

(StateGrowth)

From: Brendan Pitt <campaigns@good.do>
Sent: Friday, 4 August 2017 11:25 PM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

I am opposed to legislation to acquire land to build a cable car up Mt Wellington for the following reasons. - A cable car up Mt Wellington would permanently damage an ancient landscape and Aboriginal heritage site. The aesthetics of beautiful Mt Wellington on and around the Organ Pipes would be permanently damaged, adversely affecting the experiences of hundreds of thousands of recreationalists, including walkers, climbers, mountain-bikers and motorists. -The metal, glass and concrete of a cable car, its terminus and its pylons will intrude upon the magnificent views of Mt Wellington that are enjoyed by tens of thousands of people from many different aspects. -The Bill exempts the cable car project from the landowner consent requirements for public land and allows the State Government to acquire public land for private development. If passed, this Bill would set a dangerous precedent – giving the green light for further land grabs of public land for the sole benefit of private developers.

Yours sincerely, Brendan Pitt

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Please reply to Brendan Pitt at [REDACTED]

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[REDACTED] (StateGrowth)

From: [REDACTED]
Sent: Friday, 4 August 2017 11:33 PM
To: Consultation (StateGrowth)
Subject: Jayne Smyth supports the Mt Wellington Cable Car project

RE: Draft Legislation,

**I fully support the cable car project.
Tasmania needs this project to go ahead.
The mountain is for everyone to enjoy, locals and tourists
alike.**

**Alternative access is needed to the mountain top and this
would be fantastic.**

**You can clearly see the road cutting, towers &
the lookout from the eastern shore - so why not a cable
car (which i doubt you will see from the eastern shore
amyway).**

Jayne Smyth

Jayne Smyth

[REDACTED]

(StateGrowth)

From: Chie Kakuya <campaigns@good.do>
Sent: Friday, 4 August 2017 11:38 PM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

A cable car up Mt Wellington would permanently damage an ancient landscape and Aboriginal heritage site. The aesthetics of beautiful Mt Wellington on and around the Organ Pipes would be permanently damaged, adversely affecting the experiences of hundreds of thousands of recreationalists, including walkers, climbers, mountain-bikers and motorists. Please protect beautiful Hobart.

Yours sincerely, Chie Kakuya [REDACTED]

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Please reply to Chie Kakuya at [REDACTED]

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(StateGrowth)

From: Britta Hartmann <campaigns@good.do>
Sent: Friday, 4 August 2017 11:52 PM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

I do not, in any way, support the building of a cable car on Mount Wellington/kunanyi. The cable car project would permanently destroy the mountain landscape, and would degrade the site for everyone. The mountain holds significant cultural, emotional, and symbolic value to many people – it is an icon of Hobart, and seeing it degraded and abused in this manner would be heart-breaking. Please reconsider this disgraceful vandalism of our cherished mountain: a cable car is not necessary or desirable. The project would cause permanent, large-scale, irreversible damage to the city's most important environmental and cultural icon – it is not worth it.

Yours sincerely, Britta Hartmann

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Please reply to Britta Hartmann at [REDACTED]

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[REDACTED] (StateGrowth)

From: Britta Hartmann [REDACTED]
Sent: Friday, 4 August 2017 11:56 PM
To: Consultation (StateGrowth)
Subject: Public Comment: Draft Legislation

To whom it may concern,

I do not support the "Draft legislation to facilitate access to public land within kunanyi/Mt Wellington Park for the purposes of a cable car project".

I do not, in any way, support the building of a cable car on Mount Wellington/kunanyi. The cable car project would permanently destroy the mountain landscape, and would degrade the site for everyone. The mountain holds significant cultural, emotional, and symbolic value to many people - it is an icon of Hobart, and seeing it degraded and abused in this manner would be heart-breaking. Please reconsider this disgraceful vandalism of our cherished mountain: a cable car is not necessary or desirable. The project would cause permanent, large-scale, irreversible damage to the city's most important environmental and cultural icon - it is not worth it.

Yours sincerely,
Britta Hartmann

[REDACTED]

(StateGrowth)

From: Ana Catarino <campaigns@good.do>
Sent: Saturday, 5 August 2017 12:21 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Please draft a short submission here. There are some suggestions of points you could make in the email tips above.

I came to Tasmania for its natural beauty & older architecture as well as the not too tourist look about this area. I do NOT agree with the Cable Cars up the mountain it would take away from the natural beauty of Hobart & it is like for its difference to other cities for the way that the city has maintained the older ways about it. Allowing Cable Cars would destroy the look of the area. Tasmania enjoys sufficient tourist without the extra heaviness of a 'modern look' Please do not destroy it.

Yours sincerely, Ana Catarino [REDACTED]

_____ This email was sent by Ana Catarino via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Ana provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Ana Catarino at [REDACTED]

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From: Bronwen Puleston-Jones <campaigns@good.do>
Sent: Saturday, 5 August 2017 12:21 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Attention: Anne Beach

Dear Anne

I am writing to object to the draft Mount Wellington Cable Car Facilitation Bill 2017.

Due process has not been observed and there has been favour shown to a private commercial entity contravening the Land Acquisition Act.

Given the relationship of the Cable Car proponent with Minister Groom, conflict of interest is a very real concern.

The Pinnacle Specific Area development zone was increased by request of the Proponent despite public opposition being the majority of submitted representations in response.

The Cable Car will not be public infrastructure. There are no public financial details illustrating the ability of the MWCC to back their project nor it's commercial viability.

Taxpayers of Tasmania are at considerable risk of being left to pay for what is widely considered a White Elephant.

The natural values of the Mountain will be forever lost. The impact of the cable car infrastructure is more than simply physical.

Wilderness at the edge of a capital city is a unique treasure worth preserving for the local community and visitors.

It will be another example illustrating the lack of respect towards the Tasmanian Aboriginal Community's sacred and spiritual places.

This Bill is of no benefit to Tasmania.

Yours sincerely, Bronwen Puleston-Jones [REDACTED]

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Please reply to Bronwen Puleston-Jones at [REDACTED]

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[REDACTED] (StateGrowth)

From: Raquel Miller <campaigns@good.do>
Sent: Saturday, 5 August 2017 12:23 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Please draft a short submission here. There are some suggestions of points you could make in the email tips above. please protect our mountain kunyanis natural environment.

_____ This email was sent by Raquel Miller via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Raquel provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Raquel Miller at [REDACTED]

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[REDACTED] (StateGrowth)

From: Roby Silk <campaigns@good.do>
Sent: Saturday, 5 August 2017 1:24 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Providing less than three weeks for public comments does not suggest a genuine desire for public consultation. A cable car up Mt Wellington would permanently damage an ancient landscape and Aboriginal heritage site. The aesthetics of beautiful Mt Wellington on and around the Organ Pipes would be permanently damaged, adversely affecting the experiences of hundreds of thousands of recreationalists, including walkers, climbers, mountain-bikers and motorists. The metal, glass and concrete of a cable car, its terminus and its pylons will intrude upon the magnificent views of Mt Wellington that are enjoyed by tens of thousands of people from many different aspects. The Bill exempts the cable car project from the landowner consent requirements for public land and allows the State Government to acquire public land for private development. If passed, this Bill would set a dangerous precedent – giving the green light for further land grabs of public land for the sole benefit of private developers. Currently, permission from landowners would be required before the cable car proponent could enter land to undertake any work required to prepare a development application (e.g. surveying work, biodiversity studies, Aboriginal heritage assessments, traffic surveys). Under the Bill, the Minister can grant an authority to enter land, subject to any terms or conditions. As drafted, this power is not limited to land within Wellington Park owned by Hobart City Council and could potentially be used to authorise entry onto private land to carry out preliminary assessments. Land acquired under the Bill will become Crown land and remain as part of Wellington Park. However, Section 7G of the Land Acquisition Act 1993 requires parliamentary approval for acquired land to be used for any purpose other than the proposed infrastructure. So, unless specifically provided for in the acquisition order, this could prevent land acquired for the cable car from being used for public recreation.

Yours sincerely, Roby Silk [REDACTED]

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Please reply to Roby Silk at [REDACTED]

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(StateGrowth)

From: Kylie Jones <campaigns@good.do>
Sent: Saturday, 5 August 2017 7:01 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

I am very concerned at the proposed land acquisition and the speed at which public comment has been requested.

Our natural and cultural areas need to be preserved, not made available for commercial activities, and should be respectful of landowners.

As a photographer, it is concerning to see the proposal for another natural area to be spoiled with a cable car, ruining the natural view.

I am opposed to the proposed change.

Yours sincerely, Kylie Jones [REDACTED]

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Please reply to Kylie Jones at [REDACTED]

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[REDACTED] (StateGrowth)

From: Lucy Gouldthorpe <campaigns@good.do>
Sent: Saturday, 5 August 2017 7:38 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Please reconsider this bill. I believe the mountain is a precious asset to us all and for future generations left as it is in its natural state. Building a cable car up it would not only permanently damage flora and fauna on the mountain but it would forever leave an erasable scar. I feel strongly that if our generation does this, it will always be regretted. Are you not always struck by the constant, changing, magnificent views? I don't understand why this isn't enough? It is already able to be accessed by many recreationalists without permanent damage. Can we not seek more sustainable and clever solutions I this day and age? Can we not accept what we currently have is a great asset in its natural state and trust that future generations will also do the same?

Yours sincerely, Lucy Gouldthorpe

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Please reply to Lucy Gouldthorpe at [REDACTED]

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[REDACTED] (StateGrowth)

From: anita and patrick Oakley <campaigns@good.do>
Sent: Saturday, 5 August 2017 8:04 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Please consider the visual impact a cable car will have on Hobart's iconic mountain. Hobart's tourism visitors has increased due to innovative developments such as Mona as well as its pristine natural environment. The Cable car blifhts the view of Mt Wellington that tourists love so much.

Additionally as a resident of South Hobart, I am concerned that I negotiate many dangerous traffic situations from the Cascade Brewery already with large reversing trucks as well as increased traffic with large loads that go to the local tip. An increase in tourist traffic would affect residents traffic flow on Cascade Road and Macquarie Street which already gets congested, especially where it meets the traffic coming off the Southern Outlet, as well as those turning from Cascade Road towards the tip.

We have chosen to buy in this area due to its pristine views of Mount Wellington and relatively manageable traffic. It would be extremely concerning if the cable car proposal did not consider impact on local residents, as well as on tourists seeking the pure and innovative Tasmania they were promised.

Yours sincerely, anita and patrick Oakley [REDACTED]

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Please reply to anita and patrick Oakley at [REDACTED]

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[REDACTED] (StateGrowth)

From: Jade Grice [REDACTED]
Sent: Saturday, 5 August 2017 8:06 AM
To: Consultation (StateGrowth)
Subject: My Wellington Cable Car

I support the legislation because I support the Mount Wellington Cableway Company's well thought out eco-tourism proposal.

It's time to reduce the traffic on pinnacle road.

Regards,

Jade Grice
[REDACTED]

(StateGrowth)

From: Daniela Brozek <campaigns@good.do>
Sent: Saturday, 5 August 2017 8:07 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Dear Minister, You will know well enough all the legal and rational reasons why a Cable Car up The Mountain, Mt Wellington, should not be approved. I will tell you the other reasons, the reasons that come from the heart and the eyes, for it is these, which we must live with day in, day out, which influence whether our experience of living in Hobart is a positive, happy and optimistic one, in which we make efforts to make Hobart even better; or a negative one, in which we give up and just get by, but without real accomplishment or joy. As a lover of Hobart and a photographer, the thought of a cable car up The Mountain being approved fills me with despair. Our skies are full of cables, wherever one looks. At my parent's place, deep on the countryside, their view of the what should be the most sublime of sunrises, across two bays and the Neck, is cruelly defaced by hydro lines that mar every photo. I photograph Hobart, the humble streets extensively, because I find them beautiful, but I am forever touching up or trying to avoid wires in the sky. And I also photograph the beautiful Mountain, how it stretches its arms around the city, how it rises proudly above it, how cloud drifts lightly across the organ pipes in the dawn, and sometimes even a mountain almost devoid of the traces of settlement. In these photos you can look back and imagine the other beautiful landscape that was here, and in seeing that, you can begin to imagine how a more sensitive city might be formed. We still have a long way to go to achieve that design, but let us not have to go back and undo another wrong that was done – to take down and revegetate a cable car route. A cable car will mar The Mountain intolerably. For sure it will get a few who have not yet learned to see the landscape sensitively, their objective. Inadequately dressed, they will ride up the mountain and spend maybe all of 5 minutes freezing, grabbing selfies, and barely seeing beyond their own faces. A handful, better prepared, might toss snowballs or make snowmen, on the few occasions it's snowy, and the health and safety rules allow access, but is that worth the permanent disfiguration of The Mountain? By all means get people up there, but not by cable car. Let it be by something like the Skitube, not a cheap, vulgar developer's profit-driven grab. There are too many of them already in Tasmania. Developers who want to develop on public land rather than buying up and properly treating their own land. It's time for a change of strategy. Don't just give lip service to 'Tasmania is a destination of quality', make it truly a destination of quality, where development must improve

the visual and environmental quality of this potentially beautiful island state.

Yours sincerely, Daniela Brozek

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Please reply to Daniela Brozek at

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(StateGrowth)

From: Jade Stephens <campaigns@good.do>
Sent: Saturday, 5 August 2017 8:11 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

My husband and I took a mini bus tour to the top last Christmas. It was fast, cheap and convenient. Definitely no need to ruin the look of the mountain for the sake of tourists.

Yours sincerely, Jade Stephens

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Please reply to Jade Stephens at [REDACTED]

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(StateGrowth)

From: Christine Nolan <campaigns@good.do>
Sent: Saturday, 5 August 2017 8:42 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

I object to any legislation that places ANY part of Mt Wellilngton into the hands of private individuals and that includes developers.

Any development projects should be done by the Government and then they can do a 5 year lease with strict operational guidelines to the best bidder.

Makes sense? I THINK SO!!!

Yours sincerely, Christine Nolan [REDACTED]

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Please reply to Christine Nolan at [REDACTED]

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(StateGrowth)

From: jude rosenberg <campaigns@good.do>
Sent: Saturday, 5 August 2017 8:46 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

i have lived in tasmania and hobart and continue to visit from the states. I cant think of a worse idea than to begin developing the magnificent and unique mountain environment that Mt Wellington offers to the people of Hobart, all of tasmania, and visitors from abroad. Leave the mountain natural.

Yours sincerely, jude rosenberg

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Please reply to jude rosenberg at [REDACTED]

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(StateGrowth)

From: Anastasia Rolfe <campaigns@good.do>
Sent: Saturday, 5 August 2017 8:51 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Three weeks is a ridiculously short time frame for Public consultation. A short consultative time frame is divisive and designed clearly to railroad public interest and benefit private pockets. The cable car will permanently damage the Organ Pipes and has takes in no consideration whatsoever for the Aboriginal cultural connection to country. The cable car will destroy the views we and so many tourists enjoy. The bill is corrupt and serves no-one but Private developers. The cable car is not financially sustainable. Coating the community their view and privacy, the traditional owners of this land their mountain effectively privatising what is now and should always be public space. This project will financially benefit very few people and continue to run at a loss. How many people will be employed by this project long term once all the money grabbers are gone. How many people does it take to run a cable car ? When there are already roads and paths to get there. If you have some

spare cash to throw around why not invest it in light rail infrastructure. Keeping cars off the road and the air clean. This project is DIRTY, corrupt and quite honestly this level of greed is cliched and boring.

Yours sincerely, Stasie Rolfe [REDACTED]

_____ This email was sent by Anastasia Rolfe via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Anastasia provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Anastasia Rolfe at [REDACTED].

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(StateGrowth)

From: Allison Mok <campaigns@good.do>
Sent: Saturday, 5 August 2017 8:57 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

I am a rock climber and hiker and visit the mountain regularly and am not keen for the cable car as it will disturb these activities and the peaceful environment up at Mt Wellington

_____ This email was sent by Allison Mok via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Allison provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Allison Mok at [REDACTED]

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(StateGrowth)

From: Sarah Tissot <campaigns@good.do>
Sent: Saturday, 5 August 2017 9:15 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

I am opposed to the development of a cable car to the top of mount Wellington for a number of reasons.

There are far more significant ways Tasmania needs to improve infrastructure that will benefit all the community not just tourists. Tourists come to Tasmania because it is special. We are in danger of compromising that by allowing JUNK development.

I feel the cable car will never be cost effective. The purchase of land, building the required structure and operational costs do not add up.

If people feel frustrated about winter access surely a snow bus is a more economical way to get people up to the snow.

I have recently been to Cape Town and did take the cable car to the top. It was very expensive, crowded and I felt that the mass of people up there did not really appreciate the environment. There was a cafe and toilets crowds of people, litter and destruction of habitat due to the humans.

What is to be gained by the cable car on our mountain?

I am suspicious of the motivation behind this project. I feel good sense must prevail.

Please end this discussion. Do not allow personal profit to overcome community benefit.

Yours sincerely, Sarah Tissot [REDACTED]

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Please reply to Sarah Tissot at [REDACTED]

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(StateGrowth)

From: Adrian Davies <campaigns@good.do>
Sent: Saturday, 5 August 2017 9:28 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

To Whom it may concern,

It is hard to believe that 3 weeks is considered a reasonable time frame for public consultation. This gives the impression that public opinion isn't even taken into account when the decisions being made directly effect the local and wider community. The installation of the a cable car on kunanyi/Mt Wellington is extremely insensitive to Aboriginal cultural heritage, local environment, aesthetics and the value of undeveloped public land for community use. The cable car and associated infrastructure will permanently damaged the organ pipes, when will we learn that natural beauty is not there for the development of private enterprise, these are things that can never be replaced and should be given the respect they deserve. If private enterprise is interested in investing in the community how about investing in light rail transport between Glenorchy and Kingston it would employ more people and would benefit the whole community not just one self serving entrepreneur. This draft would open up the public land to be developed without the appropriate consultation and studies to asses the true impacts of proposed developments. We are at the risk of destroying exactly what people come to Tasmania to enjoy, natural beauty.

Yours sincerely, Adrian Davies [REDACTED]

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Please reply to Adrian Davies at [REDACTED]

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(StateGrowth)

From: bill hughes <campaigns@good.do>
Sent: Saturday, 5 August 2017 9:31 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Please take it in your heart and mind to appreciate this natural beauty without seeing it as another way to make a quick buck. The close ties between the Minister and the proponent are worthy of investigation. The proposal smacks of cronyism. Leave a legacy of an unspoiled mountain rather than a hazardous scare.

Yours sincerely, bill hughes

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Please reply to bill hughes at [REDACTED]

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(StateGrowth)

From: Christine Larissey <campaigns@good.do>
Sent: Saturday, 5 August 2017 10:25 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Public land is owned by the public, the people of Tasmania. It is not owned by any tier of government or their associated representatives. Therefore, it is not theirs to grab & sell. HANDS OFF I say!!!

Yours sincerely, Christine Larissey

_____ This email was sent by Christine Larissey via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Christine provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Christine Larissey at [REDACTED]

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[REDACTED] (StateGrowth)

From: Julia Drouhin <campaigns@good.do>
Sent: Saturday, 5 August 2017 10:56 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Stop destroying the nature. The building and NOISE pollution will make human and animal and insect and plants mad. You don't need to built that, we can already go up there with a car or walking.

Yours sincerely, Dr Julia Drouhin [REDACTED]

_____ This email was sent by Julia Drouhin via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Julia provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Julia Drouhin at [REDACTED].

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(StateGrowth)

From: Patricia Bate <campaigns@good.do>
Sent: Saturday, 5 August 2017 10:57 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Dear Mr Groom Please do not permit a cable car route up Mt Wellington. I regularly vacation in Tasmania, sometimes on my private yacht and sometimes I travel by road. The reason I travel to Tasmania is to enjoy the sense of relatively untouched wilderness close to an eminently liveable capital city. From the windows of many hotels, and from the homes of my friends, I can see the bushy slopes of Mount Wellington and watch the clouds stream past the peak. I will not find the place nearly as attractive if I have to look at any more man made structures on that mountain. So Tasmania will not benefit from any more of my tourist dollars. In addition to my role as a tourist, I contribute actively to maintenance of the Mt Wellington slopes in almost untouched condition as a land owner. In partnership with two friends who are resident in Ferntree I own 100 acres on the mountainside; we have placed a conservation covenant on this land in order to help protect the mountain from development and unsightly urban sprawl. If the cable car venture is supported by your government I will do my best to influence my friends to protest, and not to vote for your party Yours sincerely, Patricia Bate

_____ This email was sent by Patricia Bate via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Patricia provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Patricia Bate at [REDACTED]

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[REDACTED] (StateGrowth)

From: Vincent Hanon <campaigns@good.do>
Sent: Saturday, 5 August 2017 11:14 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Yours sincerely, Vincent Hanon [REDACTED]

_____ This email was sent by Vincent Hanon via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Vincent provided an email address [REDACTED] which we included in the REPLY-TO field.

Please reply to Vincent Hanon at [REDACTED]

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(StateGrowth)

From: Ann Holt <campaigns@good.do>
Sent: Saturday, 5 August 2017 11:33 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Public land should not be given away for private enterprise. Long term lease may be the best option so that ongoing rental feeds back into the public purse and the lease revoked and structure removed at by the tenant at some point in the future if deemed unsustainable

Yours sincerely, Ann Holt

_____ This email was sent by Ann Holt via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Ann provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Ann Holt at [REDACTED]

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(StateGrowth)

From: Katy Thomas <campaigns@good.do>
Sent: Saturday, 5 August 2017 11:45 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

As a resident of hobart, I strongly feel that the aesthetic beauty of iconic kunanyi would be permanently and negatively impacted by a cable car. I am deeply concerned by the changes proposed and the precedents set by such changes.

Yours sincerely, Katy Thomas [REDACTED]

_____ This email was sent by Katy Thomas via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Katy provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Katy Thomas at [REDACTED]

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(StateGrowth)

From: Stephen Atkinson <campaigns@good.do>
Sent: Saturday, 5 August 2017 11:56 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Mount Wellington is a unique part of the character of Hobart. It is unacceptable for it to be degraded for the financial benefit of a private company.

The visual changes and impact on the summit would be offensive and destructive.

The proposed private cable car would not be patronised on windy, cloudy, snowing nor rainy days.

The company proposing the cable car appears a very dubious operation. Give their weak financial state it seems likely that they will demand financial or other unacceptable support from the local or state government, or will demand changes to their pipe dream proposal to make it financially possible.

My family have been walking Mt. Wellington since around 1860.

Yours sincerely, Stephen Atkinson [REDACTED]

_____ This email was sent by Stephen Atkinson via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Stephen provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Stephen Atkinson at [REDACTED]

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(StateGrowth)

From: Robin Hurburgh <campaigns@good.do>
Sent: Saturday, 5 August 2017 12:41 PM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

I grew up living at Fern Tree from 1950 until [REDACTED] 1967. So although I now live in Qld. My love for Hobart and Mt. Wellington in particular has not dimmed. If anything, experiencing other parts of Australia has served to make me realise just how special a place Mt. Wellington and its environs is – a cable cat will not enhance the mountain. It will spoil the beauty that now exists. Please reconsider! Go for a walk up the mountain and enjoy the beauty, silence and grandeur! Imagine the noise a cable car will make! Picture a cable car and the scars it will make.

Yours sincerely, Robin Hurburgh [REDACTED]

_____ This email was sent by Robin Hurburgh via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Robin provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Robin Hurburgh at [REDACTED]

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(StateGrowth)

From: Dirk Baltzly <campaigns@good.do>
Sent: Saturday, 5 August 2017 1:24 PM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

This is an absolutely terrible idea. Business people who are hoping for a handout look to state governments for ridiculous projects like this.

Melbourne's Grand Prix is a prime example. In Victoria, the tax-payers are on the hook for millions. In 2016 it costs \$96 million, but raised revenue of only \$35 million. The state kicked in \$61 million. The estimates of economic benefit to the state touted by the Andrews government are laughably high. But even they still show a net loss and the Government is left to blow empty hot air about 'international exposure'.

Unlike Melbourne, we won't have Albert Park ruined for just a few months. This is a permanent blight on our beautiful city. I insist that this handout to private developers be shut down once and for all. Hobart may need many things, but this is not one of them.

Yours sincerely, Dirk Baltzly [REDACTED]

_____ This email was sent by Dirk Baltzly via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Dirk provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Dirk Baltzly at [REDACTED]

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[REDACTED] (StateGrowth)

From: Liz Cameron <campaigns@good.do>
Sent: Saturday, 5 August 2017 3:45 PM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

I believe that the Tasmanian Government's proposed land grab of public land for a private company to run a cable car up kunanyi/Mount Wellington sets a dangerous precedent. The proposed Bill which exempts the cable car project from the landowner consent requirements for public land, allowing the State Government to acquire public land for private development, potentially threatens all public land. And to only provide less than three weeks for public comments is totally inadequate given the circumstances and suggests that public consultation is not genuinely desired. More transparency please. A similar attempted land grab of public land at the Gold Coast in Queensland by the Gold Coast City Council to benefit a private consortium was widely condemned by the people of Queensland and ruled out last week by the State Government. Public owned land is just that: land kept in perpetuity for the public's benefit which should not be sold off to the highest bidder for the benefit

of a few.

Yours sincerely, Liz Cameron [REDACTED]

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Please reply to Liz Cameron at [REDACTED]

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tasmanian conservation trust inc

1 August 2017

State Growth
Attention Anne Beach
GPO Box 536
Hobart TAS 7001

consultation@stategrowth.tas.gov.au

Draft Mount Wellington Cable Car Facilitation Bill 2017

GENERAL COMMENTS AND RECOMMENDATIONS

Legislation is not necessary

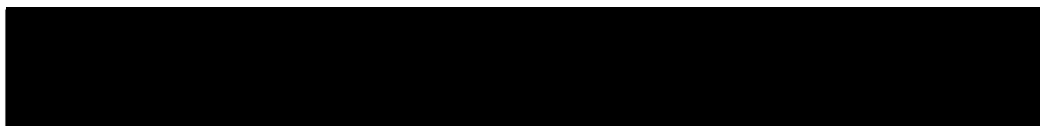
The State Government has not provided a convincing justification for the Draft Mount Wellington Cable Car Facilitation Bill 2017 (Draft Bill). The TCT argues that the legislation is not needed for the purpose of facilitating the construction and operation of a cable car and is, in fact, a political tactic to provide an advantage to the state government in the lead up to the state election. This is a grave misuse of the Parliament.

The Draft Bill essentially does three things, all of which are not necessary:

- Exempts the cable car proponent from the requirement to obtain landowner consent.
- Provides for land and airspace to be compulsorily acquired;
- Allows the Minister to grant authority to undertake site visits and testing to prepare a development application.

The Hobart City Council has stated clearly in media reports that it's General Manager has not refused to provide the Mount Wellington Cable Car proponent with a letter of consent to make a development application. Rather, the HCC has said that the proponent has provided insufficient information regard the proposal to enable the General Manager to provide it's consent.

If sufficient information is provided to the HCC, and taking into account that consent is provided only to allow a development application to be made (it does not imply or grant any development approve), it is highly likely that land owner consent would be provided.



Given that a cable car is specifically allowed for in the Wellington Park Management Plan and the Hobart Interim Planning Scheme, acquisition of the land from the HCC is only justified to remove the need for the HCC to provide landowner consent. We assert that there is no reason to believe that HCC will not provide land owner consent, therefore there is no need for acquisition of land from within Wellington Park.

The legislation provides for the Minister to provide authority to the cable car proponent to undertake assessments and testing required to prepare an application for a permit under the Land Use Planning and Approvals Act. As described in response to Section 7 of the Draft Bill, this essentially exempts the proponent from any proper controls that might limit the impacts of these preparatory activities and these powers even extend to private land. This is an extraordinary over-reach by the state government and quite unnecessary. There are proper processes in place at the moment for a proponent to seek approve from the HCC to under-take assessments and these should be adhered to by the proponent.

The only reason that the State Government is proposing the Draft Bill is to make it look like it is removing obstacles to the cable car proceeding, when in fact there are no such obstacles.

RECOMMENDATION: There is no need for the Draft Bill and the TCT recommends that the state government withdraws it.

Deceptive claims regarding public services

The Draft Bill is deceptive in that it tries to have the acquisition of land for the purpose of constructing and operating the cable car treated as if it were providing a public service (see comments and recommendations under Section 5). The cable car is not a valid example of infrastructure that provides a public service and the Government's attempt to have it treated as such, in order to justify compulsory acquisition of council owned public land, is a perversion of the purpose of the Land Acquisition Act 1993.

Dangerous precedent

The proposal to acquire public land for a private commercial development is a dangerous precedent that, if allowed to succeed, may be replicated across Tasmania.

Impact on other development and use

The proposed legislation has the potential to inhibit other development within parts of the Wellington Park. If land is acquired for the purpose of constructing the cable car, it is hard to see any other private developer or the Hobart City Council being willing to initiate a new development or use or the upgrade of existing facilities in an area within or close to the land covered by the acquisition order. It is certain that the cable car proponent will want to use land at the summit and at the Springs and therefore, even before a acquisition order is approved, other developers and the HCC are unlikely to initiate any further development in or near these areas.

SPECIFIC COMMENTS ON THE DRAFT BILL

Section 3. Interpretation

Section (a) of the definition of 'project' refers to 'one or more cable cars'. It may be the intention of those who drafted the Draft Bill that this definition should allow for more than one proposal to be included within the definition of 'project'.

RECOMMENDATION: We recommend that the definition be amended to clarify that the Bill only refers to one cable car.

Section (b) of the definition of 'project' refers to 'the construction of facilities related to the operation or use of such cable cars' but there is no definition of facilities. This could enable a wide range of developments to be considered that are only loosely related to the cable car, contrary to the expectations of the general public.

RECOMMENDATION: We recommend that the word facilities be strictly defined or that specific related 'facilities' be listed in the Bill.

Section (b) of the definition of 'project land' refers to 'any airspace to which an aerial easement relates'. This provision relates to airspace above private land as well as above the Wellington Park.

RECOMMENDATION: We recommend that the Draft Bill be amended to clarify that the definition of project land refers only to airspace above the Wellington Park. Any approval for use of airspace above private land is to be obtained separately from private landowners.

Section 5. Application of certain provisions of the Land Acquisition Act

Section 5(1) states that:

Part 1A of the Land Acquisition Act 1993, and any other provision of that Act that is relevant to the operation of the Part, applies in relation to project land as if the project were a service prescribed for the purposes of paragraph (i) of the definition of infrastructure in section 7A of the Land Acquisition Act 1993.

Part 1A, Section 7A of the Land Acquisition Act 1993 states that 'infrastructure means any structure, facility or work arising in connection with the provision to the public or a section of the public of services relating to', and then includes a list of purposes that it could relate to, including section 7(A)(i) 'any other service which may be prescribed'.

This means that the cable car is to be treated under the Land Acquisition Act as providing public services and the category of service is the miscellaneous category identified in Section 7A(i).

Currently there are no criteria in the Act to guide when acquisition will be in the public interest and this enables the minister to designate any service as being a public service. In the absence of valid criteria we do not believe that the cable car can legitimately be treated as infrastructure providing a public service and most members of the 'public' would agree with us. The proposed cable car is a commercial development that will be operated at significant cost and many people will not be able to afford to use it. It is assumed that the road to the

summit of Mount Wellington will be retained and therefore the cable car is not required for those wishing to use mechanized transport to get to and from the summit.

The Draft Bill proposes an incorrect and in proper use of Section 7A of the Land Acquisition Act. The Draft Bill seems designed to disguise land acquisition that is for private commercial use as being for the provision of a public service.

RECOMMENDATION: This concern provides further support for our general recommendation that the Draft Bill be abandoned.

Section 7. Minister may issue authority

Section 7(3) states that 'Despite any other Act, a person may enter land, and carry out activities on the land, under and in accordance with an authority granted under subsection (1).'

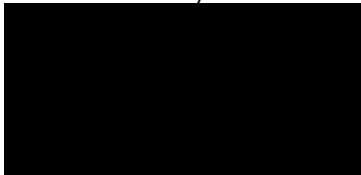
It seems that this provision means that the proponent can do anything they wish within the limits of the authority granted by the minister under subsection 7(1). This provision could limit the application of other relevant acts. An authority could relate to providing access for highly disturbing activities such as taking soil samples or drilling into the soil or rock in areas that may have significant natural and cultural heritage. It is uncertain whether additional permits under the Threatened Species Protection Act or other relevant acts would be required or not. The Draft Bill does not require that the Minister makes any assessment before deciding on conditions that may be applied to the authority.

RECOMMENDATION: The TCT recommends that Section 7 be removed and that the existing process for requesting approval for undertaking assessments that are required to prepare a development application be retained.

Section 7 provides for the minister to grant 'an authority to enter land' where it is required to prepare an application for a permit and does not restrict the land to land within the Wellington Park. Section 7 could apply to private land and there is no requirement for the private land owner's approval.

RECOMMENDATION: If Section 7 is retained, the TCT recommends that it be amended to ensure that an authority to enter land is restricted to land within the Wellington Park.

Yours sincerely

A large black rectangular redaction box covering the signature of Peter McGlone.

Peter McGlone

A small black rectangular redaction box covering contact information.

[REDACTED] (StateGrowth)

From: Anne Stephens <campaigns@good.do>
Sent: Saturday, 5 August 2017 6:15 PM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

I do not believe a cable car is in the best interest of Tasmanian tourism. Public Land should not be purchased for private interest.

Yours sincerely, Anne Stephens [REDACTED]

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Please reply to Anne Stephens at [REDACTED]

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(StateGrowth)

From: Kirsten O'Halloran <campaigns@good.do>
Sent: Saturday, 5 August 2017 6:42 PM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Providing less than three weeks for public comments does not suggest a genuine desire for public consultation.

A cable car up Mt Wellington would permanently damage an ancient landscape and Aboriginal heritage site. The aesthetics of beautiful Mt Wellington on and around the Organ Pipes would be permanently damaged, adversely affecting the experiences of hundreds of thousands of recreationalists, including walkers, climbers, mountain-bikers and motorists.

The metal, glass and concrete of a cable car, its terminus and its pylons will intrude upon the magnificent views of Mt Wellington that are enjoyed by tens of thousands of people from many different aspects.

The Bill exempts the cable car project from the landowner consent requirements for public land and allows the State Government to acquire public land for private development. If passed, this Bill would set a dangerous precedent - giving the green light for further land grabs of public land for the sole benefit of private developers.

Currently, permission from landowners would be required before the cable car proponent could enter land to undertake any work required to prepare a development application (e.g. surveying work, biodiversity studies, Aboriginal heritage assessments, traffic surveys). Under the Bill, the Minister can grant an authority to enter land, subject to any terms or conditions. As drafted, this power is not limited to land within Wellington Park owned by Hobart City Council and could potentially be used to authorise entry onto private land to carry out preliminary assessments.

Land acquired under the Bill will become Crown land and remain as part of Wellington Park. However, Section 7G of the Land Acquisition Act 1993 requires parliamentary approval for acquired land to be used for any purpose other than the proposed infrastructure. So, unless specifically provided for in the acquisition order, this could prevent land acquired for the cable car from being used for public recreation.

Yours sincerely, Kirsten O'Halloran [REDACTED]

_____ This email was sent by Kirsten O'Halloran via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Kirsten provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Kirsten O'Halloran at [REDACTED]

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[REDACTED] (StateGrowth)

From: Neil Anderson <campaigns@good.do>
Sent: Saturday, 5 August 2017 8:53 PM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Please don't mess it up. Kunanyi has always been scared for me, decades before I even knew it was called "Kunanyi." A cable car will deliver more ugliness (yes, beyond the "rocketship" tv tower – nevermind... I think your point is to deliver more tourists to the top of the mountain – and I can't see how that creates more money for Hobart – are they gonna think "great! – another cable car – that's the 3rd this week!" Also – because wind speeds at the top get way fast – there will be many times when a cable car won't be allowed to operate – possibly less than driving up to the summit... So – a total desecration of Kunanyi (for those who care) – an uglier mountain (also – for – those who care) But – what might appeal to you – a vast outlay of money for no apparent return. Don't mess it up!

Yours sincerely, Neil Anderson [REDACTED]

_____ This email was sent by Neil Anderson via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Neil provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Neil Anderson at [REDACTED]

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[REDACTED] (StateGrowth)

From: Carol Beaumont <campaigns@good.do>
Sent: Saturday, 5 August 2017 8:53 PM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Dear Minister. I am writing to advise you that Mt Wellington is not your land to sell off to private developers. The mountain area belongs to the people of Tasmania and needs to be left alone and as natural as possible because of its environmental sensitivity, its history and significance as a landmark. I am a fifth generation Tasmanian and feel very connected to this magnificent mountain from my childhood to adult exploration. I am not alone. Please seriously consider that this development is not a positive action or a smart proposal as it is too contentious and will divide our communities in the South and beyond as has already become apparent.

Yours sincerely, Carol Beaumont [REDACTED]

_____ This email was sent by Carol Beaumont via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Carol provided an email address [REDACTED] which we included in the REPLY-TO field.

Please reply to Carol Beaumont at [REDACTED]

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[REDACTED] (StateGrowth)

From: John Allingham <campaigns@good.do>
Sent: Saturday, 5 August 2017 9:30 PM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

This is a terrible proposal. The process is flawed. Don't do it this way

Yours sincerely, John Allingham [REDACTED]

_____ This email was sent by John Allingham via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however John provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to John Allingham at [REDACTED]

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(StateGrowth)

From: Axel Clark <campaigns@good.do>
Sent: Sunday, 6 August 2017 12:52 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

This hasty legislation that is being pushed through without adequate public consultation appears to be aimed at giving a single operation a commercial advantage without fully consulting with the community.

The installation of the structure and facilities will irrevocably damage the cultural and environmental qualities of the mountain.

Please consider what you are risking. There are a thousand other cities with a cable car but very few with an unspoilt mountain on their doorstep.

Yours sincerely, Axel Clark [REDACTED]

_____ This email was sent by Axel Clark via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Axel provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Axel Clark at [REDACTED]

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(StateGrowth)

From: Linda Baltzly <campaigns@good.do>
Sent: Sunday, 6 August 2017 5:42 AM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Please do not deface that lovely landscape. It gives pleasure to so many, both those fortunate enough to live in Tasmania but also to those of us who know it well through photos and accounts of walking there from family members.

Yours sincerely, Linda Baltzly

_____ This email was sent by Linda Baltzly via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Linda provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Linda Baltzly at [REDACTED].

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[REDACTED] (StateGrowth)

From: Jacinta Cooper [REDACTED]
Sent: Sunday, 6 August 2017 7:17 AM
To: Consultation (StateGrowth)
Subject: Cable car

I totally support the legislation, I support the Mount Wellington Cableway Company's well thought out eco-tourism proposal.

This will be great from jobs, tourism and us locals to be able to enjoy our mountain.

Regards
Jacinta Cooper
[REDACTED]

(StateGrowth)

From: Sean Corrigan <campaigns@good.do>
Sent: Sunday, 6 August 2017 12:37 PM
To: Consultation (StateGrowth); Madeleine Ogilvie; Rosemary Armitage; Robert Armstrong; Ivan Dean; Kerry Finch; Ruth Forrest; Michael Gaffney; Gregory Hall
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017

Providing less than three weeks for public comments does not suggest a genuine desire for public consultation.

A cable car up Mt Wellington would permanently damage an ancient landscape and Aboriginal heritage site. The aesthetics of beautiful Mt Wellington on and around the Organ Pipes would be permanently damaged, adversely affecting the experiences of hundreds of thousands of recreationalists, including walkers, climbers, mountain-bikers and motorists.

The metal, glass and concrete of a cable car, its terminus and its pylons will intrude upon the magnificent views of Mt Wellington that are enjoyed by tens of thousands of people from many different aspects.

The Bill exempts the cable car project from the landowner consent requirements for public land and allows the State Government to acquire public land for private development. If passed, this Bill would set a dangerous precedent – giving the green light for further land grabs of public land for the sole benefit of private developers.

Currently, permission from landowners would be required before the cable car proponent could enter land to undertake any work required to prepare a development application (e.g. surveying work, biodiversity studies, Aboriginal heritage assessments, traffic surveys). Under the Bill, the Minister can grant an authority to enter land, subject to any terms or conditions. As drafted, this power is not limited to land within Wellington Park owned by Hobart City Council and could potentially be used to authorise entry onto private land to carry out preliminary assessments.

Land acquired under the Bill will become Crown land and remain as part of Wellington Park. However, Section 7G of the Land Acquisition Act 1993 requires parliamentary approval for acquired land to be used for any purpose other than the proposed infrastructure. So, unless specifically provided for in the acquisition order, this could prevent land acquired for the cable car from being used for public recreation.

Yours sincerely, Sean Corrigan [REDACTED]

_____ This email was sent by Sean Corrigan via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Sean provided an email address ([REDACTED]) which we included in the REPLY-TO field.

Please reply to Sean Corrigan at [REDACTED]

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From: Chris Hadrill [REDACTED]
Sent: Sunday, 6 August 2017 6:07 PM
To: Consultation (StateGrowth)
Subject: Mount Wellington Cable Car

Hi There,

I write to commend the concept of a cable car on Mount Wellington and my support for the current proposal. Having travelled on other cable cars I believe this will be an environmentally friendly and scenic way to access the summit.

As a state with a growing tourism industry I believe we must approach change/improvements carefully so we do not destroy the things that tourists come to Tasmania (and Hobart in this case) to experience. We need to have varying levels of `wilderness experience` and we do. There is everything from wheel chair access to Russell Falls, to the extreme remoteness of Port Davey and our west coast mountains.

Given the fact that Mount Wellington already has a road to the pinnacle a cable car will not be encroaching on any `wilderness values` and if anything it will reduce the number of cars and buses going up the road. That's got to be a win/win for the environment and tourism.

The for and against argument has been going on for decades but this proposal is well thought out and has some fantastic experience to call on from very successful developments in other states namely Queensland.

Kind regards,

Chris and Anne Hadrill

[REDACTED] (StateGrowth)

From: [REDACTED]
Sent: Sunday, 6 August 2017 6:21 PM
To: Consultation (StateGrowth)
Subject: Mt Wellington cable car support

I support the legislation to build the cablecar - now.

Deanna Saltmarsh. [REDACTED]

Sent from my Samsung Galaxy Note 4 on the Telstra Mobile network

[REDACTED] (StateGrowth)

From: [REDACTED]
Sent: Monday, 7 August 2017 3:56 PM
To: Consultation (StateGrowth)
Subject: Submission for Mt Wellington Cable Car

I like it without the cable car. There are plenty of places you can go to use a cable car, and there will be more in the future. Tasmania is differentiated from other tourist locations because it is pristine. The longer we leave things the way they are the more special it will be as the rest of the world industrialised. Walk. It's great. I'm a Tasmanian born local living in south Hobart.

Nathaniel Roach
[REDACTED]

7th August 2017

Attn Anne Beach
Director Policy & Coordination
Department of State Growth
Industry & Business Development
Industry Strategy, Planning & Coordination
10 Murray Street, Hobart
GPO Box 536, Hobart 7001

By email to: Anne.Beach@stategrowth.tas.gov.au

Comment on the Draft

MOUNT WELLINGTON CABLE CAR FACILITATION BILL 2017

The Environment Association (TEA) Inc. has long advocated improvement and enhancement of Tasmania's Land Use Planning System. We consider ourselves to be a stakeholder on this issue and are not represented by any other body or organisation.

TEA does not oppose the notions of making land use planning more consistent, fairer, simpler, smarter or more transparent and understandable. The current Liberal government has made parts of the planning system less certain, less fair, more complex, longer and less adequate. We do not oppose fairer, simpler and so forth, we simply oppose what the Liberals have done to land use planning in Tasmania.

We comment regularly on land use planning matters including legislation, schemes, draft schemes, codes and other ephemera.

In this context we now make comment on the draft version of the MOUNT WELLINGTON CABLE CAR FACILITATION BILL 2017.

This is obviously a land use planning issue. We note however this sad legislation is not a part of the Resource Planning and Management System of Tasmania. The mere presence of the Bill, if passed, would thus seem to at once degrade and diminish that planning system.

The Bill says, ipso facto, that if you need some special treatment or arrangement, you can come to Tasmania and get it. Tasmania will even write some new legislation for you free of charge!

The draft Bill will almost certainly diminish the rights of parties and stakeholders in regards to what some may consider to be a development proposal. Including private

landowners, whose rights are absolutely diminished, yet this may not have been made fully clear on the State Growth website.

There, of course, is no development proposal or application in the normal sense. There never has been. There has been no assessment even of the so-called developer and their capacity to develop.

The Environment Association (TEA) Inc has for a range of reasons decided to completely oppose this so called facilitation Bill in its entirety at this draft stage.

That is, to avoid all doubt, TEA believes the Bill should not be placed before the Parliament and that the Tasmanian Parliament's time should not be wasted with such favouring legislation.

We believe the Bill is favouring legislation not merely facilitation. Even if it were a mere "facilitation", it would in any case be a step too far, in our view.

We consider that instead of this draft Bill the government should consider directing the proponent to making an application for development in the normal manner including considering the various options, State Project (under the RMPS State Projects and Policies Act), Regional Project of Significance or simply a planning application under LUPAA (another part of the RMPS).

This is surely obsequious draft legislation of no merit, which will disadvantage certain parties and stakeholders directly and indirectly.

It is not clear this would be a project in the public interest. That aspect should be investigated before anything else occurs. Why right legislation to favour something which may not be in the public interest?

It is clear that Mt Wellington itself and its amenity and wellbeing as well as its natural and cultural values is an undeniable matter of public interest.

Indeed the Tasmanian Government should move without delay to an application for listing Mount Wellington as National Heritage.

TEA is an advocate for the existing landscape amenity of Mt Wellington, which should be on the National Heritage Register. It is a national icon.

It has been reported in the media that the cable car proponent has a close relationship with politicians in the Liberal Party. This aspect concerns us. This should be investigated independently.

We note too that in October 2014, the Wellington Park Management Trust (the Trust) referred 551 representations and the report of the Trust, regarding the Wellington Park Management Plan 2013 draft Amending Plan for the Pinnacle Specific Area (the Draft Plan), to the Tasmanian Planning Commission for review under Part 4 of the Wellington Park Act 1993 (the Act).

Such a high level of interest and representations is an indicator of the level of public interest in this Tasmanian, National Icon.

Generally we are supportive of tourism and tend to favour such land use over poorly conceived extraction proposals.

We are however unable to make any decision over the proposal because there is no proposal. We do not even know how many cable cars yet the draft Bill allows for uncertainty in this regard. We do not know the impacts.

We are aware that Heritage recommendations to the Wellington Park Management Trust have been not actioned for many years. We do not know whether scarring of the face of the Mountain is an intrinsic inevitability. All this is simply not good enough.

Does the proponent deserve to be given special rights? Any proponent? Our clear view on this matter is a simple NO!

Other attempts to favour developments in recent years have generally failed. We do not at this stage propose to list all those but note there have been various motivations and that in almost all cases it involved rorting the system.

We are clear this proposed legislation lacks probity. The proposed MOUNT WELLINGTON CABLE CAR FACILITATION BILL 2017 would appear merely to be another effort to fiddle and dodge the current system, which very simply has not been proven to be broken.

END

[REDACTED] (StateGrowth)

From: [REDACTED]
Sent: Thursday, 10 August 2017 5:22 PM
To: Consultation (StateGrowth)
Subject: RE: Draft Legislation

Hello Anna

My email was in favour of the draft legislation as I would like to see a cable car going to the pinnacle of Mount Wellington for use by locals and tourists alike to experience the amazing icons we have to offer year round.

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: "Consultation (StateGrowth)" <consultation@stategrowth.tas.gov.au>
Date: 9/8/17 11:16 pm (GMT+10:00)
To: [REDACTED]
Subject: RE: Draft Legislation

Good evening

My apologies, but there appears to have been an issue when your submission was made and the content is not viewable - please see below.

Could you please resend so your submission can be considered?

Many thanks

Anne Beach | Director
Policy & Coordination Branch | Department of State Growth
10 Murray Street, Hobart TAS 7000 | GPO Box 536, Hobart TAS 7001
Phone: (03) 6166 3476
www.stategrowth.tas.gov.au

-----Original Message-----

From: [REDACTED]
Sent: Thursday, 3 August 2017 9:27 PM
To: Consultation (StateGrowth) <consultation@stategrowth.tas.gov.au>
Subject: Draft Legislation

MIME-Version: 1.0

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From: Gabrielle Phillips
To: [Consultation \(StateGrowth\)](#); [Madeleine Ogilvie](#); [Rosemary Armitage](#); [Robert Armstrong](#); [Ivan Dean](#); [Kerry Finch](#); [Ruth Forrest](#); [Michael Gaffney](#); [Gregory Hall](#)
Cc: jim.wilkinson@parliament.tas.gov.au
Subject: Submission regarding the Mt Wellington Cable Car Facilitation Bill 2017
Date: Friday, 4 August 2017 4:46:03 PM

The mountain is public land and no part of it should be able to be handed over for private development.

The razor strip of wires and poles will also be a blight on the beautiful and unique quality Hobart has of a relatively untouched mountain everpresent at the edge of the city.

Yours sincerely, Gabrielle Phillips [REDACTED]

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Please reply to Gabrielle Phillips at [REDACTED]

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From: [DPaC - webmaster](#)
To: [The Premier \(DPaC\)](#)
Subject: Contact Form
Date: Monday, 24 July 2017 6:26:10 PM

Steve

Harris

[REDACTED]

[REDACTED]

[REDACTED]

Dear Premier, Can you please advise when/where Tasmanian's can have their say on the MWCC?? Having visited world class cable cars first hand in both Alaska and BC Canada, a MWCC cannot come soon enough to placing Hobart and Tasmania as a world class destination firmly on the tourist map for decades to come. Thank you Steve Harris

-- automatically generated from www.premier.tas.gov.au

From: [DPaC - webmaster](#)
To: [The Premier \(DPaC\)](#)
Subject: Contact Form
Date: Friday, 4 August 2017 9:07:47 AM

Sonia

Anderson



I have just heard that there are fresh plans for a cable car on Mount Wellington. I moved away from Tasmania nine years ago but being away has given me perspective on what makes the place special and why people from here visit it. A cable car is not compatible with the picture. Wild places (wilderness, rugged, untamed mountains). Art and culture (MONA is huge, festivals draw people). Wooden boats, sailing, amazing value-added food and wine. Cable car? Please don't. Sonia

-- automatically generated from www.premier.tas.gov.au



23 July 2017

Hon Matthew Groom MHA
Member for Denison
Parliament House
HOBART TAS 7000



Dear Mr Groom

MT WELLINGTON CABLE CAR

I write to express my strong opposition to the proposed cable car on Mount Wellington, which the Government appears to support.

I came to live in Tasmania 32 years ago because of its natural beauty as much as anything, and tourists increasingly visit our State for the same reason. I want to live in Tasmania, not in a theme park. Both myself and tourists can go to numerous places in the world to ride in a cable car, but only Hobart has the unique natural beauty of Mount Wellington.

The argument about the improved access that a cable car would bring is very flimsy, as there are several alternatives. My own preference would be for the construction of a Swiss-style mountain railway. Routed alongside the road or the power line, it would be almost invisible from a distance and would provide spectacular views and a thrilling experience. The Government should investigate the construction of such a railway. I'm sure that TasRail, a very competent organisation, would be pleased to assist.

At this point of time I very much object to the proposed legislation to compulsorily acquire land for the project and to facilitate activity on the mountain by the cable car proponent. The political class has apparently learnt nothing from the pulp mill debacle. I, along with several people I know, were supporters of the pulp mill until the Government of the day decided to ride roughshod over the established planning assessment system with its special pulp mill legislation. You can't expect public support for anything if you want to break the rules when things aren't going your way.

Please urge the Government not to proceed with the cable car legislation.

Yours sincerely



Derek Walter



Anne Beach
State Growth
GPO Box 536
Hobart TAS 7001

3 August 2017

By email: consultation@stategrowth.tas.gov.au

Re: Draft Mount Wellington Cable Car Facilitation Bill 2017

Dear Anne,

Please accept this correspondence as a formal submission on the Draft Mount Wellington Cable Car Facilitation Bill 2017.

The Wilderness Society does not support the Bill and urges the Tasmanian Government to allow due process and withdraw its intent to introduce the Bill into Parliament.

While we do not support the Cable Car proposal and believe it detrimental to the environment and amenity of kunanyi/Mt Wellington and Hobart, we urge Government to ensure all land in question remains the property of the Hobart City Council and the proponent properly seeks landowner consent.

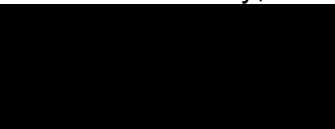
I note from his report to the Special Governance Committee meeting on 24 July 2017, the General Manager of Hobart City Council considers that landowner consent has not been 'tested'. In this context, provocative legislation that overrides this requirement seems unjustified, unnecessary and heavy handed and appears more politically motivated than genuinely practical and necessary.

Abandoning due process and passing special legislation to support a specific proponent sets a dangerous and alarming precedent. Ironically, history demonstrates that this behaviour usually acts to the detriment of the project, and generates greater community division and opposition. Gunns' Tamar Valley pulp mill is a case in point.

Similarly, the privatisation of a sensitive, iconic and cherished piece of publicly-owned and reserved land, for commercial gain, of deep concern and should not be allowed.

The Wilderness Society does not consider the Cable Car critical, or valuable public infrastructure. It is a private commercial venture, exploiting the scenic and environmental values of the kunanyi/Mt Wellington at the expense of those values, Aboriginal and other cultural heritage values, user and resident amenity and the iconic backdrop to Hobart.

Yours sincerely,


Vica Bayley,
Tasmanian Campaign Manager,
The Wilderness Society

The Wilderness Society (Tasmania) Inc




edotasmânia

using the law to protect the natural and built environment

3 August 2017

Anne Beach
State Growth
GPO Box 536
Hobart TAS 7001

By email: consultation@stategrowth.tas.gov.au

Dear Anne,

Draft Mount Wellington Cable Car Facilitation Bill 2017

Thank you for the opportunity to comment on the *Draft Mount Wellington Cable Car Facilitation Bill 2017 (the draft Bill)*.

EDO Tasmania is making this submission on behalf of our client, Residents Opposed to the Cable Car (**ROCC**). Individual members of our client's organisation may also make independent submissions commenting on the draft Bill.

Ted Cutlan can be contacted (details provided at the end of this submission) for more information about ROCC and its concerns regarding the impacts of the cable car proposal. This submission addresses issues specifically arising in response to the draft Bill.

kunanyi / Mt Wellington is of significance to Tasmanian Aborigines and to the Tasmanian community more broadly. It is rich with cultural values, beloved for its recreational opportunities, home to a diverse range of flora and fauna, and is one of Tasmania's most abundant sites of endemic species. As the Wellington Park Management Plan notes, "[t]he very presence of the Park near Tasmania's largest population centre creates a strong element of 'place', with the Park's topography playing an essential role in the landscape of southern Tasmania".

kunanyi / Mt Wellington is a place deserving of rigorous protection to ensure its values are maintained.

As a general comment, our client is concerned by the State Government's decision to facilitate a cable car development on kunanyi / Mt Wellington through special legislation. While it is acknowledged that a separate planning assessment will still occur under the *Land Use Planning and Approvals Act 1993*, the proponent is being relieved of an obligation to negotiate with the landowner to obtain consent for both the application and access for preliminary work, and given certainty through securing access to public land. There is no justification for this project being afforded special treatment, and there are unwelcome social, environmental and economic consequences from doing so.

ROCC is also concerned by the scope of work that can be authorised under the draft Bill, and the risks this presents to the natural and cultural values of kunanyi / Mt Wellington.

In short, ROCC does not support the draft Bill. The reasons for this are set out in more detail below.

Acquisition for Public Infrastructure

ROCC strongly believes that the cable car is not public infrastructure within the meaning of the *Land Acquisition Act 1993*, and should not be eligible for acquisition by the Crown on behalf of a private developer.

Under s.7A of the *Land Acquisition Act 1993*, “infrastructure” is defined as:

any structure, facility or work arising in connection with the provision to the public or a section of the public of services relating to –

- (a) water;*
- (b) energy;*
- (c) communications;*
- (d) transport;*
- (e) education;*
- (f) health;*
- (g) emergency response;*
- (h) sewerage;*
- (i) any other service which may be prescribed*

Clause 5(1) of the draft Bill provides that the cable car project is to fall within paragraph (i) of this definition – “any other service which may be prescribed” – thereby making it eligible for acquisition by the Crown under Part 1A of the *Land Acquisition Act 1993*.

Part 1A, which provides for acquisition on behalf of private sector developers, was introduced by the *Major Infrastructure Development Approvals Act 1999*. The new Part 1A recognised that, while public infrastructure was increasingly being provided by the private sector, the government “*maintains a very clear responsibility to facilitate [expansion of utility infrastructure]*”¹, and therefore should facilitate infrastructure projects through securing land.

Developers for whom land is secured are afforded a benefit generally reserved for the Crown. Use of the land subject to an acquisition order is also strictly limited to the public infrastructure purpose for which it has been acquired. It is therefore essential that limits are placed on the use of these acquisition powers.

As originally drafted, the *Major Infrastructure Development Bill 1999* authorised the Crown to acquire land for projects declared to serve “a public purpose”. Following debate in the Lower House, the government sought to amend the Bill to make the definition of “infrastructure” to which the acquisition power would apply more specific. In his second reading speech when introducing the amended legislation to the Legislative Council, Hon Michael Aird stated:

*It is noted that this change is designed to ensure that designated major infrastructure projects are confined to those utility projects, **the provision of public services which previously have been undertaken by government.** The listing of types of utilities in the amended definition of ‘infrastructure’ highlights this point.² [emphasis added]*

The *Major Infrastructure Development Act 1999* was passed in this amended form, and introduced the definition of infrastructure currently in s.7A (as above). While the definition includes “any other service which may be prescribed”, it was the clear intent of the government at the time that this be limited to infrastructure required to deliver a public service that would traditionally have been delivered by government.

It is ROCC’s view that a commercial tourist venture like the proposed cable car cannot be characterised as such a public infrastructure service. If the draft Bill is passed and a project of this nature prescribed as “infrastructure” within the definition in s.7A, it raises concerns regarding the breadth of projects that may seek similar treatment in future.

¹ Hansard, House of Assembly. 25 November 1999. Second reading speech, *Major Infrastructure Development Approvals Bill 1999*, Hon Jim Bacon

² Hansard, Legislative Council. 1 December 1999. Second reading speech, *Major Infrastructure Development Approvals Bill 1999*, Hon Michael Aird

Cable car project

The definition of “project” in the draft Bill is very broad, encompassing construction not only of one or more cable cars, but facilities related to the operation of such cable cars and “other developments and uses forming part of the project.” The scope of use and development that may form part of the project (such as car parking, retail and food services, shuttles) is unclear.

ROCC maintains that it is not appropriate for specific legislation to facilitate a private commercial development, particularly where the powers created by the legislation are not confined to a clearly defined project. If the draft Bill was to be passed with the existing broad definition, it could have the following implications:

- Due to the absence of any time limitation on the operation of the Act, the acquisition and authorisation powers may apply to multiple cable car projects in various locations and by different proponents over time.
- By allowing the Minister to authorise a wide range of activities “in relation to the project”, arguably overriding assessment requirements under other legislation (see below), a broad range of disruptive activities could be authorised on both private and public land without appropriate assessment.
- Acquired land may be used only for the purpose of the cable car project (unless the Minister allows otherwise). This raises the prospect that, for up to 10 years, large tracts of acquired land within Wellington Park may not be used for recreation, mountain biking, small scale food services or similar uses. Given the economic risk that the cable car project will not proceed (even if approved), this is a significant period to effectively sterilise the use of public land.

Landowner consent

Under s.52(1B) of the *Land Use Planning and Approvals Act 1993*, a development application relating to land owned by a local council must be accompanied by the written consent of the general manager.

Landowner consent was previously required for all development applications, whether on private or public land. In relation to private land, this was amended by the *Land Use Planning and Approvals Amendment Act 2001* to require only that landowners be notified in writing. In introducing the amendments, the Hon David Llewellyn noted:

*This change will not, of course, affect the ultimate rights of landowners to determine if a development on their land should or should not proceed... However, in order to protect the public interest, the proposed change will not affect crown land or land owned by a council. In such cases, and unless the planning scheme does not provide otherwise, written consent from the minister or the mayor respectively will still be required.*³

This statement raises the following key points:

- It is in the public interest for the manager of public land to retain the right to refuse landowner consent; and
- Landowners should generally retain the ultimate right to determine access to their property, even where a planning permit has been issued.

Consent to development application

Clause 4 of the draft Bill proposes to exclude the cable car project from the obligation under s.52(1B) to obtain consent from Council to the making of a development application. The Minister maintains that the landowner consent requirement is creating an unnecessary impediment to the cable car project progressing to assessment.

³ Hansard, House of Assembly. 19 June 2001, Second reading speech, *Land Use Planning and Approvals Amendment Bill 2001*. Hon David Llewellyn. Note: The requirement for mayoral consent was subsequently amended to require consent from the general manager of Council.

Hobart City Council has recently sought legal advice to clarify s.52(1B), and demonstrated that it understands the inherent limitations of the role of landowner consent and the need for this administrative function to be exercised responsibly by the general manager.

There is nothing to suggest there is any risk that Hobart City Council or Glenorchy City Council would not exercise their powers appropriately in relation to the cable car project. In his report to the Special Governance Committee meeting on 24 July 2017, the General Manager of Hobart City Council states:

The Government has not tested whether the General Manager will provide the consent required in s52(1B) of the *Land Use Planning and Approvals Act 1993* and therefore is this provision really required?

There is no justification for exempting the cable car project from the requirement to obtain landowner consent from the relevant Council.

Consent to acquisition order

Even if there was evidence that the landowner consent requirements under s.52(1B) were unreasonably preventing assessment of the cable car project (which ROCC disputes), the draft Bill goes beyond the removal of that impediment.

Clause 5(2) of the draft Bill also removes the requirement for the proponent, prior to an acquisition order being made by the Minister, to provide evidence of landowner consent to the acquisition or an explanation as to why consent could not be obtained.

By allowing the State government to acquire the land required for the project, without any evidence as to the relevant Council's willingness to allow the development to proceed, the draft Bill facilitates the removal of Councils' right to ultimately determine whether to allow access to property within Wellington Park under their control.

Again, ROCC does not believe there is anything justifying this level of intervention by the State government, and cannot support the draft Bill.

Authorisations

ROCC notes that development of the cable car project itself will be subject to the *Land Use Planning and Approvals Act 1993*. However, cl. 7(1) of the draft Bill allows the Minister to grant the proponent an authority to "enter land, and to carry out on the land activities, including testing, that are reasonably required to be carried out" before applying for a planning permit.

Clause 7(3) provides that an authority granted by the Minister will authorise entry and carrying out of activities "despite any other Act".

These provisions raise two principal concerns:

- The power to authorise entry and activity is not limited to Crown land, or land subject to an acquisition order, or to a final footprint for the project. If a number of potential sites, routes and scales are being considered for the cable car, rather than the proponent having settled on a specific design and location, the area of land "in relation to" the undefined project could be vast.
- A range of statutory permissions may be required in relation to preparatory work associated with the cable car project, such as permits to disturb threatened species, planning permits for earthworks, geotechnical surveys or vegetation removal, permits from the Wellington Park Management Trust to conduct works, authority to close a road, or approvals under the *Aboriginal Relics Act 1975*.

The draft Bill could be interpreted to allow authorisations granted under the Bill to override these other statutory assessment and approval requirements. Such authorisations can also be made without any consultation with Wellington Park Management Trust or planning authorities. This is inappropriate and, for the reasons outlined above, unwarranted.

Any development on kunanyi / Mt Wellington must be subject to rigorous, transparent assessment and opportunities for public comment and appeal. ROCC strongly opposes the intent of the draft Bill to allow the Minister to authorise development outside the usual statutory processes and the detailed management plan developed for the mountain.

For the reasons outlined above, ROCC is strongly opposed to the introduction of the *Mount Wellington Cable Car Facilitation Bill 2017*, and urges the government to abandon the draft Bill.

Please do not hesitate to contact me or ROCC representative, Ted Cutlan, if you would like to discuss any issues raised in this submission.

Kind regards,

EDO Tasmania



Principal Lawyer

