. That's what he said.

When you look at the cannabis facility - and I have to correct some of the guys, and these guys are fairly learned and fairly good: at the cannabis facility, the fumes do not come from the incineration. That's got nothing to do with it. The incineration puts out a bit of smoke. The fumes come from the outdoor crop. It's the blooming and the harvesting of the crop, which happens for weeks at a time, all through the year. It's an outdoor crop. The incineration has got nothing to do with it. You can mulch it, you can do anything; that's completely separate. The fumes come from the crop, from the blooming and the harvesting and the processing of the crop.

These guys have said, and their argument is that if the marijuana facility is more than 100 metres away from our boundary, we don't have to care. That is the end of their argument. They have not done any tests; they have not done anything. They say no action is required because the cannabis facility is more than 100 metres away. That's it. They've just drawn a line and said that's it, nothing. The cannabis fumes - we live 2.5 kilometres away - we can't be outdoors when the cannabis fumes come over, which is for weeks at a time. That's the cannabis facility thing. I wouldn't say they've lied. I would just say that they've used a phrase, saying it's 100 metres away, we don't have to care.

With the gun clubs, they did an audio test. They did the audio test during winter over six days. It rained on five of the six days they did the test. The wind was up to 80 kilometres an hour during that time: nobody was shooting. There are certain days at the gun clubs when you have rallies, competitions, all sorts. They have the training days for TAFE - the TAFE training for gun licences is done there. You have 20 people at a time shooting. Do you know how much noise that makes? When you have a rally or a competition, 20 people at a time shooting high-powered weapons. They managed to take the test when nobody was shooting. They're not silly and then they say they looked at three different criteria, Queensland, New South Wales and Victoria. They had minimum results and they used the criteria of what is acceptable for a residential development, what is acceptable for a subdivision or building a set of townhouses,

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so it failed the Victorian guidelines for building a set of townhouses or a subdivision. It failed in New South Wales list, but it just managed to pass the Queensland rules of what was allowed, so they said, 'The Queensland rules said it's alright so we can do it'.

They quoted the Queensland rules saying the noise is just in the upper band for what's acceptable in Queensland. But this is not for a jail or for kids that have trauma and everything else wrong, self-harm. This is the criteria for a subdivision for a set of townhouses that they're using as their baseline of what's allowable. They don't care about the fact that you have kids that have trauma. You understand all that? That's all fairly easy. What happens, \$150 million project that's going to go for 35 years. That's the life of it. One kid puts his hand up and says, 'The gun noise is affecting my health and wellbeing'. The advocacy groups take him to the judge. The judge says, 'His health and wellbeing's being affected, he can't stay there'. Where's he going to go?

The next kid comes up and says, 'The marijuana fumes, I'm an addict. I'm trying to be reformed. I'm supposed to be here to be rehabilitated. I'm smelling marijuana fumes every day. It's driving me crazy'. It goes before the judge. What's the judge say? 'His health and wellbeing is put at risk'. They're going to say, 'The Government knew that there was a risk there. They did this knowingly'. You've ticked this box knowingly saying, 'Yes, go ahead'. You knew. You have evidence from so many people saying this is going to harm the kids. The judge is going to say, 'You can't stay there, he's got to be somewhere else'. The next kid puts his hand up. The next kid puts his hand up. You have a \$150 million project, but all these kids aren't silly, and they have advocacy groups on their behalf, lawyers. They're already talking about this. You're going to build a facility that's possibly going to be empty in a couple of years' time.

Ms GOUDSOUZIAN - Not only that, you're looking down the track, we're in the box seat, we can tell you. You are looking at litigation and compensation on a massive level. Look what happened at Wybra -

Mr GOUDSOUZIAN - Look what happened at Ashley, but the fact is if it goes to a class action in five years' time, but you put these kids at risk, the lawyers are going to say, 'You knew that there was a risk, you knew that you were going to do harm to these kids'. The Government did this knowingly and put the kids at risk.

Ms GOUDSOUZIAN - To summarise, I think, as we said, we're not against the new facility. It looks beautiful, it's beautifully designed, it's lovely. It's just in the wrong spot. The block of land is not suitable. Who in their right mind would put a youth detention centre between a gun club, a marijuana farm, in between two significant heritage precincts? Now, we've been told that heritage doesn't matter. What's Tasmania's tourism based on? A lot of it's based on heritage. You would have two very significant -

CHAIR - I will have to direct you to give a closing statement because we will have to wind up.

Mr GOUDSOUZIAN - You wouldn't put an adult jail next to a gun club with the six shooting ranges - two-gun clubs and six shooting ranges. You wouldn't put an adult jail next to six shooting ranges within 100 metres, and I think it's 120 metres difference between the marijuana facility and the jail between boundary to boundary. You would not put an adult jail there. Why would you put a kids' jail there?

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CHAIR - Thank you very much. Just before you leave the table.

Mr GOUDSOUZIAN - Sorry to be forceful.

CHAIR - No, before you leave the table as I advised - oh, sorry, does anybody have any questions they'd like to ask? I think they were very comprehensive statements. As I advised you at the commencement of your evidence, what you have said to us here today is protected by parliamentary privilege. Once you leave the table you need to be aware that privilege does not attach to comments you may make to anyone, including the media, even if you are just repeating what you have said to us. Do understand that?

Witnesses - Yes.

CHAIR - Thank you.

The witnesses withdrew.

Department for Education, Children and Young People

CHAIR - I might ask the department to return to the table.

Did you have any questions based on that further evidence? I think it was evidence that we had previously. Any further questions based on that evidence? I have certain questions based on the provisions of the *Public Works Committee Act 1914* for you to answer. You can just answer yes or no, and if you can, we can do it all together. Does the proposed works meet an identified need or needs or solve a recognised problem?

WITNESSES - Yes.

CHAIR - Are the proposed works the best solution to meet identified needs or solve a recognised problem within the allocated budget?

WITNESSES - Yes.

CHAIR - Are the proposed works fit for purpose?

WITNESSES - Yes.

CHAIR - Do the proposed works provide value for money?

WITNESSES - Yes.

CHAIR - Are the proposed works a good use of public funds?

WITNESSES - Yes.

CHAIR - As I advised you at the commencement of your evidence, what you have said to us here today is protected by parliamentary privilege. Once you leave the table, you need to

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be aware that privilege does not attach to comments you may make to anyone, including the media, even if you are just repeating what you said to us. Do you understand that?

WITNESSES - Yes.

CHAIR - Thank you very much for coming today. Our Committee will now move to deliberation. Thank you.

The witnesses withdrew.

The Committee adjourned at 6.07 p.m.