

UNCORRECTED PROOF ISSUE

Monday 22 June 2009 - Estimates Committee B (O'Byrne) - Part 1

LEGISLATIVE COUNCIL

ESTIMATES COMMITTEE B

Monday 22 June 2009

MEMBERS

Mr Dean
Mr Finch
Mr Gaffney
Mr Wing
Mrs Rattray-Wagner (Chair)

SUBSTITUTE MEMBERS

IN ATTENDANCE

Hon. Michelle O'Byrne MP, Minister for Environment, Parks, Heritage and the Arts; Minister for Tourism; Minister for Sport and Recreation

Ministerial Office

Norm Andrews, Head of Office

Department of Environment, Parks, Heritage and the Arts

Scott Gadd, Secretary
David Hudson, Deputy Secretary
Brett Noble, Director, Office of the Secretary
Peter Mooney, General Manager, Parks and Wildlife
Pete Smith, Director, Heritage Tasmania
Kane Salter, Acting General Manager, Corporate Services
Lesley Kirby, Director, Royal Tasmanian Botanical Gardens
Katherine Hough, Director, Arts Tasmania
Bill Bleathman, Director Tasmanian Museum and Art Gallery
Warren Jones, General Manager, Environment Division
Steve Gall, Manager, Aboriginal Heritage Tasmania

Stephen Large, CEO, Port Arthur Historic Site Management Authority
Stuart Lennox, Manager, Strategy and Sustainable Use, PWS

Department of Economic Development and Tourism

Felicia Mariani, Chief Executive, Tourism Tasmania
Adam Sproule, Head of Office of Chief Executive

Sport and Recreation Tasmania

Craig Martin, Director, Sport & Recreation Tasmania
Patti Johnson, Finance and Facilities Director
Peter Robinson, Adviser

The committee met at 9.31 a.m.

CHAIR (Mrs Rattray-Wagner) - Good morning, Minister, welcome to you and your team. Minister, as this is your third year of Estimates, you are certainly considered to be an experienced campaigner in this field. I would ask you to introduce your advisers at the table. At any time, if the make-up changes at the table, for the sake of our good friends at Hansard, would you please indicate who is answering at the table at that particular time.

I would also like to put on the record, our newest member of Committee B, the member for Mersey, Mike Gaffney, will be a little bit late. He will join us later this morning.

Minister, I invite you to provide the committee with a brief overview and then we will commence with Output Group 7, Environment Protection and Analytical Services. I want to respectfully remind honourable members that they direct their questions to the Minister.

Ms O'BYRNE - Thank you, chair, and thank you, committee, for the wonderful opportunity to be here today. We look forward to it all year.

If I can introduce at the table the secretary of Environment, Parks, Heritage and the Arts, Scott Gadd. Sitting next to me is Dr Warren Jones, who has dual roles. He is the general manager of the Environment division and also on the Environment Protection Board. He is at the table because, as I understand, we will move from my opening statement straight into the Environment area.

Beside me is David Hudson, who is the deputy secretary of DEPHA, and my Head of Office, Norm Andrews. I will advise you when additional people move to the table.

CHAIR - Thank you, Minister.

Ms O'BYRNE - I am very excited to be attending this Estimates committee. It is my second time to have appeared as Minister for Environment, Parks, Heritage and the Arts and the second time as Minister for Sport and Recreation, but my first time as Minister for Tourism. I am excited to see how the questions progress on that issue.

I think it is fair to say that we are certainly living in extraordinary times, not only in Tasmania but globally, at the moment. I think the contrast could not be greater between the economic environment that we had when we sat down at a similar table last year to the one that we have today. We have been swept up in the global economic recession, and an unprecedented revenue shortfall of \$1.5 billion has placed a huge demand on Government to tighten spending and protect jobs.

We have not shirked our responsibility to the Tasmanian people during that time to provide responsible economic management. In response to the collapse in revenue, we are making \$760 million in savings to the Budget as a Government and we are supporting jobs statewide with a massive infrastructure program.

One of the Budget savings will come from the merging of the Department of Environment, Parks, Heritage and the Arts with the two departments of primary industries and water and economic development and tourism. This was not an easy decision for the Government to make and it certainly was not an easy decision for myself as Minister, nor for the staff at that agency.

The divisions are in the process of being transferred to the new department, which will be called - I am not sure if you have come across our new name yet - the Department of Primary Industries, Parks, Water and the Environment, which will operate from 1 July, and the Department of Economic Development, Tourism and Arts, which will operate from 1 July.

I am absolutely confident that the divisions contained within DEPHA will continue to provide the excellent standard of service to the Tasmanian people as they always have. In fact, most people who have direct contact with those divisions will notice very little difference at all. Their relationship is not so much in what happens with the corporate nature of government organisations.

I do want to take this opportunity - I know the committee will indulge me - to thank the staff of DEPHA for the way they are handling this transition. New departmental arrangements can be challenging, and they are working with their usual dedication. I want to put on record my thanks for the great commitment they have shown, and also to Scott Gadd for his leadership during the transitional stage and his work with the two secretaries taking responsibilities.

During 2008-09 DEPHA continued the sustainable management, protection and promotion of the State's natural and cultural assets, including Tasmania's national parks, our arts, our culture, our pristine environment and our unique Aboriginal and historic heritage. Despite the global financial crisis which hit Tasmania in the second half of last year, we have continued to build on our achievements in 2008-09.

The Environment Protection Authority began operating in July last year; it is already notching up some pretty impressive achievements. One of the authority's initiatives at the moment, that I know will be of particular interest to members of this committee, is the new network of air quality monitoring stations that will help us better assess and manage the impact of plant burning and air quality in general.

We have also released a new Tasmanian waste and resource management strategy which will assist us in improving waste management and recycling in Tasmania. This strategy was

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developed in close consultation with local government and the three regional waste authorities, industry groups and associations and the community.

We have asked Hyder Consulting to define a potential container deposit system for Tasmania. The language around that particular contract was important. It was not whether we should have one, but we did ask them to design one that would take into account the impacts on relevant industries, local government waste management and kerbside collection facilities.

Our world-renowned Parks and Wildlife Service has continued to develop and maintain our wonderful reserves and our park systems that conserve our natural and our cultural heritage. In 2009-10 Parks will provide maintenance, improved infrastructure and high-quality service and education to ensure visitor safety and to enhance visitor experiences.

We have also undertaken an identification of commercial interest process for the proposed Three Capes track on the Tasman Peninsula, which has revealed a very high level of commercial interest in this project. I am happy to discuss that further today. The next stage of that ICI, following approvals, would be the provision of commercial services.

Parks has two other major projects on its agenda, being the construction of the Cradle Valley central sewerage scheme and, of course, the Macquarie Island pest eradication project. I am sure members are aware that the second project, the Macquarie Island project, is the most ambitious of its type ever attempted. I think it will attract significant worldwide attention when the aerial baiting of the destructive rabbits, rats and mice on the island commences next year.

We have got the Australian convict sites serial nomination to the World Heritage list. Five of the 11 sites listed nationally are from Tasmania. We are strongly committed to the success of this nomination. We think it will build very much on Tasmania's reputation, and we await with great anticipation the inspection of the properties later this year by ICOMOS.

The 2009-10 Budget also ensures that the largest cultural development in Tasmania's history, the TMAG redevelopment, advances to the next stage, with \$8 million being allocated to the redevelopment as part of the earlier \$30 million pledge to the project.

The highlight of the year for the Royal Tasmanian Botanical Gardens has been the completion of its master plan, which has been the culmination of a lot of great work from the staff and the board there. It is designed to guide the organisation not just for the next few years but for the next 20 years, so I am really impressed with the work they have done. It identifies a number of exciting projects that will help the gardens meet its responsibility as a contemporary botanical institution.

Work is continuing on the historic heritage legislation reform. One of its aims is to better integrate heritage management principles within our planning system. I think we are going on a journey as a State - in some areas faster than others, perhaps - in understanding the great work of our built heritage and we want to continue to create frameworks around that. It has been a long time in gestation and I am hoping to introduce the legislation next spring session.

Similarly, we have recognised the appallingly outdated nature of the Aboriginal Relics Act 1975. We are pressing on with preparation of contemporary legislation in this area. Once again, I hope to have it into the House for the spring session.

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Arts Tasmania, through its funding, continues to broaden the engagement of Tasmanians in the arts, to highlight the State's diverse cultural sector and to deepen our cultural experiences. We now have a spread of exciting festivals, including Ten Days on the Island; Amplified, which was launched last week; and the pilot of MONA FOMA, of which I think we can all be very proud.

Members of this committee will be well aware of the health, social and economic benefits that flow from having an active and healthy community. We continue to invest in sport and recreation infrastructure and we provide funds to community organisations through those grant programs.

The Budget provides more than \$6 million for sport and recreation infrastructure in 2009/10, including \$2 million for the Aurora Stadium and Invermay Park redevelopment. I must highlight at this stage that Sport and Recreation continues to exceed its key performance indicators, which cover investment infrastructure and growing participation opportunities.

Highlights for 2008/09 include the securing of the National Mountain Bike Training Centre for the Tasmanian Institute of Sport, the ongoing roll-out of our Trails and Bikeways program and the two-year public liability trial for use by community groups when they are using educational sporting facilities.

In tourism, I want to highlight that there has been a propensity of some Tasmanians to talk down the tourism industry, and I must confess that that continues to amaze me. Tasmania continues to defy the national trend of a weakening domestic travel environment, yet we still have people chanting doom and gloom. The latest Tasmania visitors survey for the year ending March shows overall visitation to the State increased by 7 per cent compared with the previous year. Total visitor nights were up by 4 per cent. Total spending grew by 7 per cent to \$1.43 billion.

Through our policies and through the incredibly hard work of Tourism Tasmania we have built the sector to the point where more people are coming to the State now than ever before. Clearly we cannot rest on our laurels, we are not in a position to predict what may lie around the corner, but we will continue to implement innovative, creative and effective marketing programs to position our State as one of the great holiday destinations.

Tourism Tasmania's e-connect online distribution initiative will be the key focus for the year ahead. I am happy to take members through that. It is receiving a fair bit of national attention and it will be one of the things that places Tasmania ahead of the pack. We have quarantined tourism marketing and advertising expenditure from the 30 per cent advertising and marketing budget savings, because we know how important tourism is as a driver of employment in the State.

Finally, the global recession has certainly placed limits on government spending. If you accept - and I think most people have accepted - that it is crucial to maintain our frontline health services, our frontline education service and our frontline police service, when we make that decision it means that there are savings that are required across government that we do all have to be responsible for. Given that, I am sure that 2009-10 will see us deliver some very innovative policies that actually allow us to achieve more with the slightly less that we have.

I thank you for the opportunity to provide an overview statement; I have kept it as brief as I could.

CHAIR - Thank you, Minister. With that, I will hand over to Mr Dean, who will lead off with questions this morning.

Before I begin, it would be remiss of me if I did not acknowledge the work of one of our former members of the committee, the member for Pembroke, Allison Ritchie, as well. I wish her all the best for the future.

Mr DEAN - After that, I have no questions, you have covered it all, Minister.

Ms O'BYRNE - Thank you all so much for your time today. Why do I know there is a killer punch coming behind that?

Mr DEAN - You can take the rest of the day off.

My first question is in relation to the decrease in the funding in this area. In 2009-10 you have a decrease of \$453 000 and in 2010-11 that decrease is even greater, about \$1.9 million or thereabouts. I want to know how much of that decrease is caused as a result of budget management strategies?

[9.45 a.m.]

Ms O'BYRNE - Could I ask you to start the question again. You are you talking about the overall cuts to the entire -

Mr DEAN - No, I am talking about the area we are currently looking at, which is environment and pollution control.

CHAIR - We are starting with output group 7.

DIVISION 10

(Department of Primary Industries, Parks, Water and Environment)

Output group 7

Environment Protection and Analytical Services

Mr DEAN - If we look at that area, we have a decrease this year of almost \$500 000, and if you look at the 2010-11 year, it increases to almost \$2 million decrease in funding. What I want to know is how much of that is attributed to the budget management strategies that are referred to in that line item? In other words, are we losing a considerable amount of staff in that area, or what decreases are occurring for us to recover that amount of money?

Ms O'BYRNE - In the 2009-10 year we have \$849 000. Is that the figure you are looking at?

Mr DEAN - If you look at line item 7.1, environmental pollution control, Budget 2008-09 is a bit over \$15.8 million and this year it is \$15.3 million or thereabouts. The following year, 2010-11, is \$13.9 million or thereabouts, almost \$14 million. If you look at the line item that refers to that item, it says on the next page:

'The impact of the Government's budget management strategies also impacts on that decrease.'

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I want to know what is going to occur to account for that decrease. Is it redundancies in the area or are there other manoeuvres or things happening -

Ms O'BYRNE - Or not happening.

Mr DEAN - Or not happening, because there will be public service salary increases in these areas as well, which will impact on it even greater. So I want to know what is going on and how you are going to cover it.

Ms O'BYRNE - There are clearly some amalgamation efficiencies. We have broad figures for that and we are working through the transition arrangements with the new departments now. Clearly that has a revision of corporate support allocations.

We have a couple of programs finishing, such the one-off Tamar River TEER program. I can provide you with one that does not divvy up between 7.1 and 7.2, it gives a more global figure, and that is partly because some of the services and supports for both environment and pollution control and analytical services are cross-referenced across the department. I am happy to give you those sorts of savings.

Around \$1.6 million will be from budget management strategies, including amalgamation. There is \$250 000 for the completion of the one-off Tamar siltation funding, which I mentioned. Around \$791 000 is from the revision to corporate support allocation. That is an increase in corporate support allocation as part of the change.

In 2010-11 the reduced expenditure for the Mount Lyell remediation works is around \$310 000. We have the cessation of the fixed term element of water and sewerage regulation initiative funding of \$382 000. These are projects that will come to a normal end point within our division's operations.

Mr WING - The \$382 000 being?

Ms O'BYRNE - For the cessation of the fixed term element of water and sewerage regulation initiative funding.

We have clearly been looking at where savings can be made. I cannot rule out savings coming from staff but I can say that we have already had a number of staff initiate additional sorts of savings, which includes opportunities such as taking leave without pay. Some people have put their hand up for redundancies in the Environment division or not?

Mr GADD - No.

Ms O'BYRNE - No, not yet. No one has formally requested that opportunity within the Environment division, across the broader agency.

Mr FINCH - You are staying, Dr Jones?

Ms O'BYRNE - Did I mention I am entering a new piece of legislation that prevents Dr Jones from leaving?

Laughter.

Mr DEAN - Minister, you have covered the projects that are concluding, but I specifically asked a question on the Government's budget management strategies. You have started to touch on that now.

Ms O'BYRNE - Yes, including the amalgamation.

Mr DEAN - You have started to touch on redundancies. Are there any redundancies earmarked from your now area of responsibility in this area?

Ms O'BYRNE - We have an opportunity across the entire agency for people to put their hand up. The redundancies that are offered are targeted voluntary redundancies. Warren Jones tells me at this stage we have not had anyone in his Environment division identify that they would put their hand up for that. That does not mean that they will not; I think there are a lot of people making decisions.

What we have to do, we have to make the equivalent amount of savings. It can be in programs, it can be in efficiencies, it can be in staffing. I think you will find, as we go through different areas, in some areas there are staff who are in a position to leave and have been approached appropriately on that.

Any position reduction at this stage would be through vacancy management rather than redundancy. Should a position become available, we would assess whether or not we need to transfer someone into that, if it is a frontline service, or whether we leave the position vacant.

Mr DEAN - It would seem from the way you are answering the question, Minister, with the greatest respect to you, referring to the budget strategies to reduce funding, that you do not have a forward plan of how you are going to do that. You are simply saying that it will depend on vacancies that might occur.

Ms O'BYRNE - No. What I can say is that I cannot anticipate how many people will put up their hand for voluntary redundancy.

Mr DEAN - But you must have a target amount that you would want. If half your staff put their hand up -

Ms O'BYRNE - We have to find \$1.6 million in budget management strategies, but that includes amalgamation efficiencies. We have a broad total for amalgamation efficiencies and it may be that it becomes more than that as it goes through a transition phase of moving into the new agencies.

I am trying to answer the question. Do you want to know if I have a set amount of jobs that have to go?

Mr DEAN - Yes.

Ms O'BYRNE - No. I have some.

Mr DEAN - Do you have a set amount of money that you must recover as a result of the budget management strategies? Do you have a set figure that you have to recover as a result of that?

Ms O'BYRNE - Warren can tell you exactly how the next year will play out, but the budget management strategies, including amalgamation, is \$1.616 million. That is what we cannot save out of the ending of particular programs or any particular project, but that we have to find. Is that the answer you were looking for?

Mr DEAN - That is pretty close to the answer I was looking for.

My next question is on the new EPA. How is that all working out and what is the staffing level within that area? I would like to know the salary levels of those who are employed in that area.

Ms O'BYRNE - I think the EPA has been working really well. It is reasonably early days for the EPA, they have been in operation for almost a year. I have provided them with a statement of expectation, they have provided me with a statement of intent. These are the sort of things I expect them to do and the sorts of things they have committed to do. Air quality monitoring is one of them.

One of the things you would be aware of is that if you are a farm owner, a parks officer or a forestry operator and you want to light a fire during the planned burning season, you would ring up and ask, 'Is today a day that is good for me to light a fire?' We were able to reliably tell them, 'Yes, absolutely it is.' What we could not tell them is what would happen if they lit more than one fire or what would happen if one fire was really big and there were a couple of other small ones. There was a limit to the amount of knowledge about the impact to the atmosphere of too much smoke; at what point the smoke stopped dispersing.

The monitoring systems will allow us to get to a point where we can say, 'Yes, you can light a fire, but there is a permit system and we can only light this amount of fires or this intensity of fires on this day. Yes, it is a good day for fires but it is not a good day for a huge amount of fires because of the atmosphere.'

Mr DEAN - The EPA is up and running, it is set up properly, you have the staff in place and it is moving forward?

Ms O'BYRNE - Yes. They are supported by staff from the Environment division. Some of those staff would do other Environment division roles, but many of them would be particularly related to the EPA.

Mr DEAN - Now you lead me into the next question, and that is on the smoke, which is a critical one. Mr Wing and I asked some questions of Dr Jones last year in relation to this matter. I would like to know what changes have occurred in this area, having regard to the questioning and the positions that were put forward at this time last year on this. It is causing havoc in some areas.

If I could read briefly from an email that I received - I think Mr Wing received it too - I will cut partway into this email from a person:

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'It smelt like a bushfire and caused headaches, despite the organic vapour mask I was recommended to wear for protection. It was very smoky from Patersonia to Ross so I stayed ... air quality has most likely exceeded the minimum set at different times during the day, due to mass pollution from planned burns affecting the north-east of the State at minimum. There were seven high intensity burns on near Burnie all week - hard copies available - plus several more in the north-east and I heard there was a parks, probably fuel reduction burn, on in the north which is not listed on the planned or burns alight website for the 12th.'

That is the sort of information we are getting. It is not included on the website, as I understand it is it is supposed to be. These burns are supposed to be recorded and registered. I am wondering what control the EPA has over these fire burns, when they are to be lit, the number to be lit on any one day and the impact and effects?

Ms O'BYRNE - I do not want to be in a position where you identify the nature of the person who has written to you, but can you tell me the dates you are talking about? It would be useful for us to be able to go and assess what happened on that date.

Mr DEAN - Yes, I can. This email was sent on Saturday, 16 May 2009 at 9.34 a.m. I do not have the right to disclose the name of the person.

Ms O'BYRNE - No, I am not asking you to.

Mr DEAN - I think it would be known, but -

Ms O'BYRNE - No, I was conscious that the data might have indicated who the person was, and I did not want to do that.

Mr DEAN - I would not think they would mind. I could get the name and provide it later, if the person is happy to do that.

Ms O'BYRNE - I do not doubt at all the veracity of the email. It is just that if we have an idea of the date, we can look at what occurred on that day, to give further information. That might not happen today, but I am happy to come back to both of you who received the email with it.

What I can talk about now is the work we are undertaking. Before I go into that, one of the things I want to do is to get to a point whereby we limit the amount of smoke on any given day, so that you put into the environment only that which the atmosphere can necessarily distribute appropriately. It means effectively the smoke will go up and continue to go up into the atmosphere; it will not go up and then you find that it is unable to dissipate and you get a really smoky day. That is what we are aiming to do.

Having said that - and I think the lessons from Victoria show this - there may be times when a fire hazard reduction burn is required and it might mean that we have to exceed or that a permit might need to be granted in addition. I think that is something I need to put on the record; that there will be times when, for fire hazard reduction purposes, we might have to make those decisions in relation to the Parks burns and also during the fire season itself. There are times when we might exceed.

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The idea of the program, which has been worked in collaboration with and has been incorporated into the Forest Practices Code, is to improve the coordination of those planned burns and also investigation systems into how we manage any complaint from planned burns.

During the current burning system a coordinated smoke management strategy is being trialled - that is what I was alluding to before - to coordinate planned burns each day. It has been developed between the FPA, the EPA and other key stakeholders. Clearly, Parks and Wildlife Service is one of those key stakeholders and we have an obligation here.

The number and size of burns in a particular area each day is being limited in accordance with weather conditions, forecast of smoke dispersion and other factors. The trial results will be evaluated at the end of the season, and I am happy to provide a briefing for members of the Legislative Council on that evaluation time.

We are monitoring airborne particle levels in Hobart, Launceston, Rowella and George Town, and another station is presently being commissioned in Devonport. The data from those stations has been successful in measuring the smoke from the planned burns, but they are probably not optimally located in order to really manage that.

During 2009 we have established another air quality monitoring system, which has a really cute name of BLANKET, which is the baseline air network for the environment of Tasmania. There are 15 low-cost automatic stations located in areas that we know to be more subject to issues such as planned burns. The data from those will be reported in almost realtime. It will get within 15 minutes to the publicly accessible website. So at any stage, say you live at Lilydale, you can click in and within 15 minutes you can get the realtime data from the monitoring station at Lilydale. That is the level of detail you should be able to receive.

[10.00 a.m.]

We will have seven stations in the north-east, seven in the Derwent and Huon valleys and one station in the Burnie region. We have put in \$640 000 to fund the BLANKET monitoring network. Five of the BLANKET stations were commissioned in May, at Lilydale, Scottsdale, Derby, St Helens and Fingal. Approval has been obtained from the relevant land owners for Huonville, Judbury and Geeveston, and we will be commencing work on those. The other sites where we have identified pretty much where we want them, negotiations are continuing. We need to be able to get the landholders to let us put it on their land in an appropriate area, and also to have access to it at the point where it needs access for maintenance. We are relying on the goodwill, and there has been lots of goodwill. We also need power services and Next G coverage.

Mr WING - That is really good news.

Ms O'BYRNE - It is not the absolute resolution every time but it will put us into a much better position to be able to know what the atmosphere can take on any given day; that we have allowed permits for XYZ farmer, XYZ forestry operation and ABC Parks project to be burnt on that day because we think the environment can sustain it. If it does not, we also have a way of monitoring that pretty quickly, so that we can act upon it.

Mr DEAN - I think that will satisfy -

Ms O'BYRNE - Not all the way up.

Mr DEAN - No, but it will certainly help a lot of people who have issues.

Are these burns to be registered with the authority? The concern raised on this occasion was that one of the fires that was contributing to the smoke was not registered. What action is taken by the EPA in those circumstances? Is there a follow-up inquiry or investigation or is any action taken?

Dr JONES - I probably need to clarify, firstly, there was a reference to a website and that one of the fires was not registered on the website. There are several websites. The one called www.plannedburnstas.com.au I think is the one being referred to, and that has two different maps on it. This information is provided by the forestry industry. The first map has on it the burns that are planned or are proposed to take place that day; that does not include Parks burns. The second map is just Forestry Tasmania, not the whole forestry industry, and that is burns still alight from the previous day or that day.

I think the complaint was that there was a Parks burn which was not on that website, and that would be quite correct, in that Parks do not put their burns on that website. However, the coordinated smoke management system is not a website for that system. The Forest Practices Authority operates the coordinated smoke management system, and that has at the moment a closed website, so it is not available to the public.

This is a print-out from one day. That has the air shed; there are a number of air sheds around the State. It has the user; and this particular one has Gunns Tamar, Gunns Burnie, Forestry Tasmania, Bass Parks and Wildlife Service, Gunns Triabunna. It has a bid of how much those particular parties wish to burn on that day; that is a quantity in tonnes.

I have printed this one as an example, to show the system did work in terms of restricting fires. While there were bids for that day, the allocation was zero for the first six of those. The point is this is a different website and it is not accessible to the public at this stage.

Mr DEAN - That was my question, Minister: why is it not accessible? I can understand there is personal information contained on there, but is it envisaged that that site will be made available to the public in due course?

Dr JONES - The EPA would certainly like that to be made available. It is the Forest Practices Authority system at the moment and I believe that the Forest Practices Authority would also like it to be made public. However, this year was a trial of this system, it was voluntary, and I believe some of the players said that it is a voluntary system and, based on that, they preferred it not to be made available.

Ms O'BYRNE - This could be part of the discussion of the evaluation at the end of the season.

Dr JONES - I think it will be, yes.

Ms O'BYRNE - I have a similar view that when people are given the most information that you can provide them with, it does help them interpret the data and the reactions.

I think we have made significant progress on this issue. It is one that I have pushed heavily and I know that Dr Jones has pushed very heavily as well, through the EPA. It will make a

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difference to the sort of issues that we have, particularly in the north-east but also around the State.

CHAIR - Minister, can you tell the committee when there will be a monitoring station at Patersonia?

Ms O'BYRNE - The problem we have - this is a question I asked as well - is with getting a powered site with the Next G coverage we need; that was the issue primarily. We have placed them as close to that air shed area as possible. Dr Jones might be able to explain that.

Dr JONES - We are certainly still looking in that area, but the main problem seems to be that there is very poor Next G coverage in the valley.

Ms O'BYRNE - Which we would all know, from that drive.

Dr JONES - We are looking at - while perhaps not establishing a permanent station there, seeing we have limited permanent stations and we want to get maximum value out of them - possibly getting a mobile station, which we could move around, and we may be able to locate that there for a period next year.

CHAIR - Minister, is that likely to be in this year's current timeframe for a mobile?

Ms O'BYRNE - It would not be in the current trial time period, I would not think.

Dr JONES - No. I think we would probably be looking at having that in place. I am sure we will have the whole network rolled out by the next burning season, next autumn, and that is the timeframe we would be looking at for getting monitoring in that area.

Ms O'BYRNE - Another interesting thing from that is that with wildfires as well, this data is available not only for the planned burning season but also allows us to have an indication of the environmental impact, the broader air quality impact of wildfires and domestic houses from this data.

On the day that we launched the Lilydale one, I spoke to the Environment division officer who was there and he said he was able to make an assessment of the impact in that particular environment from when people lit their home fires that morning.

CHAIR - Mr Wing.

Mr WING - I would like to commend you, Minister, and the department, on the steps you have taken. As you said, it is not a total solution but it is really good to know that that action has been taken. As a citizen, I was not as conscious this summer and autumn of that problem.

Ms O'BYRNE - I think it may have been a little damper, so that may have been weather related, as much as we would like to take some credit for it.

Mr WING - Yes. Well done for that.

Ms O'BYRNE - Thank you. I will pass that on to the staff.

Mr WING - As you know, it was a matter that concerned us very much and it concerned the people who were directly affected.

Ms O'BYRNE - We have worked very hard to try to respond to the concern that has been raised.

Mr WING - Yes. I would like to ask what sanctions are available to the department in the event of people not being cooperative?

Ms O'BYRNE - At this stage it is a voluntary engagement, we are asking them to participate voluntarily. That has required an awful lot of goodwill, and I have to say that they have all come very willingly to the table. I think in the future we might get to a point where we look at penalties for breaches. I am not sure that we have anything at the moment that we can utilise.

Mr WING - You may not have the power at the moment, but do you know whether there are any?

Ms O'BYRNE - I can ask Dr Jones to answer that.

Dr JONES - Basically, the system we have at the moment, as the Minister explained, is a voluntary system operated by the Forest Practices Authority, so there is no sanction. Indeed, I think some of the parties were quite anxious that they need to be confident, I guess, that they can work within the system before you would get to a full regulatory system.

At the moment - and we probably went through this last year - during the fire permit period the Environmental Management Pollution Control Act is not able to be used against fires that are lit in accordance with a permit. That permit period usually ends around the end of March - I think it was a little bit earlier this year - so the majority of the planned burning that is undertaken in autumn is, in theory, subject to EMPCA, therefore action could be taken either by a council or by the EPA for excessive smoke.

We have looked at that in a couple of instances and I have to say it is quite difficult. A number of the complaints we get are about smoke in general rather than a particular burn by a particular party. That immediately pretty well removes the capacity for taking enforcement action in relation to that.

The couple of cases we have looked at have proved more difficult than I would have thought, based on the evidence. There was one in particular where it seemed a fairly open and shut case in terms of there being one fire that was responsible for a significant smoke event. We took that to the DPP and, to cut a long story short, had enormous difficulties getting that case up.

I think the burden of proof for actually using the Environmental Management Pollution Control Act with its current provisions means that it will be very difficult, and that is not a particularly productive way of using resources. I think the approach we have followed of trying to get better regulation of when fires are lit - before the event, preventative, rather than after the event taking sanctions - is probably the best way to go, and that is where we have put all of our energies this year.

Mr WING - Yes. Ideally, if you get the right amount of cooperation, that is the most effective way.

Is any consideration being given to introducing a system whereby you have powers to take action against those who are not cooperating and do cause problems?

Ms O'BYRNE - I think a lot of that will depend on how we evaluate the trial process. I think it would only be if we were continually able to establish that, despite a voluntary system, people were acting outside that, I think then we would, by necessity, have to look at a more sanction-based arrangement around that. But while we have got people willingly to the table, if that works, then I think that is appropriate. If it proves that we find more people stepping outside of the voluntary arrangement and the integrity of it is damaged, we would have to look at that. But at this stage I am actually really happy with the players who have come to the table.

Mr GADD - I would think it would be an extension of the existing permit system, in which case you would hook into those.

Ms O'BYRNE - The existing permit system we are now operating will provide us with a base to say, 'Should you fail to abide by the terms of that, you would potentially be in breach.'

Mr WING - Is that the existing system for permits for fire danger periods?

Mr GADD - Yes, it is part of the fire management through the high fire season. If you think this through, anywhere we go in terms of regulation is likely to be an extension of that fire permit system into this burning season potentially, in which case we would hook straight into the regulations and enforcement mechanisms that underpin that.

Ms O'BYRNE - At this stage we are having a pretty good positive reaction to the voluntary process. I have always found it is much better to bring people willingly to a table than to force them to sit there.

Mr WING - That is right. As long as there is power to deal with those who do not cooperate.

Ms O'BYRNE - We have a legal operation outside of the permit system for anything that looks at though it may have been done outside the appropriate mechanism.

Mr Dean, you asked me about some environment staff figures, and I got carried away and forgot to go back to it.

Mr DEAN - Yes.

Ms O'BYRNE - I cannot give you the salaries now, I can take that on notice; I do not have them with me. I can give you the Environment division staff. For 2007/08 the full-time equivalents - bearing in mind we have a number of people who work flexible hours - was 113.96 last year and 125.25 this year, the increase predominantly being related to the operation of the EPA, and I think also potentially some water and sewerage staffing as well.

[10.15 a.m.]

Mr DEAN - What was the increase?

Ms O'BYRNE - It was 11.29 in FTEs.

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Mr DEAN - My question would follow on: what extra responsibilities or duties were taken up as a result of that change, that were not there before, that required 11.29?

Ms O'BYRNE - Responsibilities related to the EPA and the roles we have assigned to the EPA, which has all happened in the last 12 months, but also the water and sewerage tasks as well, the water and sewerage responsibilities we had.

CHAIR - While we are on staffing numbers, can I ask how many outside consultants were used?

Ms O'BYRNE - If Warren Jones can answer this one, then I will come back to it.

Dr JONES - I was going to elaborate on Mr Dean's question, rather than consultancies.

As a result of the EPA initiative that we received last year, we were able to increase staff in a number of areas. \$1.1 million of the \$2.5 million in fact went to maintaining the air monitoring network. We had a block of funding that was ending, so, had we not got further money last year, we would have effectively stopped air monitoring throughout the State. \$1.1 million of the \$2.5 million went solely to maintaining and expanding the air monitoring network, and there were six additional staff associated with that.

We have added a dedicated communications officer, who has been invaluable, I have to say, over the past year. We were able to make permanent a previously temporary position in our compliance and investigation section. We have added a person to help us improve our systems overall, which includes occupational health and safety as well as our management systems.

We have added three positions in the sustainability area, to maintain our clean use program and basically promote sustainability. We have added one position in the waste management area. We added three positions in our regulatory area, spreading it throughout a number of different functions there. We have a position dedicated to the management of controlled waste. Those positions are for the EPA.

Mr DEAN - The extra positions in the EPA, those 11.29 positions that were just referred to, will they be protected as a result of the redundancy program we are going into?

Ms O'BYRNE - We will be having vacancy control measures, a global vacancy control measurement. That means, if we have a frontline position we have to fill, we might move someone into that and not backfill their position, if it is not a frontline position. We do not have any absent targeted jobs.

Dr JONES - If you would like me to elaborate on that, I suppose we were in a fortunate position in that we were creating positions. Rather than having to abolish positions or move to voluntary redundancies, my predominant strategy was to look carefully at the positions we were going to create, and indeed not create some positions.

While I have just listed out to you 14 extra positions that we have in the agency, the original thinking at this time last year, when the world was much rosier and it was a very different scenario, was that we would have 17 positions. So we have simply not created three of those positions as part of our budget management strategy.

Ms O'BYRNE - I can give you the figures on the contractors.

Mr GADD - It is probably worth pointing out that with the economic downturn, of course, the EPA is not as busy as we expected it to be last year.

Mr DEAN - That was one of the questions I had, and I can ask it now. What is the call on the EPA at the present time for its functions and the work that is being done around the State? Is the work building up, is it lessening off, decreasing? Where are we with the work that is being done and the larger projects as well that are currently being taken on?

Ms O'BYRNE - The infrastructure projects, do you mean?

Mr DEAN - Within the EPA, some of the issues the EPA is currently working on and working with around the State.

Ms O'BYRNE - Can I use this opportunity to outline what the Environment division does. There is a broad view that the Environment division covers a whole host of areas that are actually covered by other agencies. Environment usually deals primarily with level 2 activities, which we refer to as the brown bit of the environment rather than the green bit of the environment in Environment division. The workload fluctuates depending on what projects might be being countenanced, but also monitoring those projects and risk assessments around those projects.

Mr DEAN - Are you still doing any work with the pulp mill, for instance? Does the EPA have any involvement or any responsibilities at this stage?

Ms O'BYRNE - Yes. Did you want to specifically address the pulp mill or are you talking globally?

Mr DEAN - You can address that in the one issue, Minister, if you can.

Dr JONES - It might be easier for me to address that, rather than trying to translate all that information across.

We are certainly very busy. The economic downturn has had some impacts in some areas, for example, there have been a number of closures of level 2 activities. That does not immediately result in a drop-off in work for us because the first task when an activity closes, particularly some of the larger activities and mines in particular, is looking at decommissioning and rehabilitation and so on. Rather than the work immediately dropping off, there is work for at least a year or two after some of those industries close. A number of them have not closed, they have gone into care and maintenance programs, so we still have monitoring to look at there.

To give you a flavour, in terms of new level 2 activities coming on board that we need to assess, we have over 40 of those on the books at the moment in some phase of assessment. Some of those we think will not go forward, but we have not been told yet so they are still on the books.

Some are being actively worked on. For example, some sectors are looking to expand; the wind industry, for example, with the mandatory renewable energy targets, is looking to expand. For example, we have just received a notice of intent from a major wind farm in the central plateau area, Cattle Hill, I think, which will be quite a major project.

Similarly, the economic downturn has led to the stimulus packages and you might be aware that there are - I cannot think of a better word - fast-track processes to get approvals up to allow that spending.

CHAIR - I would rather you did not use that word.

Dr JONES - It was not used in association with any large industrial development, it was used in association with the money that is being spent on schools and social housing. One of the outcomes of that, which has generated work for us, is that because those are not being done through the normal planning system, the normal screening process for a contaminated site is not in place. We have received quite a bit of work from both the housing people and education, in terms of long lists of schools that are being developed, to screen for contaminated site assessments.

Without going on too long, does that give you a flavour?

Mr DEAN - It does. If you could just cover the pulp mill; are you doing anything there?

Dr JONES - Certainly we are. Effectively throughout the year, if I give you a year-wide version, at the beginning of the last financial year we were still doing a lot of work in that area. The level of work has slowly declined as the year has gone on but we are still actively involved in the pulp mill, receiving documents for approval. There were two quite recent ones, one was the annual performance review and another was the pulp mill design report, which has been a media release just recently.

Mr DEAN - You have had to make an assessment on that?

Dr JONES - Yes.

Ms O'BYRNE - We are still in the process of the design report. The design report assessment by the EPA is not finalised.

CHAIR - Does that go on to the federal part of that process as well?

Ms O'BYRNE - There is a whole host of other regulations that exist alongside that process.

Dr JONES - The pulp mill design report is just a requirement of the Tasmanian permit. You might remember that the scope of the federal assessment is more limited, it simply involves threatened species, whereas the Tasmanian permit covers the whole ambit, and the pulp mill design report is a specific requirement of our permit.

Mr DEAN - Minister, a question is asked of me a lot in relation to the EPA and the pulp mill: do you believe the EPA has the ability and capacity to have the required input into the pulp mill monitoring and regulations and so on? It has been suggested to me that is not the case, that they do not.

Ms O'BYRNE - I think the EPA is extremely well placed. The requirements around the pulp mill are set as an act of Parliament, and alongside of these are the federal ones. As Warren said, our requirements that are a bit more extensive. I see no impost or preclusion to allow the EPA to follow its regulatory monitoring roles.

Dr JONES - With all the requirements to date, the main difficulty is with the amount of work that will come in it if does start up again.

Ms O'BYRNE - We have done all the jobs we need to do in terms of our regulatory monitoring and scene setting, I guess, for the rules that the pulp mill would have to operate under. Should the project actually start construction and move along, that would change the level of work that will be required. The EPA has the capacity to call on the broader Environment division staff, beyond its normal drawing capacity, should they need to; and to get specialist advice, should they require that. That is one of the reasons we did not say to the EPA, 'Here is your X amount of staff.' We have always wanted them to call on the Environment division, so they would have that flexibility for larger projects.

Mr DEAN - If and when the mill does commence construction, will there be sufficient staff within the EPA to do the functions?

Ms O'BYRNE - Within the broader Environment division. Should the EPA require additional resources or specialist resources, it can call on the broader Environment division as well. That does not in any way impact on its independent status, nor the fact that a lot of rules of the Environment division are governed by statutory responsibilities anyway.

Can I answer your question on consultants. I will leave the Environment division until last, because Warren Jones might want to talk about it.

Hydro Tasmania Consulting received \$151 819 for the Savage River rehabilitation project. That was the water quality monitoring project. Also for Savage River - which, as you would understand, takes a fair bit of our time - SRK Consulting were doing some work on the old tailings dam study, and that was \$834 885. Hyder Consulting is the feasibility study for container deposit schemes, \$81 050. I am really happy to further talk about that, if that is of interest to the committee. GHD have done some acid rock drainage options work for us at Crusher Valley in Savage River, and that is \$73 048. The one which struck me as the most interesting one is Kenelec Scientific for the supply of aerosol particle counters for \$384 600. I have never seen an aerosol particle counter myself. But you may explain what they are.

Dr JONES - They are for air monitoring.

Ms O'BYRNE - That is the special name for the air monitoring. 'Aerosol' sounded like we had some kind of can assessment.

CHAIR - They are all specialised areas of expertise that the department has no ability to be able to carry out?

Ms O'BYRNE - It is either purchase of equipment and the set-up of that equipment or it is extremely specialised knowledge. Around Savage River in particular, that is quite specialised. I am assuming that had been drawn down on the federal preserved dwellings.

Dr JONES - At Savage River we do not have any federal preserved dwellings, it is all ours.

Ms O'BYRNE - It is all ours.

CHAIR - They do not have any money put aside to address that issues, as other industries do?

Ms O'BYRNE - Sorry, it was the Federal Government I was talking about.

Dr JONES - The Savage River remediation program is funded by funds that the Government obtained when Pickins Mather left the Savage River in the middle of the 1990s. That was effectively \$25 million, roughly split in half. Half of that was cash, which is invested and earns interest, and half of that is effectively in-kind works from the current operators of the mine, ABN. That is where that is funded from.

[10.30 a.m.]

CHAIR - Minister, does the department itself look after the funds that they have taken from industry, as a bond type of management?

Dr JONES - Yes, that is deposited in the environment protection fund which is established under the Environmental Management Pollution Control Act.

CHAIR - How much is in that fund? What is the quantum?

Dr JONES - I think we might take that one on notice. It is complicated by the fact that there is a very large chunk of Savage River money in there, which dominates pretty much everything else because it is so large.

Ms O'BYRNE - We will take that on notice. We also have some money set aside from the Mount Lyell remediation project as well, which is a separate program. I am very happy to provide members with a brief on that program at any time, because there is the potential for some very exciting work. We just need to hold on to every one of our federal dollars in order to do it. Any lobbying you would like to do to save our Mount Lyell money, I am very happy to brief you on what we need.

Mr WING - Looking at output group 7 as set out in Budget Paper No. 2 Volume 2 at 11.25, there seems to be very little difference in the amounts allocated for 2009-10 until we get to the appropriation near the bottom of the page, and there is a difference of nearly \$1 million. Could you please explain how that comes about? It says:

'The decrease in appropriation in 2009 was due to the impact of the Government budget management strategies and the cessation of one-off costs for water and sewerage and Tamar River siltation.'

I am comparing that with the earlier figures.

Ms O'BYRNE - I will refer you to Warren Jones at this point.

Dr JONES - It is offset by revenue. One of the initiatives which has assisted us in managing the budget management strategy has been that we introduced a new system of fees in November 2007 and some of the flow-on from that has meant that we have had increased revenue. We have an arrangement with Treasury which means that some of that flows back to us. Some of it is offset by that, and I believe some of the rest of it is offset by a predicted increase in revenue from Analytical Services Tasmania.

Mr WING - Revenue is the main factor?

Dr JONES - Yes.

Mr WING - Note 3 refers to the cessation of the Tamar River siltation initiative. I hope that was not a cessation?

Ms O'BYRNE - No, it is just the particular project that was run over that period.

Mr WING - Because the problem is growing.

Ms O'BYRNE - It was just the \$250 000 that was particularly identified for the tier funding. Can I assure you that this Government will continue its commitment to the Tamar River. One of the things we are waiting for in relation to the Tamar is, of course, the Legislative Council's inquiry into the appropriate management structures, which may end up with the committee suggesting a clear pathway of no change, it may end up with a statutory body. It is conceivable it could end up with us looking at a partnership agreement between all councils and ways in which we could engage industry. All of those options are still there.

We are also still waiting for the Hydro Tasmania study, the Tamar estuary and hydrodynamic model which has been developed by the Launceston City Council with assistance from Hydro; there is the development of the NRM North volume process, causes and rate of sediment, entry in from the upper catchment; and the evaluation study which was initiated by the Launceston City Council. At the moment we are waiting for that data to come in, to give us the plan forward.

I have no preconceived idea of what that plan would be, other than the fact that the State Government will clearly have a role to play. We have an ongoing commitment to support the Tamar River. These are the sorts of approaches you can also go direct to Treasury for additional assistance on as well.

Mr WING - Minister, would you agree that the State Government has the main role to play in this, as it is the only body that has jurisdiction over the area that is causing the problem?

Ms O'BYRNE - I think we have a significant role. I certainly do not think it all falls within the responsibility of one council. I think that, whilst the Launceston City Council is the council that is predominantly the beneficiary of the sediment - if sediment is worth money - there are a number of other local government areas that have responsibility. I think the Federal Government has a responsibility as well, because the projects do take us into broader environmental and social discussions. I think that industries have a role too.

I am looking forward to the outcome of the Upper House inquiry. I must confess that I have thought a lot lately about a partnership agreement that locks in all of the local government areas. The key to that would also be how to ensure that you could make it a tripartite agreement between all governments. You could seek Federal Government engagement in that. This is free thinking, and I know you are not supposed to do that in this forum, but it is an area that we are passionate about.

Mr WING - We like to encourage it.

Ms O'BYRNE - I knew that you would not mind it at all. The key to that would be to have industry at the table, because there are a number of players who impact on the river, whether it be further up the catchment or further down toward the coastal outlet as well. I am not locked into anything, other than I am prepared to commit that this Government will continue to support the Tamar River.

I think, whatever model we looked at, it would be nice to see the focus not just being on the sediment issue but also about amenities around the river and people's access and community engagement with the river as well.

Mr WING - And flooding as well.

Ms O'BYRNE - And flooding, yes. The flipside on the argument is that the councils further up the catchment say it is not their fault that Launceston City Council decided to build in flood plain zones, but we have moved on from that and we have the situation we have and we have to find strategies around it.

Mr WING - In terms of power to deal with this, of course the State Government is the only body that has the power to make decisions and legislate for it, although the Federal Government has a role in funding.

Ms O'BYRNE - Yes, and I would like to see a broader partnership between them all. I am interested to see the outcome. I do not think a statutory authority would necessarily preclude there being a partnership agreement either, if it locked us into broader funding opportunities around amenities around the river as well.

Mr WING - The reference in footnote 3 to the Tamar River siltation initiative ceasing, that refers to the funding for the TEER?

Ms O'BYRNE - Yes, the \$250 000.

Mr WING - The NRM report is due in the next two weeks?

Ms O'BYRNE - Yes. That will set the course for future management as well.

Mr WING - State Government contributed \$125 000 to that, did it?

Ms O'BYRNE - It was \$100 000.

Mr WING - And the city council about \$250 000?

Ms O'BYRNE - Roughly. We can confirm those figures for you. I think they sound right.

Mr WING - It does not matter exactly, but thereabouts?

Ms O'BYRNE - Certainly ours was about \$100 000.

Mr GADD - I think they got \$250 000 from the Commonwealth.

Ms O'BYRNE - Yes, they did get federal money as well.

Mr WING - I thought the Commonwealth had refused to contribute?

Ms O'BYRNE - They gave funding for part of a project, and I think some of it might have been used to offset money for another project. I am more than happy to get that data for you. I will double check that. I thought there was money in the tier from the feds.

Mr WING - Siltation is clearly seen as the major environmental problem, would that be fair to say?

Ms O'BYRNE - Yes, but I am always conscious to add that some siltation is not necessarily an anthropogenic reaction, some of it may be naturally occurring. If you accept that there are natural river flows and natural silt issues, I am happy with that. I do not think all of it was created by XYZ factory, is my point.

Mr WING - I have only heard anthropogenic used as a medical term.

Ms O'BYRNE - Anthropogenic I think is a great word.

CHAIR - Minister, I think, given the composition of this committee, we could probably talk about the Tamar River all day. I am mindful of the time.

Ms O'BYRNE - Could I add one last point?

CHAIR - One very brief last point. The executive summary from the Tamar estuary report said that there are a number of environmental issues, in particular the rapid sedimentation rate, which do require ongoing dredging, and I do not think we can walk away from the dredging requirements that are necessary there. There are also high levels of turbidity and nutrients in the upper and middle estuary. There is intermittent faecal contamination of upper and middle estuary waters. Can I point out, I believe that is in fact a Health Department issue, not me. Heavy metal contamination of water sediments and biota and introduced weeds and marine pests, that is mosquito fish and rice grass.

Mr DEAN - Has that report been publicly released?

Ms O'BYRNE - Yes. I am happy to grab you a copy.

Dr JONES - It was late last year.

CHAIR - Mr Dean has a final question on environment, Minister, and then we are going to have analytical services and then try to get out of this output group.

Mr DEAN - My question comes down to the area where you are involved with municipal activities. I refer to the Launceston area - and I have to make sure I have the right hat on here.

CHAIR - It is the Legislative Council hat you need today.

Mr DEAN - I have that hat on.

Ms O'BYRNE - Yes, some of Launceston council does fall in your seat.

Mr DEAN - There is huge concern in and around the Launceston area in relation to the pollution from the sewerage treatment plants, particularly Ti Tree Bend, and also the other sewage treatment plants at St Leonards and the other areas. What is the EPA's involvement in relation to those sewage treatment plants? What is being done to take control of the stench that is continually emanating from those plants?

I am raising this question because of my position on local government as well. It is an important question, it is a significant issue in and around Launceston, and infuriating many, many residents.

Ms O'BYRNE - I am happy to hand this to Warren Jones in his role as EPA, rather than environment.

Dr JONES - Yes, the EPA regulates the level 2 sewage treatment plants in the Tamar River, in particular Ti Tree Bend. We know, as does the council, that there are current odour problems from the plant at Ti Tree Bend and also there were some problems with handling the hydraulic flow, the actual amount of effluent and stormwater that was coming through the system.

We have asked the council to address both of those issues within the past 12 months. I know that they have undertaken an odour analysis and some odour modelling to identify how far the odour problem was going and also to look at what the sources were and what the solutions are.

Mr DEAN - I think we know what the sources are.

Dr JONES - No, specifically which parts of the treatment process were generating the odour. Obviously you have to understand what the problem is before you can solve the problem. It is effectively aimed at that.

That report has been recently submitted to the EPA and we are currently looking at that. I believe it has identified the actual bits of the plant that are causing problems. One that has stuck in my mind - I know there was more than one - was some element of the actual primary treatment process. I believe the council is, if you like, doing the right thing in terms of looking at acknowledging there is a problem there and, with regulatory encouragement from us, looking at what those solutions are, and we are well down the path to identifying what needs to be done there.

In terms of the hydraulic overload, that also has been addressed during the last year and is now better than it was. I believe that the plant is currently performing quite well, according to my regulatory officer.

Mr DEAN - Will the EPA give an ultimatum to the council that the problem must be rectified? Will you go that far or will you just allow it to continue on?

[10.45 a.m.]

Ms O'BYRNE - The EPA is an independent body, so I would have to refer that to Dr Jones. I cannot direct them to do an undertaking such as that.

Dr JONES - The short answer is that any breaches of the Act will have to be addressed, yes.

CHAIR - You might take that message home to that other hat body. Thank you, Minister.

It is my responsibility now for 7.2, which is Analytical Services. My understanding, Minister, is that Analytical Services is effectively a chemistry laboratory that provides service on a commercial basis to companies, fish farms, mines and councils, as I am led to believe. What percentage of the Budget to support the AST is recovered through external fees?

Ms O'BYRNE - The external fees in 2009/10 will be \$2 050 000, roughly two-thirds.

CHAIR - That is a significant increase on last year, which was about 50 per cent.

Ms O'BYRNE - In terms of its overall budget, we have increased fees in 2007.

CHAIR - The actual percentage of external fees that are recovered?

Dr JONES - My best guess is it has not changed by that magnitude, but I would have to take that on notice. There has been an increase in fees, but it certainly would not have been of that magnitude. I do not think there has been any quantum step change.

Ms O'BYRNE - We are happy to take that on notice.

CHAIR - In my reading of what this service provides, as I spoke about service in councils, has there been any active work done by the AST to get more local work, so to speak, to get more councils? Not every council, I believe, uses this particular one. It is a commercial operation.

Dr JONES - That is correct. This is a very careful area in which we have to operate, obviously, as a government laboratory working in a commercial sector. There has not been a lot of emphasis in recent years on going out there actively trying to increase market share, but the philosophy behind AST remaining as a government entity working in a commercial environment was effectively to fill a gap that otherwise the commercial sector was not likely to fill in Tasmania, to offer the full range of services.

Analytical laboratories, like many other businesses over the past 20 years, have gone down the path of most of the smaller laboratories; they have been swallowed up by larger ones. The advice I have is that a full-scale laboratory offering the range of services that AST does would not be likely to be set up commercially in Tasmania.

We are treading a fairly delicate line there of trying to fill gaps but still keep the business running.

CHAIR - I noticed there is no projected increase in the number of analyses performed. On 11.26, table 11.16, there is no increase. Obviously that backs up that AST is not actively looking at increasing the number of analyses they actually perform.

Dr JONES - It may well reflect also the global downturn, because that obviously impacts on a business like AST.

CHAIR - I know it is based in the south of the State; there will not be any plans to have a chemistry laboratory in the north of the State?

Dr JONES - No. There has been a conscious effort to amalgamate the services, which occurred a couple of years ago, at a single site. Consistent with that theme that I explained to you earlier about laboratories getting bigger and in one place, that would be the situation.

There is a private laboratory in the Launceston area, which has a cooperating relationship with AST, so that carries out some of the analyses that cannot be done. Indeed, the government uses that laboratory for some analyses that are best done without a lot of transport. Similarly, they refer to AST the analyses from some of their clients that they do not have the capacity to do.

Ms O'BYRNE - Primary industries has a laboratory service at Mt Pleasant.

CHAIR - Minister, I am mindful that I cannot break for morning tea until the member for Rosevears has put a question. On Analytical Services, we have one more from Mr Wing, thank you.

Mr WING - Under the performance guide information -

Ms O'BYRNE - 7.16.

Mr WING - Yes. It shows, although the number of samples to be analysed will increase, the turnaround time is increasing too, from 8.2 days to 8.6 days. Is that through any lack of staffing, or what is the reason?

Dr JONES - If you look at the target for the out years, it was 8.5. I suspect that is probably the underlying target, and in 2006/07 we had a particularly good year. That may reflect the types of samples that come in. Some samples that go through the auto analysers are put through very quickly; some other types of analyses take longer. The breakdown between the sorts of analyses that are carried out will affect the turnaround time.

Ms O'BYRNE - Can I also say, 8.2 to 8.6 would still meet the same mail guidelines because the mail will still only go at the end of the day anyway. So I am not sure that people will notice a significant change.

Mr WING - I think you might be right.

Ms O'BYRNE - Although there are e-mails.

CHAIR - Minister, I am mindful that we probably just need to change over some of your staff, so by the time we do that -

Ms O'BYRNE - Does anyone want to ask about litter? We are very excited about the litter hotline. Never mind.

CHAIR - Would you like to give us an update in two minutes?

Ms O'BYRNE - On the litter?

CHAIR - I will not put the timer on at this point in time.

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Ms O'BYRNE - The big focus we have had with litter is about changing behaviours. There are two ways we do that. One is that we want to show people good messages around the environment and the other is the regulatory part around it.

CHAIR - Dob in a mate, or a non-mate?

Ms O'BYRNE - They might not be a mate; who knows? We have reformed the litter laws to allow regulatory tools so that people can deal effectively with litter but also with litterers. We have the litter hotline and reporting system. I will not take too much of your time, but I might take you through the statistics we have, because we think the public is supporting this, we are noticing some great changes.

In June last year, for example, there were 32 litter reports received, and report rates have increased consistently and stand at 95 a month now. There is generally a bit of a decrease of reporting during the winter period, and I would say that is probably because the daylight hours are a bit shorter, so you see less. To 15 June 2009 we had 1,154 reports made to the hotline, and 75 per cent of those complaints were verified as full complaints. You cannot just ring up and mischievously create these things. There were 754 full complaints received which resulted in the issue of 461 infringement notices, 99 written warning notices and one abatement notice.

We have not had a prosecution yet. The first one was scheduled for hearing on 29 May but was adjourned for a plea hearing on 11 August. We have not necessarily got to that point as well.

CHAIR - No one has been made an example of at this point in time?

Ms O'BYRNE - I am not sure they have to be made an example of. Certainly the infringement notices and the warnings are there. What we are trying to do is change behaviours and change the culture around those behaviours. If a warning notice does that, that might be the end point for people changing their behaviours. A major issue is cigarette butts.

CHAIR - A conviction would actually send a strong message to the community.

Ms O'BYRNE - It would, but we do not to say that any of the issues we pursue are simply to create that kind of message, if it is not legitimately going to do so. If we do not have to get to a prosecution, that means we are making an impact.

Cigarette butts was the major issue. They are a risk not only from a littering point of view but a fire hazard risk as well. I think we have all seen too clearly in this last year how much more careful and vigilant we all have to be in relation to fire.

CHAIR - Does the department take an active role in the removal of roadkill, or is that completely State and local government?

Ms O'BYRNE - No, that is not our role at all. I think DPI might have some statistics on it.

We have a very strong education campaign around that as well, because we are going to highlight the people who are litter champions, we are going to tell the good stories when councils and local government areas and communities take positive action. This is not necessarily about the big stick, although it is important to have that stick there, but it is about changing behaviours.

I think we can show that, as governments of all levels, we can take a lead in behavioural change and community attitude.

I thought it was a good story. There are lots of other lovely stories on the environment.

CHAIR - Thank you, Minister. I would like to again thank Dr Jones for his input into this Estimates process for Committee B. We will always appreciate your level of knowledge. You certainly are an experienced campaigner.

Mr WING - Madam Chair, could I say that I hope that satisfactory arrangements can be made that will enable Mr Gadd to be able to continue the good work he has been doing in this and other areas. I have really appreciated that, and his approach and the way that he handles issues, and I do hope satisfactory arrangements will be made so that we will continue to benefit from the expertise he has demonstrated.

Ms O'BYRNE - I am happy to put on record my absolute support for the work Scott Gadd has done over the years. He has done an excellent job in leading this department. He has taken a lot of these areas on a journey to broader community engagement, and that has been exemplary. We get to keep him for a little while.

CHAIR - If he would like to see me in the break, I have an idea, there is a position coming up he might like to put his hand up for. We are going to have a break.

The committee suspended from 10.57 a.m. to 11.14 a.m.

Output Group 8 Parks and Wildlife Management

8.1 Parks and Wildlife Management -

CHAIR - Minister, I would like to formally welcome to the Estimates process the newest member of the Legislative Council, the member for Mersey, the Hon. Mike Gaffney. Welcome, Mike.

Mr GAFFNEY - Thank you.

Ms O'BYRNE - Can I introduce, first of all, new to the table, a gentleman from the Parks and Wildlife Service, Peter Mooney. At that point I can say, despite media reports to the contrary, clearly we still have a Parks and Wildlife Service and will continue to do so.

CHAIR - We are pleased to hear that, Minister, as you can imagine.

I am going to take this opportunity to hand over to the member for Rosevears, who has sat very patiently.

Mr FINCH - Seeing that you missed me out through all the other processes.

Ms O'BYRNE - To be fair, I did try to give you a question.

Mr FINCH - Minister, first of all, can you clarify for me your role now as a minister? You mentioned the two departments earlier, the DPIPWE and the EDPHA. Can you just explain to me where you sit in respect of the portfolios that you now hold? These areas from your old department are going in with other ministers. So could you clarify the situation, please?

[11.15 a.m.]

Ms O'BYRNE - On 1 July I have to resign my portfolio as the Minister for Environment, Parks, Heritage and the Arts and the Minister for Tourism. Then there is a gap, when I decide whether or not I go to Government House -

Mr FINCH - And resign?

Ms O'BYRNE - In order to receive my new portfolio titles. Sport and Recreation stays the same, it's always been a single line item, as a construct of the Government House requirements. I will be the Minister for Environment, Parks and Heritage and I will be the Minister for Tourism and Arts. That means, just in the same way at the moment I am the Minister for two areas that I share, in the Department of Economic Development and Tourism, the Secretary of the Department of Economic Development and Tourism currently reports to me on Sport and Recreation and Tourism. As of 1 July he will report to me on Sport, Recreation, Tourism and Arts. In the new DPIPWE department, those areas that I am currently responsible for will still report to me through the secretary, Mr Kim Evans.

Mr FINCH - First of all, why the gap in between resigning and -

Ms O'BYRNE - The new department commences on 1 July, so I have to resign my portfolios, I then have to go to Government House to be sworn in on the new names. That is a legal construct that Government House requires. I cannot be Environment, Parks, Heritage and the Arts, because it covers two departments. So I have to be Environment, Parks and Heritage; Tourism and the Arts; Sport and Recreation; in little gaps.

Mr FINCH - You have nearly got it down pat. Is this going to be confusing for people who are trying to deal with those departments and get an understanding of where things sit in which departments? I have found over the years it has been quite confusing to track down the ministers and the bureaucrats and the people responsible for the processes, because there is such confusion with this mixture of different things in different areas.

Ms O'BYRNE - I do not know that the broad collection of people who deal with agencies would notice any difference. They probably have not had the same confusion you have had.

When you deal with a department, because of the nature of your role, you want to know who the minister is and you want to know the department's structure. Most people just want to know, where do I put in my sport and recreation grant, who do I talk to about arts business development assistance, can I ring Parks and Wildlife Service and get some advice on what I need to do to go to Cradle Mountain?

Most people deal directly with the division's frontline service, so they will not notice any difference at all. Other than that, you will see on the website there will be a clear matrix that shows the ministerial responsibilities. Kim Evans is in a position where he will have some

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statutory roles that report to me and some statutory roles that report to the other minister. I do not think the other statutory role division is in the new areas.

Mr FINCH - Do the people who work in these departments get a sense of some confusion about who they are actually answering to and who they are working to, if the department is changing all the time? Just assure me that the people who work in these departments are brought along on the journey and that they are comfortable with the departments which they change to and work in.

Ms O'BYRNE - I am not sure how many departmental changes Mr Mooney has had, but I know that Dr Jones has had six different departments in his lifetime, but at no stage has the Environment division itself ever changed. It is not an unusual feature of government for departmental structures to change.

It really was a difficult decision and it is the reason that I went to many of the offices where we employ people and sat down with staff to talk to them about it, so they would understand that this is a budget-driven realignment of corporate services costs, as opposed to any movement within their individual divisions.

I do not think it has been easy for those people, because it is change and change is never easy. Having said that, this is not the first time that any of them have ever gone through it. They are professional, they are hard working and they go through the process appropriately.

Parks and Wildlife Service still exists as the Parks and Wildlife Service; Environment division still exists; Heritage Tasmania still exists; the Heritage Board still exists; all of those things are still there. So all of the things that people have dealt with day to day are still there. The change is very much at the bureaucratic level, where the cost savings can be made. Having said that, it was not an easy decision and as minister it was difficult to be part of that decision.

Mr FINCH - These are general questions, Madam Chair.

Have you been able to recognise what sort of savings this would bring about by changing the departments all around and absorbing them this way in other areas?

Ms O'BYRNE - I will find the paper I have on that.

In terms of the staff being kept informed, both Mr Gadd and Mr Evans have been providing transitional bulletins which have been going out to staff to keep them informed on how the changes are progressing. We are doing that with the other departments as well, and also the Arts transfer to Economic and Tourism, so staff are getting bulletins as things change.

Having said that, the new department has not commenced yet. There are a lot of things about where savings might be realised. Those things are reasonably flexible as the process goes on, because the two secretaries of the newer departments have their previous savings and they need to work with the savings that we bring or do not bring, given the areas we are dealing with, so there is a transition phase. The Premier has said there would be 25 SES positions cut from government; clearly those things are still being determined, so those sorts of savings still exist.

The amalgamation efficiencies for 2009-10 are \$2 150 000 and for 2010-11 are \$4 300 000. These figures have been provided by Treasury, in terms of where they see the savings being

made. As I understand it, they drew most of that understanding from the creation of the department and the costs around creating it. There may be further efficiencies that come through the services.

There are some good realignments with the changes as well. We have been criticised by members of neither major political party, and no Independent, for some time for the fact that Parks and Wildlife Service and the conservation branch of DPIWE were separated from the conservation and resource management branch. Because there are synergies in the work they do, they might often be in the same area looking at different aspects of the same problem. They will now be, whilst reporting to different ministers, in an area that allows, one would hope, greater integration and enable them to have those conversations as well. So there are neat fits with it all.

I think moving Arts into Economic Development does push us more to the broader conversation about arts; that arts is not something nice that we do off the edge of our desk; arts is in fact an economic driver and a cultural economic driver for Tasmania. There are synergies that mean we can cast that way. Having said that, it has been a process for all of us.

Mr GAFFNEY - Minister, you mentioned the \$2.15 million and the \$4.3 million. I think for the two years after it is predicted to be \$4.3 million and \$4.3 million, and this is an amalgamation process.

Ms O'BYRNE - In the first year the savings would take a period to be realised. The \$2.15 million is a half-year effect in the first year.

Mr GAFFNEY - Is this from the single amalgamation process or a potential further amalgamation process?

Ms O'BYRNE - No, just this single process.

Mr FINCH - Do you have a breakdown in respect of what you will save on salaries with the loss of people? Is that reflected in the figures you are talking about?

Ms O'BYRNE - We are not able to give you a defined amount yet, because there are two levels of it. One is that clearly you do not need two human resources sections, you do not need two IT sections. Having said that, it might not necessarily be people in DEPHA who leave; it might be that there are people in other areas of other departments who say they are interested in the voluntary redundancy and they want to go, and we might transfer someone through. There is a lot of flexibility, and it probably will not be until this time next year that we will be able to sit down and work out the final outcome of where people go, because that is an ongoing process.

When I get to the tourism section this afternoon, I can illustrate how that process has worked in one defined area, because it is an area where a decision was made prior to the Budget announcements about an area. I can take people through what that process has meant, because I know the outcome of that one, almost. But in this one it is very much a movable feast.

For instance, while we are talking about saving jobs across the State, if we can save money and protect a job, we will always look at opportunities to do that. It means you might see a change in where jobs are. In the Parks section, for instance, we will have more frontline parks' rangers and managers positions on the ground this year than we did last year. Where jobs might go, if they were a front-line person going, we would only be able to do that if we had someone

who was able to fill, because when we talk about frontline services, Parks have those as well and we want to maintain those. So there is a lot of movement and flexibility as to how that might play out. That does not mean we have not had people in Parks and Wildlife Service put their hand up, because some people have, but it is early days yet.

Mr FINCH - Can we talk now about Parks specifically, in respect of the numbers you have in the service and how that is likely to change with the offer that has been made about no redundancies and natural attrition?

Ms O'BYRNE - And vacancy management as well. I can give you what the figures are now. Clearly, because it is a voluntary program across government, there will be flexibilities around where they go. It might be that we see more in one area than another. What we have to determine is, if someone puts their hand up, is it a targeted redundancy, whether we can afford for that person and their skill base to go; and, if we think they can go, whether we can backfill their position from somewhere else in the department. We are working through that all the time.

CHAIR - Minister, there has been some discussion about selected redundancies and there has been a reference to target redundancies. Can you explain to the committee what is the difference?

Ms O'BYRNE - What we do not have is, 'We are definitely going to sack these people, and here they are.' That is a non-voluntary scheme, that is a compulsory redundancy scheme.

Mr FINCH - The private enterprise approach.

Ms O'BYRNE - We will have people saying, 'Okay, this is something I am prepared to consider, I am interested in taking this option.' I advise people - and I am happy to point it out here, because I did it when I went to the divisions after the DEPHA decision - that they should always seek personal financial advice before making that decision, because sometimes redundancy sounds nice but you need to understand what it means to you. So I counsel everyone to get private financial advice.

CHAIR - As a department, have you provided that for your employees?

Mr GADD - We have.

Ms O'BYRNE - Yes. What the targeted redundancy means is that there are some positions that we cannot afford to lose. For instance, if Warren Jones tries to leave me or Peter Mooney tries to leave me, I am pretty sure I will still need those jobs. You cannot get rid of the general manager of the Parks and Wildlife Service; you cannot get rid of the director of the Environment division. The targeted redundancies mean that, because we have to maintain certain services, we will always need to be in a position to fill those positions. Every job in the public service is important and everyone plays a really important role, but in this current climate we need to ensure that, if anyone does go and the position is not filled, it is one we can afford to manage without.

CHAIR - With all due respect, Minister, every one of us in the place is replaceable tomorrow.

Ms O'BYRNE - If we have someone to backfill the position; and we have a broad spectrum. We cannot employ anyone new. If somebody did go, we would have to fill the position, and if it is a frontline position that we believe to be crucial, we would have to fill it from within the public

service, so we have to know we are able to do that. We have to have a certain number of scientists in analytical services and we want to have a certain number of rangers. Ranger positions are not always easy to fill, particularly in the more remote locations.

CHAIR - In the Mt William National Park, it is always difficult to get a ranger there.

Ms O'BYRNE - I would have to say that the Arthur-Pieman Conservation Area is even harder. It is difficult to fill positions in remote areas. We want to be sure we can still meet our obligations in those areas.

Mr MOONEY - We have been offering only voluntary redundancies at this point. We have not been targeting anybody. We have just been saying, 'Have you thought about it? What are you going to do next, if you are interested.'

Ms O'BYRNE - I am looking for a page on Parks. I had a groovy one.

Mr FINCH - Amongst those groovy figures, do you have any references back in time? Could you or Mr Mooney give me some sort of view in respect of how we have been progressing over, say, the last five years in respect of Parks?

[11.30 a.m.]

Ms O'BYRNE - Can I just say, this is not a Dorothy, because I have the groovy page I was looking for. For the Parks and Wildlife Service, paid FTEs - this is the full amount - at 20 April 2005 we had 252.66; at 31 May 2006 we had 276.02; at 2 May 2007 we had 274.21; at 14 May 2008 we had 278.55, and as at 29 April 2009 we had 271.11.

For the rangers and parks and reserves manager positions, in 2008 we had 71 positions, 59 of which were substantively occupied, 12 were vacant, but two had acting placements. In 2009 we had 76 positions, so an additional five positions; 68 of them are substantively occupied and we have eight vacant positions, one of which has an acting occupant.

Mr FINCH - Those figures are inside the ones you gave me first?

Ms O'BYRNE - Yes, this is a breakdown. When people think of Parks, they do not generally think of the broad spectrum of services that Parks provide. They are the rangers and reserves managers, so they are the people you would meet at Mt William, for instance.

So we have had an increase in frontline services in Parks. Having said that, you could have 20 times the amount of staff and it would be wonderful. It would always be great to have more people for Parks. I do not think anyone disputes that.

Mr WING - Up to 20 times.

Ms O'BYRNE - Probably more! It would be wonderful if we were in the sort of world that could do that. This is one of the reasons I think there are a lot of opportunities for partnerships with community organisations and communities themselves to take a broader engagement. We have volunteer track workers in Wildcare. They have volunteer track workers and track walkers who are passionate about the particular park or area. They are not ours, but we work with them and support them where we can, and they are a great resource for the tourist or local who wants to walk on the track.

Mr WING - Do you insure them?

Ms O'BYRNE - I believe they are insured. There was certainly an insurance issue some years ago and it was resolved, yes.

If you accept - and I think you have to - there will never be a limitless budget for Parks, we have to form partnerships in order to provide the services. They can be with communities or with organisations like Conservation Volunteers, and we are looking at some exciting partnership programs with them.

We are looking to work with a university at the moment about how they might deal with using people during their gap year by giving them a one-year placement which allows them to do volunteer work within a nature-based environment in Parks. They could do six months work in another minister's areas, in relation to devils, for instance, or in my area in relation to tracks or Heritage or Aboriginal Heritage, and they would get a course credit for that. The university thinks it is a great strategy to stop losing people in the gap year and we think it is a great strategy because it builds our depth, our capacity and our relationships.

They are the sorts of things we have to keep looking at because there will never be a limitless budget for Parks, which is what we would all love.

Mr FINCH - Where will that figure of 271.11 be in 12 months' time? Where would you want it to be, with the savings that the Government is looking at across the board, with the 800 less?

Ms O'BYRNE - We would want it to be about the same.

Mr GADD - Absolutely. We are already trying to push more effort into the frontline, and where we have to take the haircut will be taken out of the non-frontline areas, like head office.

Mr FINCH - Are they in this figure of 271.11?

Mr GADD - They are in the total of 271.

Ms O'BYRNE - There will be savings across the amalgamation of the services, and that will depend very much on where people go.

Mr FINCH - Is there not a commitment to all departments to shed some of the workload?

Ms O'BYRNE - But that can be done and the position could still be there. It can be done by vacancy management, it can be done by backfilling. We have a lot of people who have looked at reducing their hours, so that provides a saving for us. It does not mean the loss of a position but it does mean a change. Having said that, (a) there are only some areas where that is possible and (b) it is not always possible for the individuals themselves. If you are in a financial position whereby you can lose some hours and you make that decision, that is fine. If we require you to do so and you cannot meet your mortgage payments, then we have not helped anybody through the process.

For instance, I want to still have those positions of rangers on the ground. If the Greens' plan came to fruition and we made all of them take a cut of five hours per week, I would have to

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backfill them because I still have to have people there. I would still have to staff the visitors centre offices and all of those things.

Where we do manage these, hopefully it will be primarily through vacancy control or administration. I cannot give you an absolute. I would like it to be the same. I would imagine there would be some fluctuation but I do not think it would be huge.

Mr GADD - To be honest, we might have to lose a few positions to get there.

Ms O'BYRNE - But we are trying every opportunity first.

CHAIR - Have you already asked your department, as it stands now, to look at some reductions in numbers, other than -

Ms O'BYRNE - We have the voluntary redundancy program that is in existence now. Before that, we were asking staff for ideas on savings. I am not one of those people who think I have the answer to everything. I think most people on the ground who work in their own environment can often identify savings that we would not have thought of. As a result of that, we have had a few people say they want to take six months leave without pay, because they have a great opportunity and they want to do that, so that is a saving. We are working with staff on that.

The additional complication for us is that we are also going through a transition phase, and that takes a little bit of time and we are working with people through that. So we do not have all the details at the moment.

CHAIR - Would you expect, because of this transition phase for the department, that it will take longer for any savings to come through?

Ms O'BYRNE - The new departments will be formed on 1 July. What is clear is that there will be savings, but they do not all have to come from mine, they can come from the agencies we are realigning with, and I am not in a position to comment on the staffing arrangements within those.

Mr GADD - We set a lot of strategies in place in November last year, so we were very well positioned to meet the Budget savings strategies anyway, with the existing strategies. We have achieved on them and we will continue to do so going forward.

Ms O'BYRNE - When we asked staff to come up with savings, they came up with more savings than we needed. This is not something we have done only because of the Budget; people came up with incredibly good ideas. We have made a number of savings already through that: that is vacancy control, looking at the hours that you work, looking at leave without pay, looking at some of the programs they run, whether they can be done more efficiently.

When we say we have to lose a certain amount of positions, it is those positions or equipment. We try to find savings that maintain jobs. We have to provide a set of services, there are services that we have to continue to provide. But, having said that, we have an obligation to protect as many jobs as we can. In an area such as Parks, it is very much the frontline person that they see.

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CHAIR - Before we go to Mr Wing, would you suggest that the department has been living beyond its means for too long, if they can come up with savings of more than what was asked for?

Ms O'BYRNE - Given that the savings have meant people making huge personal changes to their own circumstances, I am not sure that is something the department could have done before. They are asking that you can manage in shorter term bursts.

Mr WING - When they came up with more savings than they needed, did you accept all those recommendations?

Ms O'BYRNE - There were a number of suggestions; possibly not so much in Parks, I think we work reasonably flexibly within Parks.

Mr GADD - On the back of the mid-year report in December last year, every department was given a budget management strategy and that was about 3.5 per cent going forward. In DEPHA, we gave every division a 5 per cent target to aim for at that point, recognising it was highly likely there would be more to come, if not before the Budget process, certainly as part of the Budget process we were about to go into and that has been articulated since. In a sense, every division was ready for what we had to achieve then and also had a bit of contingency for what we might be asked to achieve in the future. That is why we are so well positioned at the moment.

Having said that, as we go into the Budget round, we now have amalgamation efficiencies on top of what has already been articulated by going through the process. It is not a case of us living beyond our means, it was more a case of us looking ahead and saying, 'We are going to have to cut; where are we going to cut?'

It was only a couple of years ago that we argued, when the department was set up on a costs-neutral basis, that we were underfunded, and we put an argument then that we needed additional resources in order to run the department properly. That argument was \$2.15 million in the first year, rising to \$4.3 million in the out years - the exact same figures that have now been identified as the amalgamation efficiency. So what it cost to build it is what they will save as they unwind it.

CHAIR - So it was an expensive exercise then?

Mr GADD - When you set up a department you do have to have the office of secretary, IT and corporate, so, in a sense, you do get duplication. It may have been expensive in terms of the total cost of \$4.3 million. In terms of return to the public, 10 times back, I would argue.

CHAIR - I would probably have to disagree in some of the park areas that have been managed. But that is obviously an issue that will continue as elected members.

Mr WING - You are not able to identify the amount in total of the savings with the amalgamation?

Ms O'BYRNE - I can give you the broader figures across agencies. I did not realise that is where you were heading, I apologise.

Mr WING - I want to ask also about extra costs associated with the amalgamation.

Ms O'BYRNE - Those are in the transition stage, the additional costs. I assume you mean letterhead?

Mr WING - Well, whatever are the additional costs.

Ms O'BYRNE - We are not in a position to do that, I am sorry. The letterhead is done electronically, so that is not a cost. There may be costs in merging financial systems together and HR systems together. We do not have a full analysis of that yet; we are still in the transition stage.

What I can tell you, in terms of savings that are made, in 2009-10 we will have a decrease of just over \$1.6 million. \$2.9 million is through budget management strategies and amalgamation efficiencies. That can be broader than the saving we make, because we also have to coast. We have had the public sector wage agreement and those sorts of projects, which mean we have had to find general savings in addition anyway, because in some areas we have had significant upgrades under the public sector wage management agreement.

The \$1.6 million fluctuates because we have had an increase in funding in areas such as Macquarie Island pest eradication, we have another \$3.6 million coming into that. So there is a degree of offsetting happening there.

Mr WING - In terms of paying for redundancies, what will be the cost there?

Ms O'BYRNE - We do not know how many people will put up their hand. The redundancy entitlement will vary around that. Some people have expressed an interest. We have allocated some money, but there is also some broader assistance from Treasury in managing redundancies. We do not have the figure.

Mr WING - Do you have any idea of the range of the likely cost of paying for redundancies?

Ms O'BYRNE - We can tell you what we have had already, if that is any help.

Mr WING - That would be helpful. But also, do you have any idea?

Ms O'BYRNE - We cannot, because if no one else puts their hand up, no one else puts their hand up. That's a reality we have to deal with.

Mr DEAN - If nobody puts their hand up, what happens?

Ms O'BYRNE - We will have to find savings somewhere else.

Mr DEAN - The Premier has said there will be 800 redundancies.

Ms O'BYRNE - That is across the entire public service. Having spoken to the unions and staff, the unions are reasonably confident there will be enough people who are prepared to go. But they might not all come out of my area.

Mr GADD - We started this process on the back of the mid-year report in December. We quarantined some funds then and we quarantined some funds going forward, out of central areas, mainly my office. To date, we have either accepted or are in the process of processing 12

applications for voluntary redundancy. Off the top of my head, the overall figure will be about \$800 000.

Mr WING - Total cost?

[11.45 a.m.]

Mr GADD - The total cost. There is an average of \$60 000 to \$70 000 per head. Obviously it varies dramatically from individual to individual.

Ms O'BYRNE - For those that are approved.

Mr GADD - I am up to 14 so far and it is \$670 000 total cost.

Ms O'BYRNE - It depends primarily on their length of service.

Mr WING - In looking at savings, I understand that you looked at reducing funding on Ben Lomond for staff and volunteers?

Ms O'BYRNE - That was not a decision as a result of the budget savings this time; that was something we looked at in terms of Parks' overall operation previously. This has not just happened, it happened a while ago. Do you want me to take you to where we are with Ben Lomond?

Mr WING - Yes, thank you.

Ms O'BYRNE - I met with Ben Lomond people the other day. Ben Lomond runs a voluntary ski patrol service on the weekends, which is staffed purely by volunteers. During the mid-week we have had a mid-week ski patroller that has been employed by Parks and Wildlife Service.

It costs us around about \$150 000 a year to manage the Ben Lomond park. Between the money that we get from operators on the mountain and the small amount of park entry fees, we raise about \$75 000, so we operate at a loss in relation to Ben Lomond all the time. We have always funded that out of our recurrent budget. \$75 000 is our good season. If we have a really good snow and we have a number of good weekends and a number of people coming through, we have made \$75 000. But we have made less in the past and we will probably make less again in the future; that is a weather variable.

We have looked at the core responsibilities of Parks and Wildlife Service and said that funding a service for private commercial operators on the mountain is not a core service that we should be providing. However, we understand that there is a transition stage and we are prepared for the private operators to employ somebody and we will provide them with the money to do that. They can clearly employ somebody at a different cost structure than the public service can, and we are prepared to work with them. We are committed to continue to provide the medical supplies that we provide, which is \$300 000 each season for the medical supplies kit, and there is the facility of a hut on the mountain that we will continue to provide as well.

No other parks and wildlife service in Australia provides the cost of a mid-week ski patrol; they are normally provided by the commercial operators of the mountains. We do not provide them at the other ski field, the southern ski field in Tasmania.

It is one of those decisions that is not easy, but I have come to a point where we have to make choices about what we can do. If I have to choose whether we can afford to do a fire hazard reduction burn or fund a service for private enterprise on top of the mountain, I have to make that choice.

We are prepared to work with them and we are working with them about what will happen next season and we will talk to them again at the end of that. But there are a number of private operators.

At the same time, we are looking at the ski management plan, the slopes plan, to look at ways whereby we can increase the commercial return from the mountain over a longer period. That might mean we will be in a different financial position, either us or the commercial operators. For instance, the pub is not open very much. Maybe we could find ways to create enough business on the mountain for the hotel to be open for a longer period, so they become a stronger, more viable opportunity.

Mr WING - Are you saying it is not intended to continue funding the Ben Lomond ski patrol?

Ms O'BYRNE - No. At this stage we have agreed with the commercial operators that we will fund the cost of providing a mid-week ski patrol for this season. We will talk to them after that. But I think it is a matter of everyone sharpening their pencils a little bit and providing that service. We cannot continue to supplement a commercial entity.

Mr WING - If Ben Lomond ski patrol cannot continue the good work they have been doing for many years -

Ms O'BYRNE - It is not all the time. This is one mid-week patroller position. The volunteer ski patrol on the weekend is not something that we fund at all. We fund the infrastructure around it. We fund the medical costs of \$3 500.

Mr MOONEY - It is not a paid position at the weekend.

Ms O'BYRNE - No. There is \$3 500 of medical costs that we provide each season, plus we have the maintenance and the power to the facility, as I understand. There is another cost we provide as well for another piece of infrastructure, but I do not have it with me.

Mr WING - You propose to reduce the amount that they have been receiving over the years?

Ms O'BYRNE - We are not funding the mid-week ski patrol. We are no longer directly employing the mid-week ski patrol. We are, in a transition phase, prepared to pay for the employment by the private operators on the mountain, who derive the benefit from the mid-week ski patrol.

Mr WING - Can you tell me what reduction you are proposing in the payments to the Ben Lomond ski patrol in the future?

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Ms O'BYRNE - We are not changing what we actually give them, we are simply not paying the person. For the mid-week ski patrol, we have historically paid for the position of the mid-week ski patroller.

Mr WING - How much is that?

Ms O'BYRNE - The whole project costs about \$25 000, because of on-costs. The mid-week ski patrol costs us \$25 000.

Mr WING - That is being provided by the Ben Lomond ski patrol?

Ms O'BYRNE - The Parks and Wildlife Service cost for ski patrol is \$25 000. That is made up of a number of components. One is the amount of money we spend on the hut and the facility and the power to that. I am just double checking; Peter can jump in if I get this wrong. There is also the fact that we pay for the medical kits and the medical supplies, and we pay for the staff person. What we are saying is we are not going to pay for the staff person because the benefit of the staff person is purely to the commercial providers on the mountain during the ski season.

Mr WING - Have you taken into account that if that service is not provided mid-week and, in lieu of the work done by the ski patrol, it is necessary to call an ambulance from Launceston, that will be much more expensive and the Government will be paying for that? Has that been taken into account?

Ms O'BYRNE - I would anticipate, if the commercial operators on the mountain who run the ski season are committed to the ski season, they will pay for a patroller. I am not sure how much they will ask us for this year. We are hearing figures around \$12 000 or \$13 000, because their cost structure of employing someone is much cheaper than our cost structure of employing someone. We are prepared to pay that for another year, that is what we will be doing.

CHAIR - One more year?

Ms O'BYRNE - This is the additional year, yes, this season, which has not formally started yet.

Mr WING - Where else are commercial operators required to pay for the safety of people using facilities?

Ms O'BYRNE - Every other ski field in Australia. Parks and Wildlife Service Tasmania is the only government agency across the nation which does this.

Mr WING - But in other ski resorts the profitability of commercial operators is much greater than it is at Ben Lomond, where the snowfall is so irregular and unpredictable.

Ms O'BYRNE - It is, but you have to accept it is a commercial venture. We are still committed to providing assistance to the service. What we are saying is that we want them to contribute as well, but they have not.

Mr WING - If they do not and somebody is injured and an ambulance is called, it will cost the Government much more. Have you taken that into account?

Ms O'BYRNE - This is the nature of commercial operations around Tasmania. Parks and Wildlife Service does not provide remote health services anywhere else for any of our other entities. It is a risk sport, people make the decision to participate in it. It is not our job to pay for it.

We are happy to work with them, we are happy to support them, we are happy to assist with structures around it. But I think the commercial operators on the mountain should demonstrate a stronger commitment to that service themselves.

Having said that, one of the reasons we have asked for comments on a draft ski slope management plan is that there may be ways that we can increase the length of the commercially viable period on the mountain so that we can make it more profitable the whole year round. That would mean those commercial operators on the mountain - who are not all locals, who do not exist only for the ski season - can actually look at their cost structures as well, and that might assist them to become more viable and have more money for that.

We want to work with them but we are not in a position, in such a constrained budgetary climate, to have Parks and Wildlife Service Tasmania as the only government agency funding this across the nation. I have met with them and I am happy to look at other models with them.

Mr WING - Has there been any other indication that the private operators will pay for a mid-week service?

Ms O'BYRNE - Certainly they have agreed to take on ownership, as I understand.

Mr GADD - We are in negotiations with them at the moment.

Ms O'BYRNE - We are talking with them at the moment, as I understand.

Mr WING - What is their attitude?

Ms O'BYRNE - We are talking with them about how that would need to operate and we are happy to work with them. At this stage they are saying, frankly, that they would prefer someone else to pay, as any commercial operator would. But there is a reality.

The other reality we need to understand is that it costs us around \$150 000 a year to manage the site. We get around \$75 000 a year on a good year, through some fees which are paid by the operators and the fees at the gate. That is not the end point of our cost. We spent another \$250 000 on Jacob's Ladder last year, \$41 000 for the ski slope plan, and the annual road maintenance cost is around \$23 000. It is an expensive piece of infrastructure to maintain. If I have to keep funding their ski patroller, I am not going to be spending money on the roads that I need to do, I am not going to be able to spend the money on the other areas that need it, because I do not have that money.

Mr WING - How is the weekend service funded?

Ms O'BYRNE - They do that voluntarily. Having said that, the people are volunteers but the money that we put into the hut and to the medical supplies covers both services.

Mr WING - That will continue, will it?

Ms O'BYRNE - Yes.

CHAIR - Thank you, Minister. I will move back to Mr Finch.

Mr FINCH - It is good to hear you say your projection is that you are hoping to maintain your employment numbers in the department. We have seen the figures here that you are going to have to shed from the department \$9 million over the next four years. I am wondering where those savings will be reflected in the work of Parks.

Ms O'BYRNE - Roughly \$2.9 million will be through budget management strategy, including efficiencies from amalgamation where our savings will be made. We have \$1 million from the cessation of the nine-year funding for parks and reserves maintenance that was going to end anyway.

Mr FINCH - When does that end?

Mr MOONEY - At the end of 2010-11.

Ms O'BYRNE - We have completed the one-off funding for the Three Capes business plan, so that is not something we have an ongoing responsibility for.

The priority asset management plan, PAMP, finishes in 2011-12, which is \$3 million a year for four years, \$12 million. We will have a lesser amount available for PAMP and going forward for PAMP.

Mr FINCH - It is in the priority asset management plan, but where is that reflected on the ground as far as efforts at savings?

Ms O'BYRNE - One of the good things about PAMP has been that it is probably one of the very rare times we have been able to do a proper audit and assessment of the projects that need to be done within Parks. We have a list now of around 250 jobs within Parks that we might need to do. They will vary from the Stanley Nut and the works on the Stanley Nut, whether that is part of a lookout, to potentially a toilet facility and amenities in Mt William National Park. It will be a whole range of different things for those 250 jobs.

The priority asset management plan has allowed us to do that auditing, to know what is there. It has allowed us to do a number of projects already, but it means that we will probably not be able to spend the entire amount that we had hoped to spend on PAMP.

Mr FINCH - The PAMP money, was that to get the jobs completed as well?

Ms O'BYRNE - Yes.

Mr FINCH - The 250 jobs?

Mr GADD - Yes, that was a program.

Mr FINCH - Is it budgeted?

Mr GADD - That was last year's budget, \$3 million a year for four years.

Mr FINCH - The jobs will be done?

Mr GADD - The jobs will be done. We have reduced the out years by \$1 million to cover the \$1 million drop-off from what we call the PAHS funding.

Ms O'BYRNE - That is another temporary funding that we got.

Mr GADD - This was a \$1 million top-up that we had for nine years. That comes to an end during the life of the forward estimates, so we have offset that by decreasing the PAMP program from \$4 million to \$3 million.

Mr FINCH - There is something I want to explore with the jobs that need to be done and trying to maintain the personnel that you have now, the 271 positions.

Ms O'BYRNE - May I say, we would like to maintain the whole, but our focus is frontline positions.

Mr FINCH - Tell me about contract work that is done by Parks.

Ms O'BYRNE - For others or that we hire in?

Mr FINCH - That you hire in. How much of your budget do you allocate for that? How much do you do on contract work that would not be reflected in the work done by the 271?

[12.00 p.m.]

Mr GADD - It is the big stuff. We have a work force of what we call field officers, a lot of whom have building qualifications to varying degrees. They can do a lot of our basic track stuff, small infrastructure. We do not have them do toilets so much any more.

Mr MOONEY - The very small ones.

Mr GADD - Anything that requires proper planning and building approval or engineering - and most of the stuff we build nowadays does - we tend to outsource to professionals. I would say the bulk of our expenditure would be outsourced. If you think about the Cradle sewerage scheme that we will complete this year, that is \$16 million that has been spent over the last three or four years. The vast majority of that, all but the project manager, was outsourced.

Ms O'BYRNE - This would be the same for Macquarie Island as well. We will need to engage experts for Macquarie Island, who would not normally reside within the Parks and Wildlife Service.

Mr GADD - Basic track stuff we can do. But when you are into bridges and standing structures, where the liability increases and the risk increases, we tend to put all that out to professional contractors.

Ms O'BYRNE - For a lot of the work, people make application for particular projects to the Federal Government for certain tracks, and that has been very useful to fund some areas. There are partnerships as well. If we have the capacity, with a Conservation Volunteers partnership, to

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make a walking track, we will work with them to do so. It might be that we provide the supervision and they provide the actual labour.

Mr GADD - Dick Smith.

Ms O'BYRNE - Are you aware of the amount of money that Dick Smith gave us?

CHAIR - He helps out a lot of people, doesn't he?

Mr WING - How much did he give?

Mr GADD - \$100,000 a year for 10 years - \$1 million in total.

Mr MOONEY - To a specific track.

Ms O'BYRNE - The way that works is that there is a philanthropic fund that people donate to, and they then auspice that money to go to different projects within Parks.

Mr FINCH - Which track did Dick Smith support? Did he support a particular track?

Ms O'BYRNE - Yes, Frenchmans Cap.

Mr WING - It is known as the Dick Smith Track, is it?

Ms O'BYRNE - No, I think it is still Frenchmans Cap, unless he wants to be Le Dick Smith. That might cost more.

Laughter.

Mr GADD - That would be for 100 years.

Ms O'BYRNE - There are other ways. There are some businesses that we think are ecologically sustainable businesses, such as Rob Pennicott's business at Tasman Island Cruises and Bruny Island. Part of the fee they charge, their commercial rate, is actually sent straight back to this philanthropic fund for money to go to Parks. That is the sort of partnership we want to start building, so we get to a point where the people who use our parks and are passionate about parks actually put some money into our parks as well. I think there is a lot of opportunity for us to grow those relationships.

The key is that we need to look at a whole host of ways where we leverage additional funding for Parks. For instance, we have put in a number of applications to the Federal Government jobs scheme, in the hope that we will be able to assist our budgetary position and actually target some really important projects around Tasmania.

Mr GADD - \$2 million for the world heritage properties will help Parks.

Ms O'BYRNE - Yes. You would be aware, we have the convict sites listing. In order for that to be successful, our sites need to be up to a certain standard. That requires an investment and we have been fortunate to get Federal Government funding for that, to assist in getting them ready for the ^^ 12.03.53 (indistinct).

Mr FINCH - Minister, in your introduction you mentioned a new track.

Ms O'BYRNE - The Three Capes.

Mr FINCH - Can you tell me something about that?

Ms O'BYRNE - Yes, it's fabulous!

Mr FINCH - Where is it, what does it cover and what sort of allocation has been made to it?

Ms O'BYRNE - At this stage we have spent \$200 000 doing a commercial interest process whereby we could see whether or not there is any interest in providing a service. We have data from the research we have done, which has included some community consultation and also some - polling is the wrong word - continued research about what people want. We have found that Cradle Mountain is getting to a point where there is a peak season when everyone wants to come, we require them to book in, they book in very early, and a lot of people miss out or potentially miss out. There is clearly a demand for another significant walk within Tasmania that is supported and run in a similar sort of way, with a similar sort of outcome, as Cradle Mountain.

This goes from White Beach and finishes at Fortescue Bay, with a boat trip to Pirates Bay. So it is Cape Raoul, Cape Pillar, Cape Hauy, that whole area in the Tasman peninsula. We have \$200 000 for that, bearing in mind that we are yet to receive any formal planning approval and such opportunities. We have really just gone out to see if people are interested, and we have had significant interesting from people in being partners with us or potentially completely running a facility themselves. I have a view that we would want to still be a bit of a player, because we need to make sure that we will always have community access to these walks as well.

The total estimated investment, we would assume, would be around \$29 million in order to develop the track to the level it would need to be. We have a map of the alignment and the sort of impact that it would have. I could go through that now, but I am happy to get Stuart Lennox at some stage to brief members, if anyone is interested in going down and having a look at the capacity for a 4-day or 5-day walk down there.

That would also mean there are bits of the walk that you could do as shorter walks as well. But it means a range of experiences from your hard-core experience where you are carrying everything yourself and you will be in a tent, through to the more managed one where you carry your water and they prepare your food at each point, in the same way that we have at Cradle Mountain, that whole range of -

CHAIR - Is there a DVD available? Five days does not suit me.

Laughter.

Mr FINCH - We will bring one back for you, Chair.

Ms O'BYRNE - I am sure we could find something for you.

Mr FINCH - Minister, as you talk about the new initiative, I know there are some people I deal with who say that if you put up a new building or if you do something new, you then have the issue of maintaining it, which becomes a problem.

Ms O'BYRNE - That is why we would be looking at private investment around this.

Mr FINCH - What about the current tracks we have, that visitors comment on, where people have been highlighting the fact that our tracks are not maintained to as good a standard as they would hope for?

Ms O'BYRNE - The sustainable model that we have, the one that effectively hypothecates directly back into the Mt Nelson track, the one thing that actually works is the Overland Track. That is the one whereby the money that the people are paying is the cost of running the track. That is the sort of model we would look at for the peninsula.

Every other track we have is a cost impost upon us that we need to find money to manage. That is why we have on the priority asset management - and tracks are an asset for us - some 250 jobs identified to do.

Mr FINCH - Are park entry fees used?

Ms O'BYRNE - Yes. One of the few absolute hypothecations are park entry fees, but they go nowhere near to the cost of maintaining the parks.

Mr GADD - The Overland model we have is virtually to sustainability. If you want to walk the Overland Track in the peak season, you will pay a \$150 fee on top of your park entry fee, and that goes back into maintaining the track and also into staff resources on the track. We think we have just about got that to a point where that is the absolute self-sustaining model, so we would roll out a similar model for the Three Capes. If you want to do it during the peak season, there would be an add-on fee, and that would support the whole equation. This model would not be an ongoing impost on the consolidated fund on a recurrent basis.

Mr FINCH - Could it be a model that might apply to all tracks, if you did that?

Ms O'BYRNE - We would have a charge a fair bit more for that.

Mr GADD - Would we prepared to go to the length of charging a fee per track? I suspect not. I suspect there always has to be the bulk of the asset available to the populace on an equitable basis, if you know what I mean.

Ms O'BYRNE - Buying in mind we have people who complain about park fees, full stop, let alone any additional impost that would actually cover the entire cost of the park.

Mr GADD - On the Overland Track we still allow access in the off season. If you are a local and you really don't want to pay the money and you are prepared to go in the shoulder or the off season, you can still do it for nothing.

Ms O'BYRNE - Can I take up a point. There was a piece of media late last year in relation to walking one of our tracks, by a journalist, who said that he went up to Cradle Mountain and got up there a bit late, and the Parks guy said, 'No, don't do that walk, there's not enough time, it will

be a bit dark and you're not prepared.' The journalist wrote a story about how they actually went and did it anyway; they raced up and they nearly broke their ankles. But they did it anyway, so why on earth was there a problem about doing it?

Can I hasten to add that the reason we put advisories on tracks and the reason we have Parks officers and the reason we have rules is that there are safety implications. I do not get enough opportunity to highlight that. If someone says, 'Don't start a walk, it's too late and you won't get back until it's dark,' people should not do it. I do not have an opportunity to say that much. It was a report in our local newspaper that really disturbed me. There was a story, 'It was okay, we went up in our sandshoes and we were fine.' That is actually not the case and that is why we end up with terrible stories on occasions, because there are people who do not sign in and do not check. I just needed to say that. Thank you.

Mr FINCH - On the subject of tracks, obviously there is a limitation on resources for track improvements.

Ms O'BYRNE - We have to focus on those that have the primary use. For instance, we have spent a lot of money on the Wineglass Bay track recently because we have a lot of people going up there. We also have a lot of people going up in inappropriate footwear. We have to make decisions based on the usage, the need and the risk associated. That is how we prioritise it. We have done that one recently. However, there are a number of tracks that are on the list.

Mr FINCH - Like the northern end of the Overland Track, where walkers are discouraged from using the horse track in favour of the section through Crater Lake?

Ms O'BYRNE - Peter Mooney probably has more familiarity with the actual walk.

Mr MOONEY - I suppose what you are really describing is Tasmania as a whole. We have more walking tracks in our reserves per hectare than any other state in Australia. It is a phenomenon of Tasmania that bushwalking has been a very active pursuit in our reserves. With that legacy is an enormous number of tracks. What has happened with a lot of the tracks is that they are repetitive, they going from point A to B, but you have several tracks. We have been trying over a number of years to consolidate that and reduce the number of tracks that still leave from A and get to B, but you do not have a choice of three or four tracks.

The Cradle Mountain region is a classic example. On the cirque and the plateau there are a lot of old horse trails, a lot of old access tracks and a lot of old grazing access routes, and we have been trying to consolidate them over quite a few years. We are not there yet but we are not far away.

The Overland Track itself, the main route, is now pretty sustainable, as Mr Gadd and the Minister mentioned, but there are many other tracks we have to work on. A lot of this is a cultural change, an education process with the users. A lot of users like to use the traditional track that their grandfather used, but they are beginning to realise that there is only so much resource available to maintain everything and the only way you can successfully do it in the long term is to reduce the amount of tracks you have. We are on that process but it is slow.

Mr FINCH - I would like to talk about Macquarie Island, but I know Mr Dean is champing at the bit to have a go.

Ms O'BYRNE - I am happy to provide with you an update on Macquarie Island. I have had one recently and it was extremely thorough, but I know that we have time constraints. Given that we probably will not have enough time, we can provide a briefing to Legislative Council members on Macquarie Island.

CHAIR - We do have an opportunity to extend our time at the end of the day, so we will be mindful of that when we break at lunchtime.

Ms O'BYRNE - I am flexible. If there are areas that it is not necessary to get an answer on today, I am happy to provide briefings for members.

CHAIR - Thank you. Mr Dean.

Mr DEAN - Minister, there has been a lot of criticism focused on the department in relation to the Freycinet Escape Wilderness Camp at Bryans Corner, that saga.

Ms O'BYRNE - Yes.

Mr DEAN - As the Minister, were you satisfied with the way in which this matter was managed and worked through, from the beginning to the end, were you perfectly happy and satisfied with that?

I will ask a further question at the same time. Because of the issues that have been raised on this of ineptness, failure to carry out the processes properly, of the allegation made of going to tender when the recommendation was made that you should never go to tender, because of heritage sites in this area and so on, will there be an investigation and an inquiry into why this occurred and what went wrong, if things went wrong - and I think things did go wrong - through this whole process?

Ms O'BYRNE - I need to be a little cautious in what I say. Because of the deed that was signed, I am not in a position to comment on the negotiations that have resulted in the point of agreement. There has been a negotiated agreement, which was \$300 000 was provided to All4Adventure late last year. We agreed to meet all of their legal and accounting costs as well. That sum was \$71 000, which was paid a few weeks ago, just prior to the more recent media around this area.

I am bound by the confidentiality clause, as much as Archana and Tim Brammall are. I am happy to table a copy of the deed of release, if that is of any assistance to you. I have to be a little cautious - I am not trying to dodge the question, and I was happy to talk about it last year when we were in a position to be able to talk, but I need to get some advice on how far I am allowed to go.

[12.15 p.m.]

A number of things took place in terms of addressing the allegations and suggestions. I am just checking what I am allowed to say. Going back to the conversation last year, we did initiate an investigation into the allegations that were made. A number of changes had either already been made to the way Parks operates its relationships with commercial providers or were made as a result of that report.

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I am happy to tender the deed of release. I am happy the matter has been resolved satisfactorily. There was an investigation at the time and we did change some of the processes. Some of the processes had already changed between the original decision point of their particular contract and the investigation; there had been things that had got better over time or had changed over time.

Mr DEAN - I would wonder why any confidentiality clause would cover the issues I have just raised on your position in relation to -

Ms O'BYRNE - I think the matter has been dealt with, it has been resolved. We did an investigation, we have changed practices within the department and we have -

Mr DEAN - What was the result of that investigation, Minister? What came out?

Ms O'BYRNE - We tabled that in Parliament last year. I am happy to get you another copy. I do not have it with me.

Mr DEAN - The whole of the investigation?

Ms O'BYRNE - No, in terms of the changes that Parks and Wildlife Service made to its operations as a result of the investigation. Yes, I can get you that.

Mr DEAN - I knew there had been changes. I knew that -

Ms O'BYRNE - That has been tabled. What I have to be careful of is that I am bound by the terms as much as Tim and Archana Brammall are, in relation to the negotiations. Clearly, a number of things that you might be touching on were in fact negotiated out. I am not trying to be problematic, I am just being careful.

Mr DEAN - Minister, who wanted the confidentiality clause inserted into this? Was that the Government or was that the other party? If the other party were quite happy for a disclosure of all the processes, would you be content with that being the position?

Ms O'BYRNE - I am advised it is a standard clause and I take my advice on this from the Solicitor-General and the DPP.

Mr DEAN - They are facts that ought to be out there, I would have thought. It is of interest to the public.

Ms O'BYRNE - I was not engaged in the negotiations, that was done by the DPP. I took all my advice from the Solicitor-General and the DPP on this matter. I particularly took that course because I have known one of the owners of the business for a long period of time, and you do need to be careful that you are seen to be arm's length. So the DPP negotiated on behalf of the Government. I am advised it is a standard clause.

Mr DEAN - Quite obviously, I had other questions to ask, but I think your response is going to be similar, that you are bound by confidentiality.

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Ms O'BYRNE - I am not sure how to provide you with information that does not breach it. I might seek some advice on that and come back to you, if there is anything else that I can provide you.

Mr DEAN - The confidentiality clause, for instance, why would it cover the situation that has been suggested, that you went out to tender for that facility when in actual fact the recommendation was that you should not do that because of the heritage sites that were on this place and the eagle's nest that had been there and so on?

Ms O'BYRNE - As I understand, the report that we made public covers all those issues. I am happy to get you another copy of that.

Mr GADD - It does. That is not entirely the accusation.

Ms O'BYRNE - As I understand, the accusation was somewhat different. Let me get you a copy of that report.

Mr GADD - Can I add, every allegation and every issue that was raised by the Brammalls was investigated thoroughly. In some cases there was fault found and in others there was not. In every instance where we could have improved ourselves or fixed our systems, we either had already done that prior to the investigation starting or we have since done it. I have subsequently conducted a follow-up, or sought a follow-up report from Mr Mooney, to verify that the Parks Service has in fact implemented all of those changes. So I can sit here now, as director, and be confident that every issue where we were remiss in that exercise has been addressed and addressed totally.

Ms O'BYRNE - There has been an agreed settlement of \$300 000 plus legal costs.

Mr DEAN - That is the payment your department has made or the Government has made?

Ms O'BYRNE - The Government has made, yes. It was sourced from the Tasmanian mismanagement fund.

Mr DEAN - That is still not concluded, is it?

Ms O'BYRNE - Yes.

Mr DEAN - There is a civil action continuing, isn't there?

Ms O'BYRNE - No. They received a \$300 000 payment from us at the end of last year. We paid their legal costs last month of \$71 000. I am not aware of any ongoing claim.

Mr DEAN - I thought there was a pain and suffering and embarrassment clause still being continued civilly.

Ms O'BYRNE - No, that was part of the \$300 000 settlement.

Mr GADD - They would maintain their legal right. I would imagine they would still have an option to pursue a civil claim, but we are not aware of that.

Mr FINCH - Just to make comment on that, I would have thought the hurt and the suffering that the Brammalls went through to get a payment of just \$300 000 and their legal expenses covered was really quite a paltry amount, compared to the journey down which they travelled and the way they had set their future on that project, and been given the green light, and gone ahead and put a lot of planning into that situation. I imagine they probably agreed to the \$300 000 just to get shut of it and to get on with their lives.

Ms O'BYRNE - I am not able to comment, as the terms of the agreement say.

Mr FINCH - Thanks for the opportunity.

Ms O'BYRNE - I cannot say anything. I am in the position of not being able to defend myself either, but there you go.

CHAIR - That was a statement from the member for Rosevears, but a very accurate statement.

Ms O'BYRNE - Perhaps. I could not comment on its veracity.

Mr FINCH - On the subject of Macquarie Island, with hindsight, there have been a lot of mistakes made, but hindsight is a pretty easy thing.

Ms O'BYRNE - I believe the first one was letting the first rat on.

Mr FINCH - Can you enlighten us, Minister, how the eradication program is going, and can we hope for total success?

Ms O'BYRNE - We certainly hope for total success. But I have to remind you, this is the largest ever eradication program of three species on a sub-Antarctic island undertaken ever.

Mr FINCH - Is it the only one?

Ms O'BYRNE - No, it is the largest. There have been single species eradications, many that were not successful. I think the French one at St Paul's, they left their pregnant rat there, so that didn't work.

Mr GADD - It only takes one!

Ms O'BYRNE - That is the key, it only takes one pregnant one. It is all very disturbing how quickly it can be undone.

That is why we have spent so much time in the planning around this, because we have to eradicate three species, we have to do it in a way that has as minimal as possible impact on the native wildlife that are there.

We are looking forward to beginning the aerial baiting in 2010. It is a difficult project, primarily because of the logistics around such a remote and isolated environment. There is also the conservation issue around the heritage-listed island as well. We are going through detailed planning at the moment.

UNCORRECTED PROOF ISSUE

We will have helicopters flying in, in the first stage of the eradication, which will deliver around 300 tonnes of bait. We are currently assessing the tender process for the helicopters, so we will be in a position, I hope soon, to announce who has been successful there.

The training of the dogs is progressing pretty well. We have three contractors, two in New Zealand and one in New South Wales, and they have been contracted to provide a total of 11 rabbit detection dogs.

CHAIR - Are there no dogs in Tasmania that can detect rabbits, Minister?

Ms O'BYRNE - It is the training that is required for this process. They were the three that had, I understand, the best capacity and history in successful training of dogs. New Zealand clearly has an interest in island eradication, which is why there are providers there. The dogs are springer spaniels and labs, in case you are interested - the photos are beautiful. They will be on the island ready to go as soon as the aerial baiting is finished. We understand all three contractors have passed their interim assessments, so they are on target.

We are developing the tender to provide the shipping services, and we have a number of regulatory programs to go through in terms of the environmental impact assessment for the project.

There are 24 bird species that we think will benefit from the eradication project. Many of the sea birds we are hoping will actually recolonise and grow their numbers again, once the predatory rodents have been removed and habitat restoration progresses.

I have, if you are interested, some pictures.

CHAIR - Hansard struggles with pictures.

Ms O'BYRNE - I remember a cartoon being tabled in the Federal Parliament.

CHAIR - We are not on today.

Ms O'BYRNE - This one gives you an idea of the level. This is a big ship's rat, *Rattus rattus*. This is one of the breeds on the island. These are the cute puppies. This is one of the pathways, and this is the vegetation damage. This is what it used to look like and what it should look like, and this is what it does look like.

We have started work. We have a trial area fenced off, to see whether we can have vegetation regrowth and rehabilitation. That is proving to be extremely successful. We have shown that in areas where we can keep them out, we can really keep them out and we can make a difference.

Mr FINCH - Minister, which is the part -

Ms O'BYRNE - The bit with the growing stuff is good, the bit with the nongrowing stuff is not good. This is an evil bunny.

CHAIR - Minister, I appreciate the picture show, but we are mindful of the time.

UNCORRECTED PROOF ISSUE

Ms O'BYRNE - This is the revegetation project. This is an area where we fenced off. You can see the difference. The land will come back when we make this commitment.

The risks however, are really high. This is a remote program on a sub-Antarctic island; we have a very small window; and if we leave a single live thing out of the three species there, the risk of it being pregnant already means that -

Mr FINCH - You start again?

Ms O'BYRNE - Well, how would you start again? This is a \$26 million project overall, so this is a massive investment.

Mr FINCH - Can I ask about the thing you mentioned earlier, \$6.8 million for this project.

Ms O'BYRNE - That is within this year. The whole program over the six financial years, from the Tasmanian Government, from 2009-10 to 2014-15 is \$12 284 694, the balance being supported by the Federal Government. I do not have their figures here.

Mr GADD - It is the same amount.

Ms O'BYRNE - We did get \$100 000 from the World Wide Fund for Nature and Peregrine Expeditions, so we have that.

Mr FINCH - Is it dollar for dollar with the Federal Government?

Ms O'BYRNE - Yes, it is matching.

Mr GADD - Yes, it is matching. It is just under \$25 million all up.

Mr FINCH - That money was quarantined or was set to one side, so that program will go ahead, irrespective of budget concerns?

Ms O'BYRNE - The program, yes. Because of their commitment and relationship with the Federal Government, that is quarantined money. That is money for this project.

Mr WING - Is that reasonable funding, that a small State like Tasmania is paying the same amount as the Australian Government?

Ms O'BYRNE - I think Tasmania actually shoulders a huge burden for its World Heritage areas. I think the Commonwealth Government has consistently - I just hope the media are paying attention to this -

CHAIR - They are always paying attention to this committee, Minister.

Ms O'BYRNE - I knew they would be, chair. I think the Commonwealth Government has continually diminished the amount of funding they provided to our World Heritage areas. We are a small State with a small population, we have some of the most significant World Heritage sites in the world, whether that be the wilderness World Heritage area or our built heritage or Macquarie Island. In the area of TWHA in particular we have seen a reduction in funding from what was around \$5 million a year in 1995-96 through to \$3.4 million now. The previous

Government continued to reduce it. We have high hopes that the current Government will increase it -

Mr GADD - We have very positive negotiations under way at the moment.

Ms O'BYRNE - Whilst we only have \$3.4 million, we continue to have our high hopes. Certainly their commitment to the built heritage, the \$2 million we got for the world heritage sites, is a good sign.

I think it is a reasonable position for Tasmanians to hold that, as we are the protectors and the guardians of such a significant part of Australia's world heritage areas, that we should have a significant contribution from the Australian Government as well.

Mr WING - At this stage it would be fair to say that the Federal Government is placing an undue financial burden on the taxpayers of Tasmania, would it?

Ms O'BYRNE - Certainly the previous Government did. This Government has shown a propensity to increase some money and I am hoping that will continue. If it does not continue, then I think you could say, yes, Tasmania bears a strong responsibility, a financial burden.

There is another argument that says we derive a huge tourism return from these sites, but not all the tourists who come to Tasmania go to those sites, nor do they then pay money that extrapolates to those sites.

Mr WING - A fairly small percentage go to Macquarie Island.

Ms O'BYRNE - They do get some.

Mr HUDSON - About 700 a year.

Ms O'BYRNE - You are not allowed to go to many places at the moment.

Mr HUDSON - Macquarie was originally attached to Tasmania for economic reasons. Of course, none of that exists any more because we do not slaughter penguins and whales any more.

Ms O'BYRNE - Which I think we have to argue is a good thing.

CHAIR - Minister, the last question from Mr Dean in this particular area.

Mr DEAN - Just on Macquarie Island, you have identified the importance of it and getting it right and so on. I cannot think of the name of the place, but you probably know there was an experience where they recently tried to bait an area.

Ms O'BYRNE - Is that the one in Canada?

Mr DEAN - I have it my office. I should have brought it up. There was a tragic consequence at the end, where it finished up with poisoning off a lot of the other native species they did not want to poison off. So how can we be assured that we have got it right here with the aerial baiting; that it is not going to destroy a lot of the wildlife, the birds? They thought they had it right, but they did not have it right.

[12.30 p.m.]

Ms O'BYRNE - We are taking lot of lessons from the other experiences around the world. We cannot guarantee there will be no native wildlife losses in the process. What we do know is if we do not take some action, the island will not be able to sustain its native populations at all.

Mr GADD - A couple of things. We have done some trials in terms of determining what bait we are going to use, and we think we have come up with a bait that is not likely to be taken up by other species. We do anticipate some by-kill, in that some of the poisoned animals will be eaten by other animals.

Mr DEAN - I think that was one of the problems with the example I gave, that the other animals ate the poisoned animals.

Mr GADD - Yes. Our assessment at this stage is that those mortalities will not be significant and those populations will recover quite rapidly post the baiting. The current situation of the rodent and rabbits interrupting their existing breeding cycles is having a much greater impact on their populations. We do not think it will be a major issue, but it is something we will have to watch very closely, for the very reasons you articulated.

Ms O'BYRNE - The EPBC, the Environment Protection and Biodiversity Conservation Act, comes into play as well, so we need to make an application to the Federal Government for EPBC. Not only do we have incredibly good people on the case, but there will also be that other level of scrutiny.

There is a minor risk to other species, but at this stage they are not going to survive on the island anyway if this infestation continues.

CHAIR - Thank you, Minister. I would like to thank Mr Mooney for his contribution today.

Minister, with your indulgence, we need to negotiate whether we will break for lunch now or attempt to get through Output Group 9, which is Historic Heritage Services, Aboriginal and the Royal Botanical Gardens.

Ms O'BYRNE - They are here. If members are happy, I do not mind getting started.

Output Group 9

Heritage

Ms O'BYRNE - Can I introduce, at the table, Pete Smith, our new director of the Heritage Tasmania office. We also have Lesley Kirby, who is director of the Royal Tasmanian Botanical Gardens. He has a lovely place to work.

CHAIR - Yes. I will ask Mr Wing if he will lead off.

Mr WING - Minister, does this funding include funding for the national parks?

Ms O'BYRNE - Yes, it does indeed.

Mr WING - To what extent? How much of the amount allocated here is for the national parks?

Ms O'BYRNE - An annual grant of \$300 000. There has also been a huge amount of support and advice provided by Heritage Tasmania on the National Trust journey from where it was some years ago to where it is now. All staff of Heritage Tasmania have been extensively involved in supporting the National Trust.

Mr WING - It is very good to hear that. What amount was available for National Trust last year? Has there been any cut this year?

Ms O'BYRNE - For the National Trust, there is no cut.

Mr WING - Any increase, CPI increase?

Ms O'BYRNE - We have a grant for the amount of \$300 000. There were suggestions that National Trust might have to share some of the pain. I think, given the pain National Trust has already gone through, we need to protect them through their next stage, so they continue to grow into the very strong independent organisation that they are. We have been able to support them through this program.

Mr WING - It will be the same amount?

Ms O'BYRNE - No reduction in funds for the National Trust.

Mr WING - Good. The reduction here is mainly because the project of restoring Home Hill is completed.

Ms O'BYRNE - Yes, the cessation of Home Hill is \$425 000. There are also amalgamation efficiencies to be gained of around \$302 000 and budget strategies.

Mr WING - Did you say \$425 000 was spent on Home Hill?

Ms O'BYRNE - Yes. It was a once-only amount for last year. That big decrease you see in the Budget figures predominantly relates to that \$425 000. Home Hill has been a very exciting project. There are also amalgamation efficiencies.

Mr WING - How is the balance made up, in the main?

Ms O'BYRNE - When we talk about budget management strategies, including amalgamation, there are clearly costs that are borne throughout each area as a result of the structure of the department, we will make savings through that. We will also make savings in terms of the commitment we have made to reducing telephone costs, reducing advertising, reducing motor vehicle expenditure, those sorts of areas. Within a smaller budget base, they start to mount up.

Mr WING - I was not thinking of the cuts, I was asking about how the rest of the allocation is made, how is that used?

Ms O'BYRNE - How we use the rest of the allocation?

Mr WING - Yes. I am not asking about the cuts.

Ms O'BYRNE - So, what do we do with Heritage Tasmania money?

Mr WING - Yes.

Ms O'BYRNE - We clearly employ staff. I might refer to Pete Smith on this, to tell you about how he conducts his day-to-day life.

Mr SMITH - The vast majority of our allocation is taken up with staffing costs, which are primarily in terms of three main programs - our registration area, our works area and our executive services area.

Our registration area deals with the assessment and listing of places deemed to be of State historic heritage significance. The works area deals with the provision of free advice, the provision of grants for property owners and the assistance of working with local government planning authorities in respect of works management and decisions on development applications and works applications for listed properties. Our executive services area covers policy and projects areas, our communication secretariat to the Tasmanian Heritage Council and the warrant.

Mr WING - You mentioned grants. There is funding here for processing applications for grants.

Mr SMITH - There is a direct provision for grants each year from the State Government, in regards to the Heritage Conservation Funding Program. We have an officer assigned to manage and coordinate that program specifically, who also has other duties. Some of our administrative staff support the management of that program, such as through answering queries and dealing with assessments.

Mr WING - How much of this item is for actual grants?

Mr SMITH - A figure of \$200 000 is available from the State Government this current financial year; that is about to conclude. That was the appropriation for the financial year 2008-09.

In addition to that, from the proceeds of the original funding that was appropriated by Government, there is an interest-bearing account on the original proceeds, so there was an additional amount of some \$50 000 that was made up of interest on the original fund, and also some grant deeds that were not taken up were then redirected into subsequent grant rounds.

Mr WING - About \$200 000 to \$250 000 is available for grants for work on privately-owned properties?

Ms O'BYRNE - Yes. Do you want to talk about the \$25 000 one?

Mr SMITH - The Heritage Council has a policy to go with this program. One of the things that has happened in more recent years is there has been some tightening up of eligibility for the program. Primarily the program is directed towards places that are listed or entered on the Tasmanian Heritage register. Owners can apply via an opening expression of interest process that

is advertised in the three dailies in the State and is also promoted widely through our own e-newsletter and the like. Applicants can apply for funding up to a third of the cost of works to a maximum amount of \$25 000. If you owned a heritage-listed property and you were keen to conduct a certain amount of works that were deemed to be urgent and essential - structural stabilisation, work on underpinning the foundations, repair of the roof et cetera, things that are critical to maintaining that heritage building - you would be eligible. There is a list of guidelines as to the sorts of works that are likely to be funded in that regard. Once the work is conducted, we will do an assessment of the works to ensure compliance with the grant deed and the expectations in terms of works management, and a payment would then be made upon receipt of appropriate documentation and tax invoices.

Mr WING - I am very supportive of funding being made available to restore and preserve private properties. Are there any conditions attaching to the grants being made? Is there any requirement for a refund in the event of the property being sold?

Mr SMITH - With the new policy in the Heritage Council those sorts of privileges largely have been done away with. That was very much the Heritage Council considering their obligations under the Historic Cultural Heritage Act, which is about protecting heritage values. So rather than actually focusing on who owns a given property at a given point in time, the emphasis of the legislation is to require the Heritage Council to protect those heritage values. So regardless of ownership status, there are no longer the requirements that used to be in place expecting owners, if they sold a property within a certain period, to reimburse or refund the grant.

Mr WING - If, in certain cases those conditions were reinstated, do you see any opportunity for increasing the funding for this, so that more properties can benefit from it on the basis that over a certain amount, say, the amount is refundable on resale of the property?

Mr SMITH - I wouldn't think that that would be something we would want to consider. That is certainly a matter for the Heritage Council. In terms of grants, I think it is important to note that the minister might like to comment on the Urban Renewal and Heritage Fund and also the Tasmanian Community Fund because both of those tools are also offering significant value in terms of the conservation of Tasmania's historic environment.

Ms O'BYRNE - I am happy to comment if you are comfortable with that.

CHAIR - Briefly, thank you.

Ms O'BYRNE - Okay. The Urban Heritage Renewal Fund has so far delivered some extremely exciting funding opportunities. The Oatlands Jail restoration project is being funded under that. The Stanley Town Hall also comes under that. There are a number of opportunities where projects may be larger and require a greater level of assistance. We are looking at projects that are likely to be endorsed and supported by communities. The Tasmanian Community Fund has always been available for applications. There is a review of the Community Fund being undertaken at the moment. At the end of that review we will be in a better position to know what that means. I think the broader picture for heritage is making the transition for people beyond 'Oh no, my property is heritage-listed - that means I cannot do anything' to an understanding about being the custodian of an incredibly valuable piece of Tasmania's story. We want to create opportunities and the new legislation is to create opportunities to work with home-owners wherever possible, to not only grow the imagery and understanding around it but also to give

support wherever we can. This is the sort of thing that, when the financial situation improves, I would love look at additional funding for.

Another key part of that is the training within the industry to support those sorts of skill bases. If someone is a builder or an operator or a conservator who is working with a heritage property we want to ensure that they are actually trained to do so. We have had a number of shocking stories where people have encased sandstone in cement. You might think that your builder knows exactly what he is doing, but there is an art form around the conservation and protection of sandstone buildings. That is an issue across Heritage. One thing we want to do with the legislative reform is to change the culture of training, education and skill base around heritage.

Mr WING - Thank you, Minister. A final question on the subject: how many members of staff are funded under this item?

Ms O'BYRNE - In Heritage Tasmania we have 18.1 FTEs, which is a little fewer than before, when we had 20.5.

Mr SMITH - We employ approximately 21 staff, but 18.1 FTEs. We have a presence in Hobart and a field office in Launceston, so we have coverage across the whole State.

Mr WING - Will that number be affected by the Government's policy of 800 position reductions?

Ms O'BYRNE - We are doing some vacancy management. It may be that someone has a voluntary separation request from Heritage that we would need to consider.

Mr SMITH - We have largely been able to absorb this in the division without shedding too many staff positions at this point in time. However, it will be an ongoing pressure for us.

[12.45 p.m.]

Mr DEAN - The position we have, which is, unfortunately, a very common one around the State - and Launceston is a good example - is that where these heritage-listed buildings are privately owned they are being deliberately run down for the purpose of putting in new developments. What provisions will the new legislation have to try to get on top of that situation?

Ms O'BYRNE - You are quite right. We have had circumstances where buildings are heritage-listed and owners have wanted to demolish them for other reasons and they have been precluded from doing so. If they can take direct action to ensure that the building gets to a point where there is no other option but demolition, that is something that we have to take extremely seriously. Just because they choose to do that, it should not preclude them from the requirements for heritage buildings. I will let Pete talk about the legislation.

Mr SMITH - I think the main feature of the proposed legislation is that by creating more of a tiered system, there will be much greater emphasis on the onus of heritage-listing being afforded to places of more significance. In that respect I think that gives an opportunity to more clearly focus on those places of high significance in terms of the work that we do and tighten up those provisions. In that regard, things like *Heritage Solutions*, which is a very new booklet that the minister helped to launch with Michael Lynch, from the Heritage Council, in Launceston last year, is giving us the opportunity to better promote the opportunities available in terms adaptive reuse and conservation of properties. I think there are some challenges moving forward, but I think it is particularly encouraging to see that there are so few examples of the sort of matters you

are raising, but the matters you raise do receive a high level of attention at times and continue to be challenges. The good thing for us is that with our communications program, which is still quite new, we are able to work with members of the community, local government, developers and investors to try to inspire them, work alongside them and come up with better solutions for Heritage, which also gives adaptive reuse options.

Ms O'BYRNE - I suppose one of the examples - to not use a northern example - it is important we did recently have ward 7 and ha-ha-wall. Are you familiar with the situation that happened there?

Mr DEAN - Which one is that?

Ms O'BYRNE - This is down at the former Royal Derwent Hospital. The Heritage Council provisionally entered them on the heritage register because of the particularly unique relationship with the ha-ha-wall, which was a significant structure which was a really safe means of securing the patients in an appropriate way. It was a man-made, synthetic landscape feature that was adapted from its original purposes to provide the secure detainment of the RDH patients. It was unique. It was the only remaining example of this in any institutional setting in Australia. In July an appeal was lodged with the Resource Management and Planning Appeal Tribunal against the registration. The State's heritage legislation very clearly states that an appeal could only be lodged on the basis that the site does not meet one of the seven criteria used to determine the historic significance of a place. However, the tribunal interpreted the requirement of the act such that is the issue of whether the criteria for listing was seen as less relevant than whether or not the place could be argued as having an historical heritage significance. The tribunal found in favour of the appellant. The Heritage Council queried the basis of the decision and sought a second opinion from the Solicitor-General. The Solicitor-General concluded that the tribunal had misdirected itself and overstepped the boundary of its inquiry. As this a point of law and can actually jeopardise the work of the Heritage Council, the Solicitor-General and the DPP recommended appealing against the decision. That put us into an area where we do not quite know where the lines will be any more. They recommended appealing the decision of the tribunal to the Supreme Court to address the resultant concerns. That is under way and it might take some months. Unfortunately, nothing actually could be done to save ward 7 and the ha-ha-wall because it was demolished when the recommendation was given and before the Supreme Court appeal could be launched. But we do hope that when the Supreme Court decision comes down it will give us once again a further weight and decision that allows us to further support heritage properties. This might only be seen as one little issue but I think it is a test as to how we rate heritage properties and at what stage you can make those interventions. I thought you might be interested in a non-northern example.

CHAIR - When will the Parliament see the heritage -

Ms O'BYRNE - I am aiming to get it in the spring session. We have a draft in with OPC at the moment.

Mr SMITH - We have just received our first draft, Minister, which is a significant milestone also given the years we have had of consulting.

CHAIR - We have been asking for many years.

Ms O'BYRNE - We are with OPC at the moment so hopefully I will get it for the spring session.

CHAIR - Thank you, minister. We now come to 9.2 - Aboriginal heritage.

9.2 Aboriginal heritage -

CHAIR - I believe that here is also some Aboriginal heritage legislation.

Ms O'BYRNE - There is. We are also hoping for that for the spring session. That is a slightly different negotiation plan that we had take the community on an extensive journey as we have had to go on a journey as well in terms of understanding the nature of the act. The Aboriginal Relics Act is completely outdated. It provides no protection for anything after 1876 that is of Aboriginal heritage to be protected by the current Aboriginal Relics Act. That is a significant shortfall. We have moved through to the point now where we almost have a draft. We have one more round of consultation with community and we are going to report back to the community once the draft is done.

Mr GADD - We are working with the Office of Parliamentary Counsel on a draft now. We have one more significant meeting with the community to finalise their position. There has to be a range of ongoing consultations over the next few months as we get various versions of the draft.

Ms O'BYRNE - Can I say that the question was raised before about the activities that Mr Gadd would be undertaking while he is still with us. Certainly the resolution of the Heritage Act and the Aboriginal Relics Act are two projects that will fall as his responsibilities.

Mr WING - Will the consultation include the TFGA?

Mr GADD - Absolutely. What I was hoping to do was get a bill that reflects the community position and then we will go through the normal government processes and consult with the broader stakeholders. I did not think there was any point going to the broader stakeholders until I actually had community agreement on a position.

Ms O'BYRNE - A reminder that the community is quite varied. Mr Gadd and Mr Gall have had to travel to all areas of the State to ensure that they engaged with all communities. That is very important.

Mr WING - I know there is concern in the rural area about the requirements now and the delays involved, sometimes involving some months' delays in getting permission to construct dams and things like that.

Ms O'BYRNE - We have had some ongoing issues with TALSC. We are not required under current legislation to seek approval from TALSC. We do so because we think it is the right thing to do. TALSC have gone through some significant changes. One of those changes for some time includes the fact they would refuse us to give permission for anything. Now that meant we had been extremely careful about every permit that we had approved during that time. Where we are going in future legislation is to provide clarity. I think you are right: one of the biggest things is that people do not know where they are in the process, when that process might finish, when they might hear back, because there are a number of variables. In the new legislation we will have very strict timelines, very strict reporting back processes - clearly with a capacity to extend that

for a more significant site investigation that may be required. But this is about ensuring that everyone knows where they fit in the process. They will have clarity in a way that I accept does not occur yet.

Mr WING - I have a concern about the fees being charged now per day to investigate relics that may be found.

Ms O'BYRNE - They are not ours.

Mr WING - They are not?

Ms O'BYRNE - No. This is one of our ongoing issues with TALSC. Also people are required to get an assessment done and they can use private providers to do that. There has been a suggestion by TALSC that they charge their own fee structure.

Mr GADD - One of the biggest issues we have is the infancy of the industry and the capability, the varying capacity of individuals within the industry. We have taken steps recently to try to put some standards in place, depending on the level of assessment that is being undertaken and what we would expect in terms of the reports and information that is fed back to us to make the decision. Safe to say it has been all over the show to this point. To be honest, that goes for the fees that are being charged as well. Often there is no direct correlation between what people are paying and the quality of what they are getting. We are trying to fix that as best we can but we have had no control over that in that this industry has evolved by itself. The new legislation will help us put a framework around all of this and a lot more certainty into the whole equation.

Mr WING - Excellent. That is very good news.

9.3 Royal Tasmanian Botanical Gardens -

Ms O'BYRNE - I will first introduce Lesley Kirby from the Royal Tasmanian Botanical Gardens.

Mr GAFFNEY - Minister there is a decrease in the funds for 2009-10 of about \$48 000. I was wondering how that is going to be addressed.

Ms O'BYRNE - We have actually had to make savings slightly in excess of that to cope with some public sector wage agreements as well. There are a number of staff at the gardens who have substantially increased their remuneration as a result of the reassessment. We have actually made savings a little bit beyond \$48 000. Some of the savings are not clear in the area of the broader departmental savings realignment, so there are those savings as well. It does mean that we have had to make some other decisions - in particular in relation to some vacancy management. We have a few vacancies at the moment that have not been backfilled - three positions - and we will be looking again at savings we can make in relation to the cost of annual displays and those sorts of areas.

Mr GAFFNEY - What are current or predicted staff numbers for 2009-10?

Ms KIRBY - Full-time staff equivalents at the moment are sitting at 32.4. There are 41 staff in total at the gardens.

Mr GAFFNEY - So full-time positions last year was 37?

Ms KIRBY - Full-time positions last year were 37.1, and that equated to 43 people. A number of people are working part time.

Mr GAFFNEY - And is there a register of volunteers that work at the gardens?

Ms KIRBY - There is a range of volunteers - both through the Friends of the Gardens group and also through programs we run through the university and with other stakeholders.

Mr GAFFNEY - There is also mention of the strategic master plan for 20 years. I am wondering how that is travelling?

Ms O'BYRNE - I think the plan is really exciting. We have not had a 20-year plan for the gardens. I want to congratulate the board and Lesley for the work in getting this done. There are a couple of projects that we hope we will be able to do a lot faster than others. There are some that will be long-term projects that will require longer-term commitments. I think the fact we have not had such a plan in the past has meant that we probably haven't been able to react to asset and infrastructure needs as they have arisen. That has been a shortfall with the gardens. This is a significant step forward. We are actually launching the master plan on 2 July. Did you have anything you wanted to add, Lesley?

Ms KIRBY - Just to reiterate what the minister said, the gardens has never ever in its history - and it is its 200th anniversary in a few years time; we have just had the 190th - had a long-term plan. Because of that, a range of projects and initiatives that have been undertaken have had to be reversed. Now we look forward to a very robust framework, both in a budget and also a management sense. We hope and anticipate that this will take the organisation sustainably through the next 20 years. That will be on a five-year rolling review period as well.

Mr GAFFNEY - What type of consultative process was undertaken for the master plan? Was it a community one or just in-house or did you engage consultants?

Ms KIRBY - A variety. Right through and prior to the development of the master plan there was a range of consultation undertaken. That ranged through everything from community consultation to various community groups, Friends of the Gardens, the staff of the gardens, industry and government stakeholders, other botanic gardens and other conservation organisations - locally, nationally and internationally. Once the document was compiled under the guidance of consultants that we initiated to undertake the entire project, there were also a range of ancillary plans developed at the same time - a conservation plan, an interpretation plan, visitor plans and a living collections plan. Once all of those documents were this draft stage they then went back to stakeholders for public consultation. Comments were incorporated and it has since gone to the minister.

[1.00 p.m.]

Ms O'BYRNE - One of the things people forget about the RTBG is that it is not just a beautiful garden. We house significant botanical collections. People forget that the gardens are a beautiful place to visit but there is also a significant maintenance of collections there.

Ms KIRBY - It is a multifaceted organisation, as the minister says. That is the value of this plan that it has looked at the organisation as a whole, every aspect of it. I suppose one of the best things to come out of this planning process is that it has given us a very clear direction as to where to direct our resources at different times and for different priorities. That will change over a period of years in the future.

Ms O'BYRNE - There is a climate change strategy that also has to be considered. Botanical gardens across Australia are now having to identify with that because their collections have been suited to particular climates. As climates may vary, it may change the impact on those collections. We also have the seed collection, the seed bank, which is a significant resource as well that requires a lot of support.

Mr GAFFNEY - With that, I notice last year they spoke about Peter Cundall's retirement and his replacement by Tino Carnevale. How is that going? It seems to be getting good feedback.

Ms KIRBY - Our relationship with the ABC has continued along the same lines - challenging at times but rewarding at others. Tino is certainly no Peter but we are very fortunate we now I suppose have two rather than one very high-profile individuals who offer effectively advertising that the RTBG could never purchase. They are very effective ambassadors for the gardens, both of them. Peter has maintained it because he has maintained his ABC radio presence. He has maintained that connection to the gardens as well. He is also very supportive of the gardens.

Ms O'BYRNE - The other initiatives that the RTBG has done is that you can actually get a podcast - you can go in and get your little headset and walk around while you have someone telling you the story of the particular area of the gardens you are in. That has been quite successful.

Mr GAFFNEY - Is that was that a podcast? That is quite appropriate, isn't it?. I am just wondering the Second Bite program, that seems to be a good program.

Ms KIRBY - Yes it is an excellent program. We introduced it last year as part of a suite of sustainability initiatives right across the gardens. One of the issues that we identified was that we do grow a lot of fresh produce in the gardens through Pete's Patch and so forth. Most of it pinched on weekends.

Mr FINCH - That has gone into *Hansard*.

Ms KIRBY - I will not say who was pinching it, but someone was pinching it. Funnily enough our reason for introducing the program was simply because the fruit and vegetables that did not get pinched would go to seed and they would go on the compost. I thought there had to be a better way of doing this.

Mr WING - So you are encouraging them being stolen, are you?

Ms KIRBY - We just give them away. Now we get to harvest them before they get pinched. This year alone the program has been going for about seven months and I think we have donated in the vicinity of 900 kilos of fresh organic produce to Second Bite, which has then been distributed out through a variety of charitable organisations and groups, particularly in southern Tasmania area.

Mr GAFFNEY - Just a couple more questions because I know it is getting close to lunchtime. The back blow prevention project, has that been successful?

Ms KIRBY - It has been successful and it has been completed. I believe it is successful.

Mr GAFFNEY - In relation to climate change, I was interested when I saw that they were trying to introduce more native trees to the gardens. It must be a bit of conundrum, thinking that it is the Royal Tasmanian Botanical Gardens which links our heritage with the European-English influence and then how you change that so it does not become Royal Tasmanian Botanical Bushlands.

Ms KIRBY - And that is the very basis of the master plan. That is one of the greatest values of having this master plan. It guides us in that - the master plan and the living collections plan. Basically what it says there is a heritage core element of the gardens. You walk in the gardens and you have a Victorian landscape. That landscape will always be there and by hook or by crook we will need to maintain that heritage element of the gardens. There are other ways, without just changing planting of species, that we can become more sustainable and we can manage the exotic collections that we have and also our Tasmanian collections without markedly changing those gardens. Six months ago prior to the master plan we did not even have a guiding document that said this is actually what you need to be doing or this is your responsibility. We have that now.

Mr GAFFNEY - I am interested in the seed bank program and e-linking. What is the involvement of the university and schools with the seed bank collection and scientific basis of putting them into a real-world situation? Are there good close ties?

Ms KIRBY - Yes. For those of you who are not aware, the seed bank of the Royal Tasmanian Botanical Gardens is part of the global millennium seed bank, which is based at Kew. The project has been funded by Kew for six years of its operation. Part of that funding is in relation to education programs and involvement with groups such as the university, a variety of tertiary and other education institutions. A lot of that work that has been done and education-based work has been happening under that first six-year project. We are just about to kick off developing an MOU with the University of Tasmania. We have students and PhD students coming up to work in the seed bank. We also take horticulture students who are coming through. We have developed an MOU with TAFE in relation to keeping that going. As I said, the university MOU is it about to kick off. We also have other education programs for groups such as Understorey Network and community plant conservation groups. We have developed programs; they come in and work with the seed bank and take away, at the level they need to, that information and knowledge.

Mr FINCH - Is there any possibility of there being entrance fees to the gardens? Is there in the master plan any thought of heading back up the Domain with an extension of the gardens?

Ms O'BYRNE - First of all, it would make it incredibly easy to run the gardens if we charged fees. There is a reality that this is a community facility and we are going to protect that. We are going to protect people's access. If anybody wants to make a donation we would more than gratefully accept it.

Mr FINCH - Is that a no?

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Ms O'BYRNE - It is, but you need to understand that is a significant test for us. It would make it much easier to pay for our gardens if we charged a fee, but we are not about stopping people's access.

There are interesting potential extensions to the site of the garden. I will hand over to Lesley. It is not just heading up the hill that Lesley has in her sights.

Mr GADD - I will just preface whatever Lesley says by saying that a 20-year vision would not be a proper 20-year vision if it did not look at the entire context in which the site sits. So in that sense the Domain has to be a consideration if we are looking 20 years ahead.

Ms O'BYRNE - There are some neighbours whose land you cannot encroach upon!

Laughter.

CHAIR - I want to place on the record because I was listening and I actually heard on the ABC gardening program over the weekend that 40 per cent of community visit their botanical gardens. That is only equalled by going to the cinema.

Ms KIRBY - What the Royal Tasmanian Botanical Gardens has the highest visitation of any cultural venue in Tasmania, apart from Salamanca.

CHAIR - It is certainly a wonderful and well-utilised feature, as Lesley said. Minister, we will take the opportunity to break. We do still have grants and subsidies to look at in this area. We will take 10 minutes when we resume to look at grants and subsidies because it is important. They are significant.

The committee suspended from 1.12 p.m. to 2.15 p.m.