

**Monday 23 June 2008 - Estimates Committee B (O'Byrne) - Part 2**

[2.00 p.m.]

**Mr DEAN** - On cigarette littering, Minister, I think about 48 per cent or 49 per cent of all littering is cigarette butts; that is the main part of littering in the country.

**Ms O'BYRNE** - In Australia.

**Mr DEAN** - My two questions from that are, firstly, what strategies do you have in place or does your area have in place to try to get control of it other than just issuing infringement notices? Are there any other strategies that you have in place for it? What consultation are you having with local government in relation to this area?

A further one is: it is all very well to issue infringement notices and so on but those sorts of things need publicity. That is the position and strategy they take in London. If you look at the web sites there in relation to it, they give a lot of publicity to what they are doing there and that is having an impact. What publicity are you giving this; we have heard today about the infringement notices being issued here, but I have read very little in the paper about it.

**Ms O'BYRNE** - Can I say that is because there was a delay in the integration with the system for the monetary enforcement penalty system. So they have just gone out at the end of last week. That is the first time it has happened, so you are quite right; the conversation that then happens about that and the publicity around that is a key part in changing behaviours.

Within this program we have talked about education, engagement and consultation but when we come back to the EPA - and I know that when people think EPA they do not necessarily think littering - I think there is a great opportunity for the EPA to run a far more positive community campaign as well so it can have its regulatory and enforcement capacity on one side but it also has an obligation to educate and take the community forward as well. There is an opportunity to explore that within that model. We have looked a little bit at what Victoria does. They do not only have a web site because not everyone goes to the web site; they also do publications that talk about people from an enforcement side. It is here, I think, that you can do that make a difference. A lot of it is, in terms of cigarettes, behavioural change because people think that their one little cigarette butt does not matter and that is a huge change to get through.

**Mr JONES** - We took part in a national day of action for cigarette butt litter last year and there were a number of educational and promotional events around that.

**Mr DEAN** - And your position with local government; what involvement or contact have you had with local government specifically?

**Mr JONES** - I do not think we have had any specific engagement on that issue -

**Ms O'BYRNE** - In cigarette butts.

**Mr JONES** - Not in the last 12 months. We certainly have previously. I think that both parties recognise that it is an issue that requires to be addressed so most of our focus, I would say for the last 12 months, has been getting a hotline up and running and hopefully generating awareness that we will then be able to plough back into educational outcomes.

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**Ms O'BYRNE** - I can table a copy of a standard written warning and a standard infringement notice as well. It might be of interest and use to the committee.

**Mr DEAN** - Thank you. So can I take it from that then that there will be further consultation with local governments to try to have a partnership position in relation to setting the targets and position in relation to cigarette butts?

**Ms O'BYRNE** - I think it makes sense to have conversations about all litter but certainly the EPA is going to be in a position where it will have conversations with all the local government areas about its role in the campaign.

**Mr JONES** - The main dialogue that we have with local government on waste management has not had litter on its agenda. I could certainly seek to ensure that it gets on that agenda.

**Ms O'BYRNE** - We have shifted as a community about acceptance of littering and that needs to follow suite.

**Mr DEAN** - A huge shift.

**CHAIR** - I have a question about the Environment Protection Authority. It states in budget paper No. 2 that the authority will be supported by the resources of the Environment Division and in addition to the specific funding of \$2.5 million. What will be the cost of that department support to the EPA?

**Ms O'BYRNE** - We anticipate the EPA will be funded about \$7 million per year by the time that you use the resources of the department.

**CHAIR** - \$7 million?

**Ms O'BYRNE** - Yes. Given the infrastructure and resource support that already existed in the system in the Environment Division, we have had a number of conversations about what that might look like. We anticipate that the enforcement regulation staff will be EPA staff.

**Mr WING** - It shows only about \$1 million a year approximately for this year's papers, does it not?

**Ms O'BYRNE** - No, two and a half additional just for the EPA but the resources currently going to resourcing that staff would increase it.

**CHAIR** - Minister do you see any impact on the department's ability to continue their work by putting that amount of support in the future?

**Ms O'BYRNE** - It is a lot of the work that they already do; the EMPCA requirements require them to take an enforcement and regulatory role already. The difference is that they will be doing this reporting to a board without a ministerial calling power so, in fact, I think we are giving them additional resources to up the level of the work that they have been doing. I do want to stress, though, that I think that the department has done a marvellous job under EMPCA to enforce and regulate the environmental management issues.

**CHAIR** - Okay.

**Ms O'BYRNE** - I am trying to be very brief now.

**CHAIR** - That leads me to the next question. The independence of the State's scientist - will that be similar to the Auditor-General in that regard?

**Ms O'BYRNE** - We understand it to be the case. Of necessity we assume that that figure would be a single independent position.

**CHAIR** - Yes.

**Ms O'BYRNE** - I would assume that it would have a statutory role.

**Mr WING** - Appointed by whom and accountable to whom?

**Ms O'BYRNE** - I am assuming appointed by Cabinet. I do not have a lot of detail on the role of the State scientist yet but as I get anything I am happy to provide that to you.

**Mr WING** - That will determine whether it is similar to the Auditor-General.

**Ms O'BYRNE** - Yes, I would assume that it would have statutory independence.

**Mr. GADD** - My understanding is that it will be based at the University of Tasmania. I think some of the details are yet to be thrashed out.

**Mr WING** - And probably accountable to the minister rather than the Parliament, as the Auditor-General is.

**Ms O'BYRNE** - I am not sure.

**CHAIR** - Do you have a personal view on where you believe that that position sits?

**Ms O'BYRNE** - To be honest, I have not got my head too much around where the State scientist role will play out. I think discussions with the university will probably be the key part of that.

**Mr GADD** - My reading of this is that it is going to be more of an advisory role so it will sit independent of government. It will be available to government to advise on major issues but I think we are still to work through the real details of that position.

**Mrs JAMIESON** - And yet \$1 million dollars has been allocated to it.

**Mr GADD** - Yes, but it is not a position that will be related to us or to the Environment or EPA directly.

**Mr WING** - That would be just the cost of working through it, I suppose? The \$1million?

**Mr GADD** - Well, we did not get the \$1million.

*Laughter*

**CHAIR** - The State scientist would have a role in the environment I would suggest -

**Ms O'BYRNE** - Yes, they would have a role in a host of areas so -

**CHAIR** - Absolutely a key role in the environment.

**Ms O'BYRNE** - We are looking forward to the conversations about it.

**Mr WING** - I want to deal now with the Tamar River siltation problem.

**Ms O'BYRNE** - We like to use the word 'sediment'.

*Laughter*

**Mr WING** - First of all I would like to ask what role that the Department of the Environment sees that it has in the Tamar River siltation problems?

**Ms O'BYRNE** - I am not quite sure -

**Mr WING** - Well, do you see that it has a role there?

**Ms O'BYRNE** - Oh yes, sorry.

**Mr WING** - Any role at all? I mean, it is not apparent that it has. I have not seen any action and I am just wondering whether it thinks it has a role?

**Ms O'BYRNE** - First, there are two aspects to the question. One is in relation to the research that is being done, the other is the department's regulatory role in terms of water quality and odour issues in relation to the Tamar River.

**Mr WING** - I appreciate the committee being appointed and I do acknowledge that is an important role.

**Ms O'BYRNE** - We see that the key role at the moment for us is to support the collection of independent data. I think one of the things that we have all wanted is a better picture of where the sediment is from, how it got there and how long it has been there so that we can do appropriate structures around that. So we are looking forward to the TIAR report; I think that is only a couple of weeks away before we get to do that.

Having said that, one of the reasons that we have the \$250 000 in this Budget is that it became clear that we needed to give TIAR additional support to do the research they want. But also whilst we are waiting for that there is the management issue on an ongoing basis in terms of channel access in the Tamar River. So we see that as crucial.

I am happy to expand on that but I am not quite sure if that is what you want me to do.

**Mr WING** - Yes, I support the TIAR inquiry and anything of that investigative nature I think is helpful. There have been a number in the past but that is all very helpful. Apart from that,

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what action, if any, has the department taken and does it consider it has a leadership role in that or just a support role?

**Ms O'BYRNE** - I think at this stage the key has been getting the data and information. I think that will then step out the roles that we have to take. I have been conscious that from time to time we have seen a lot of ideas about how we can fix the Tamar River and whilst there is data, it has been done in different areas. I think we have lacked a holistic strategy that we can all sign up to. One of the issues with this report is that it actually does have a buy-in from the other local government areas as well. I think that has been really important to get a commitment from those areas as well plus Federal, State and local.

**Mr WING** - Except Northern Midlands?

**Ms O'BYRNE** - I understand Northern Midlands have declined their opportunity, yes.

**Mr WING** - From where a lot of the flood water comes?

**Ms O'BYRNE** - Well, I will be interested to see what TIAR says about that.

**Mr DEAN** - Should that not be forced to be part of it?

**Ms O'BYRNE** - At this stage let us see what TIAR says because I think it is going to give us a clear of picture with the core sediment testing that they are doing about the age and the location of the sediment. That is going to be crucial in terms of stepping out where we go from here. From a personal perspective and as minister, I am committed to doing everything we can for the Tamar River. It is a crucial piece of our landscape. It is the longest tidal estuary in the country; it is a significant waterway. And it is a heavily urban impacted waterway as well but that does not mean that everything has been caused just in the last few years. There is an historical component to the state of the health of the river that we need to consider.

DHHS also has a statutory responsibility for health-related issues. In terms of a number of the issues that are faced with the river, DHHS also has a statutory engagement as well and you would have seen that with some bacteria issues earlier in the year.

**Mr WING** - What I am trying to find out is, apart from the TIAR report, which I support, has the department done anything else significant in recent years in particular to help with this problem? If so, what?

**Ms O'BYRNE** - In the time that I have been here it has been focussing on getting the data so that we can have a holistic plan, and the department has worked very hard in getting people into the tent.

**Mr GADD** - And that is mainly our role in water quality and health of the waterway, apart from the Parks Service. We manage reserves around the waterway and we have had a role with monitoring and restricting access on occasions, probably more than I would like.

As the Minister mentioned, Health also has a role. Marine and Safety Tasmania are probably the primary authority when it comes to being able to navigate the river and get access to various bits and pieces of it. But really our role is more to do with the science; let us put some rigour around the science behind the issues and then, based on that, work with the Launceston Council

and other councils to work out what solutions need to be put in place. You would be aware the government has been continuously committed and remains committed to the funding of the dredging in the Tamar. That is administered through another department, Primary Industries and Water. In a sense I suspect they are probably best placed to take a lead.

[2.15 p.m.]

**Ms O'BYRNE** - I think it is fair to say that this data may identify the need for further data, but I think it will also identify some strategic investments and that is probably where we can take an engagement role from there forward. I have been very careful to allow NRM the capacity to get this data together independently because as members from the region here know, we have done this time and time again. When you do light upon a solution that you think will work, at the same time you have a whole host of other people saying that solution will not work. The idea here is to get to a point where we can all say 'Okay, this is the strategy that we are going to undertake together' and I see that we can take a strong coordinating role with that.

**Mr WING** - I would have thought that the substantial build-up of silt in the Tamar represents probably one of the greatest environmental disasters in Tasmania at the present time and I take it the department does not see that it has responsibility in the last even 10 years to do anything about getting it out?

**Ms O'BYRNE** - I think that is unfair. There has been a commitment from Government in terms of the dredging issue and the efficacy of the dredging that took place in the past. We have all been engaged in the debate about how efficient the dredging was before, but also about the potential uses for dredging - about what you could use the soil content for if it had been a healthier set of sedimentation that you removed.

There has been significant engagement. The problem has been a lack of one coordinated strategy that everyone could work together to and that has undermined the ability of all levels of government to engage in this properly.

**Mr WING** - But nobody really has the direct responsibility for the problems in the Tamar. That is what you are saying - the uncoordinated activity?

**Ms O'BYRNE** - I think that has been the attitude in the past. I think that with an engagement with us all funding and supporting the TIAR project that is the process that we are progressing. I understand there have been discussions about where as a select committee you might go into discussion and I do not think that in any way works against the data that we are collecting.

The secretary has just reminded me about the role of the Upper Tamar River Improvement Authority in the past.

**Mr WING** - Which is about to finish up activities.

**Ms O'BYRNE** - Yes. I am not plotting the pathway right now for the river. I think when we get this report, that will be the point where we can sit down and say, 'Here are clearly the priority things that we can do something about or here are the things that other people must do something about' and we need to engage at that level.

**Mr WING** - That report and just about all others have dealt with the reasons for the build-up of silt; that is principally what it is designed to do.

**Ms O'BYRNE** - They have, but what is happening with this one is probably a little more detailed in terms of the core sedimentation. To get an age and source of the sediment that is currently in the river is going to be very useful for us because we are subject to a whole host of other debates about what may or may not be impacting in the river at this stage.

**Mr WING** - Some of it is probably about 200 years old. It has been going down the river and coming back up and down so -

**Ms O'BYRNE** - There has been significant human impact over the last few years. That is not the be-all and end-all of the impact on the nature of this river; it is a far more complex river system than that.

**Mr WING** - I hope in your capacity as Minister for Heritage you do not classify it because we will never get rid of it.

*Laughter.*

**Ms O'BYRNE** - I am sure I could find a mechanism for adaptive re-use.

**Mr WING** - Of all the theories about what is causing the problem - that is another point I will take up in a moment - different people have different theories -

**Ms O'BYRNE** - Yes.

**Mr WING** - but there is, I think you would agree, a consensus that the only way to get rid of the silt from the Tamar River is to physically remove it. Would you agree with that?

**Ms O'BYRNE** - There is always going to be a role for dredging. That does negate our obligations to deal with how things are impacted on now as well. There has always been a sedimentation issue and that we have deal with but where there are places where there are mechanisms to deal with human impact then we need to do that as well - and the urban impact.

**Mr WING** - I think everybody -

**Ms O'BYRNE** - I am not saying that we should not do dredging; there will always be a role for dredging, simply because of the nature of the channel ways that we want.

**Mr WING** - But whether it is dredging or some other means - and it probably has to be dredging - the only way to deal with the silt there at the moment is to physically remove it, mainly by dredging. Would you agree with that? It is not going to go away, even in flood time.

**Ms O'BYRNE** - I am not disagreeing with that, no.

**Mr WING** - I would like to ask how you see the role of the State Government in this: is it a leadership role, is it one you see of supporting the city council or how do you perceive it?

**Ms O'BYRNE** - I think one of the problems is that for so many years we have made it the problem of the Launceston City Council -

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**Mr DEAN** - Tried to.

**Ms O'BYRNE** - Yes. When I say 'we' I do not mean the State Government. It has been seen as a Launceston issue. It is not just a Launceston issue and that has been very difficult because it has meant that other local government areas could absolve themselves of an engagement about what might happen within their catchments. So this is stepping forward.

I am not ruling anything out at the moment, Mr Wing; I am saying that I want to get this TIAR report because I think that is going to clearly give us an agenda that we can work forward together. The key has to be cooperative approach and it has to engage Federal Government as well.

**Mr WING** - Mr Jack Edwards, a very experienced former general manager of the Port of Launceston Authority, estimates that 92 per cent of the water catchment area causing the floods is outside the boundaries of the City of Launceston. Do you agree with that?

**Ms O'BYRNE** - Certainly. If you have a coastal catchment policy, then you have to accept that there is a whole host of impacts.

**Mr WING** - Yes. Would you agree -

**Ms O'BYRNE** - I keep feeling I am a witness being led here. I am not quite sure where we are heading.

**Mr WING** - Would you agree that just about all the silt comes from outside the Launceston city boundaries?

**Ms O'BYRNE** - I do not know that. I would imagine that to be the case, but that is one of the reasons I want to see the report that is being done by TIAR because that will not only tell us source but it will tell us age as well. I want to know whether there is some level of the sedimentation that we just have to accept has been there for 200 or 500 years. Is there some that is more recent? If so, what is the impact of that recent dredging. Having seen a number of those other reports over the years, I really want to see this report. I would guess that is the case, but I do not know that is the case.

**Mr WING** - Do you know how much silt comes into the Tamar each year or how much has come in the last 10 years?

**Ms O'BYRNE** - No, do you?

**Mr WING** - Yes, that is readily available for anybody who has read Professor Foster's report.

**Ms O'BYRNE** - I know that the data exists; I just do not have it with me.

**Mr WING** - I am surprised Mr Jones, head of the Department of Environment, does not know that. We have hundred of thousands of cubic metres coming in and the head of the Department of Environment does not even know.

**Ms O'BYRNE** - I am sure that we could provide that information on notice. I am saying that he does not necessarily have it with him.

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**Mr WING** - I would have thought that the head of the Department of Environment would have that at his fingertips. If not, not wonder we have this build-up of silt because Professor Douglas Foster -

**Ms O'BYRNE** - I am sure it is not all Mr Jones' fault that we have a build-up of sediment over the last few hundred years.

**Mr WING** - It is not to his credit that he does not know.

**Ms O'BYRNE** - He has certainly been supporting the work of the Tamar Estuary Program which is about getting proper data on this.

**Mr WING** - We are looking at reports to get more information. There is already available information that the department does not even know about.

**Ms O'BYRNE** - I think what is clear, Mr Wing, is that there has been a lot of data created over a lot of years and a lot of positions on what might be taken. It is also clear that there has not been a holistic buy-in to the solution of any of those reports. This is saying that we accept that everyone and his dog has a view about how to fix the Tamar River. You know that is the case from where you live. We are saying that it is about time we received a report that everybody had a buy in to and everybody was prepared to accept. Then we can say that having accepted this position, having accepted this data, these are the necessary next steps that we must take together, so that we do not have this argy-bargy about who should do what and when. Rather, we have long-term engagement from all levels of government to resolve the issue.

**Mr WING** - Minister, we are thinking along similar lines, but we might depart a little way down the track. I will just see if we do because I agree with you. There is so much information, as you said earlier. It is uncoordinated. There is no single authority responsible for the problems in the Tamar River and that is the trouble. The Thames had similar problems some decades ago and the Thames River Authority was appointed, so then there was a body that was responsible for clearing it up. That was successful. It had adequate funding, an authority with expertise in this area and it had power. What is needed here to deal with the Tamar River problems is for the State Government to appoint an authority with people with requisite expertise, power and adequate funding. The city council has been required to appoint an authority to deal with the flood levees. That is okay because the flood levees are all within their boundaries. But, whilst most people agree in the case of silt, the only way to eradicate silt from the Tamar is to physically remove it. There are many different views about what is causing it. It needs to have an authority appointed by the State Government, as most of the problem comes from outside the city boundaries, to coordinate the various reports, have the power and capacity to make decisions and the funding to implement them. Would you agree with this?

**CHAIR** - Minister, a short response, thank you, because we have other questions.

**Ms O'BYRNE** - I am well aware that is your position. I am not saying that is not a position that we would get to. We have committed to getting the results of the TIAR project and then stepping forward together from that, with the key point being that we need engagement and commitment from all levels of government if we are going to do that. I would not want to see us setting up an authority which would then excuse some people from the obligation to be engaged in it. I am not saying that is not where we are going to end up. I am not saying that anything that

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that this House decides to progress is not work that we would do. I do not see them as necessarily being at odds. Our focus at the moment is getting the data from TIAR because, whilst there is an ongoing responsibility for dredging, and I accept that and always have accepted that, there is also an obligation for us to identify where it is coming from and mitigate those effects at the source.

**Mr WING** - Madam Chair, I realise that you want to move on, but this is a matter of vital importance for northern Tasmania and I do wish to pursue this. As the department does not know the likely figures of the build-up of silt, which is extremely worrying, I would like to refer to the late Professor Doug Foster's estimate that in a normal year 30 000 cubic metres of silt enter the Tamar River but in dry years 100 000 cubic metres of silt enter the river.

The last 10 years have been dry years and UTRIA, about to be disbanded, has been funded to remove 30 000 cubic metres of silt per annum. So on that basis for the last 10 years there has been a net build-up of silt at the rate of 70 000 cubic metres a year, which is about 700 000 cubic metres that we have been losing ground to for the last 10 years. With a moderate flood, I am told, 200 000 cubic metres enter.

Now UTRIA have been fighting a losing battle at the rate of about 70 000 cubic metres a year and it is not surprising that the channel in the Tamar River is almost non-existent and that we have this enormous problem.

I want to suggest the State Government is the only body that can do anything about this, because 92 per cent of the flood plain is outside the city council boundary. I suggest that, with the majority of the silt coming from outside, there is no other way. Unless the State Government takes some action and very soon, the channel will be almost non-existent in Launceston. Does the State Government see that it has a leadership role here or not?

**Ms O'BYRNE** - We have leadership role in a whole host of areas to do with this river and it is not just the removal of sedimentation. Obviously the quality of the waterways is very important to us. However, I do not think our only responsibility is that of dredging. There is a requirement for ongoing dredging. It is one of the reasons we have given additional money to Launceston City Council this year for dredging. And I do not anticipate that obligation will go away. I think there are probably mechanisms we can investigate for more efficient dredging, which has been a challenge over the past few years.

**Mr WING** - Absolutely!

**Ms O'BYRNE** - I am not sure that we have done it as efficiently as we can.

**Mr WING** - You haven't!

**Ms O'BYRNE** - And I think that is something that we should be investigating. But I do want to get the information from TIAR because it allows us to make that step forward. I do not see what TIAR is doing being anything other than a step to the sort of programs that you are talking about. It is about getting the data, about getting a buy-in from all the stakeholders to get to a solution and working through from there. I am not saying that we will not end up with some kind of body. I just do not want to pre-empt the work that TIAR does. I think that we are going to get a lot of information about the nature and source of the sedimentation, which will allow us to click more clearly to a pathway forward. I am not disagreeing with you, Mr. Wing. I do not want to say to the people who I finally get around the table with TIAR, with a commitment and an

agreement to work together, that I am suddenly going to do something else. I want to work with them so that ownership is always there.

**Mr WING** - TIAR are not going to solve all the problems.

**Ms O'BYRNE** - I think they are a good step forward, though.

[2.30 p.m.]

**Mr WING** - In fact they will add information. The views I am expressing are not just mine. I want to refer to some views from newspaper reports, omitting some names. The first is:

"The Tamar River at Royal Park had become a mudflat", a Launceston MLC said yesterday. At low tide Home Reach became an extensive mudflat dotted with rocks and debris and with about 24 yachts keeled over in the mud. The Tamar Yacht Club's pontoon sat in the mud at low tide and the end of the launching ramp was one metre short of the water.'

Another report:

"The State Government had to take more responsibility for solving the silting problems of the Tamar River" the mayor of Launceston said yesterday. "The silting of the river is getting worse and worse. It has reached the stage where something just has to be done".'

Another report:

'The State Government should contribute to the amount spent on cleaning up the Tamar River in Launceston. The Deputy Leader of the Opposition said the State Government had been slow to tackle what was one of the most important issues in Northern Tasmania.'

**Ms O'BYRNE** - Mr Wing, I am not saying that there is not going to additional funding for the Tamar River or there is not going to be a role of State Government. What I am saying is that I want to wait until the TIAR Report and work with them. I am not in any way indicating that there will not be an additional engagement or an additional responsibility of the State Government to work on this.

**Mr WING** - I appreciate that. I just want to say those reports sound current. The first report about the member for Launceston was not me; it was Mr Ray Sherry in 1982. The second report about the Mayor of Launceston is not Alderman Van Zetten or former Mayor Dean, it was me in 1984. The Deputy Leader of the Opposition was not Mr Jeremy Rockliff, it was Mr Harry Holgate in 1984. Here we are 26 years later still saying the same things. You need to get a report.

**Ms O'BYRNE** - I am not convinced we are saying the same thing, Mr Wing. I think that what we are saying now is that we are actually going to get scientific data that we all agree with and we have to buy in from all the players. Previously we have not. We have had media comment and we have had individual projects. Every time a project is put up the rest of the community will argue why it will not work. You know we have seen a host of them. Let us get the data this time and work towards it. I am committed to doing that and I am committed to making sure that the funds exist to do that.

**Mr DEAN** - Following on from Mr Wing - I am not quite sure whether you answered his question - is there somebody in your department with a responsibility for siltation? Have you someone dedicated to it, because it is such a huge job as Mr Wing has -

**Ms O'BYRNE** - Do we have an office in the Department of Environmental Management? Is there a person called the 'Tamar River person'. Is that what you mean?

**Mr DEAN** - Yes.

**Ms O'BYRNE** - We have people within the department who investigate issues that are raised with us. We have identified and support the NRM as being an appropriate independent body to do this work. The key is independence because you know as well as I do that when one level of government says, 'this is the only way to fix it' we get into further issues. That is why the independence of the NRM report is there. We will then work and act upon that.

**Mr DEAN** - Right. And there are two other quick questions from that. I flippantly made a comment that shouldn't the Northern Midlands be forced to be a part of this TIAR program? I just ask you, Minister, shouldn't they be forced to be a part of that program because it is known that obviously it comes from that area? They ought not to be able to have a say in it. You, as a State Government, mastered -

**Ms O'BYRNE** - I think at this stage the key has been to get voluntary engagements so that we actually have people on the table working proactively together. I am hoping that we will still be able to have an opportunity to get the Northern Midlands to engage in this process.

**Mr GADD** - At this stage, whilst it is logical that the silt is probably coming from the Northern Midlands area -

**Mr DEAN** - Some of it.

**Mr GADD** - We also know it is also coming back up the river with the tidal flow.

**Mr DEAN** - Exactly.

**Mr GADD** - So what we really need is the science behind it. We need the facts to understand where it comes from so we can start to deal with it at the source.

**Ms O'BYRNE** - Which will make the argument a lot easier.

**Mr DEAN** - My question is if a number of other councils are committed to this and have put their hands up but the Northern Midlands have not.

**Ms O'BYRNE** - And they are being very good and I appreciate that. I think once we have the TIAR report the evidence within that will clearly define what our next steps are in relation to the engagement of people and organisations who are at the source of this.

**Mr DEAN** - What study have you carried out in relation to all of the outputs that are currently pumping into the Tamar River? Do all of those inlets or outlets meet the contemporary standards of effluent released in a river?

**Ms O'BYRNE** - I will let Warren deal with that bearing in mind that the Department of Health and Community Services also have a role within that.

**Mr JONES** - Certainly, the level two activities that we regulate, which are the ones going into the upper part of the Tamar, are mainly council sewage treatment plants. We have done a review of those recently in light of the E. coli issue and have found that they are generally compliant with their emission.

**Mr DEAN** - That was my question on E. coli.

**Ms O'BYRNE** - The April and May E coli reports?

**Mr DEAN** - Yes. What is the call, what is happening and what are you doing?

**Ms O'BYRNE** - I am happy to do it altogether.

**Mr DEAN** - Sorry, Minister, okay.

**Ms O'BYRNE** - The Department of Health and Human Services has the statutory responsibility for the environmental health related issues and has reviewed and commented on this matter.

Potential sources of faecal bacteria in this area of the Tamar includes poorly treated sewage, effluent sewage leaks and spills, urban run-off particularly from Launceston which has combined sewerage stormwater infrastructure and inputs from the South and North Esk rivers. A review of effluent quality from nearby sewage treatment plants indicates that final effluent quality generally complies with prescribed limits but further information is currently being sought by DHHS on potential overflows from stormwater overflow points. We are hoping that the TIAR appraisal will give us a better picture of being able to monitor it as well.

**Mr DEAN** - Thank you.

**Mr WING** - I would like to ask if you, Minister, or Mr Jones know of any other report dealing with the reasons for the build-up of silt in the Tamar River.

**Ms O'BYRNE** - There is a host of reports I have seen over my time in public life in Launceston, which is 10 years, some of which I think you may have even resourced at one stage. Is there a particular one?

**Mr WING** - Yes, I want to refer to the Tamar River Improvement Committee's report in December 1986. I read from a report in the *Examiner* if I may -

'The effectiveness of Launceston's flood protection scheme would be reduced unless dredging of the siltation building up in the upper reaches of the Tamar River was conducted soon'.

The report concluded -

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'The Tamar River Improvement Committee report said that unless remedial dredging was undertaken the channel in the Kings Wharf area would be reduced in width by 60 meters and in draught by 1.5 meters. The mud flats would rise by about 1 meter. Since the cessation of major river dredging in 1964 the river has gradually returned to the conditions which existed in 1900'.

In 1986 a specialist committee dealing with all aspects of this, not the limited terms of reference that TIAR will have, reported that major dredging had to be undertaken. It has not been conducted adequately since. The State Government's funding, although appreciated, has been a trickle of the amount required and the State Government I would suggest has the major responsibility for this and is responsible for the build-up. Would you be prepared to try to arrange for Cabinet to come to Launceston and look at the Tamar River upper regions at low tide in the near future because the situation is urgent. It will have an impact on flooding. If we have a major flood with the build-up of soil in the river there is less room for the floodwaters to go and there will be disastrous consequences.

**Ms O'BYRNE** - I do not want to be in a position of gazumping the Premier but I am of the understanding that meetings have already been held and investigations are already being set-up for the time when Parliament will meet in Launceston in August.

**Mr WING** - That would be very good.

**Ms O'BYRNE** - I understand that is already on the occasion. I do not have the meetings and dates but I understand that work has already started taking place.

**Mr WING** - I am very pleased to hear that.

**Ms O'BYRNE** - I have a great personal interest and I do want to stress my personal interest in the health of this river and my ongoing commitment. I am supported by the Premier in that.

**Mr WING** - Thank you.

**CHAIR** - Thank you, Minister, I think we have spent plenty of time perhaps a little bit over but it is an important issue and I appreciate that Mr Wing has a special interest.

### 1.2 Analytical services -

**Mr FINCH** - Analytical services in respect of the Tamar River -

*Laughter.*

**CHAIR** - I would hate you to move out of the Tamar.

**Ms O'BYRNE** - I think with the make-up of this committee it is unlikely.

**Mr FINCH** - We talked about the E. coli. Does the environment department do any measurements? I think we have heard that there were some measurements taken on some outpours into the Tamar River -

**Ms O'BYRNE** - Access points, perhaps.

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**Mr FINCH** - Are those measurements and the monitoring of E. coli measurements in the Tamar River left entirely up to the council?

**Ms O'BYRNE** - I may have to get the director to answer this, bearing in mind one again that the Director of Health has a role in this negotiation as well.

**Mr JONES** - We, as an agency, require monitoring of the level two activities that we regulate, so we require the council - and indeed if there were anyone else operating a sewerage treatment plant we would require them - to monitor for E. coli as an input into the river. In terms of the ambient monitoring that is carried out in the river itself, I understand that is undertaken by Launceston City Council. The Director of Public Health has some guidelines for carrying out monitoring for bacteria in areas that are used for primary contact and recreation. My understanding is that the part of the river where these E. coli levels were found were not part of his particular requirement but something that the council was doing of its own volition.

**Mr FINCH** - Are practices going to change? What is the fallout of this circumstance that you had with the E. coli levels so high and needing to be flushed out by the Hydro? Will practices change to enable that to be monitored more carefully so that it does not happen again?

**Mr JONES** - We have certainly been looking into the TIAR report, basically, and then the TIAR program to operate in a way that perhaps reflects what happens with the Derwent Estuary program where there is a co-operative, co-ordinated monitoring program, so I think that would fall out hopefully of the TIAR report and the TIAR program in general. That is certainly our intention.

**Mr FINCH** - The TIAR report cannot come soon enough.

**Ms O'BYRNE** - It is not too far away. I was hoping it would be done by now, which might have changed our conversations a little.

**Mr FINCH** - Who paid for the Hydro to flush the E. coli out of the Tamar River?

**Ms O'BYRNE** - We can take that on notice; I am not sure.

**Mr FINCH** - I am just wondering if that is an ongoing practice that might need to be done; who actually picked up the bill?

**Ms O'BYRNE** - I could not tell you off the top of my head; I will find out. We suspect it was probably Hydro.

**Mr FINCH** - As explained in page 4.5, note 2, the increase in deliverable services output for the coming financial year reflects high estimated operating costs supported by external fee recoveries. Now it is understandable that operating costs are always rising, but what proportion of the cost is recovered in external fees? Do we know that?

**Mr JONES** - Yes, I know approximately; I am not sure whether the figures will tell us that accurately. It is a bit over 50 per cent of revenue that Analytical Services recovers through external fees.

**Mr FINCH** - But who pays external fees? Who do that charge go to?

**Mr JONES** - There is a whole raft of clients. AST effectively acts as a commercial laboratory in the same way as commercial clients buy their services, if you like; we as a government also buy services from them but the external fees come from a whole raft of different clients - companies, fish farms, mines, councils. Some councils use AST, some use mainland laboratories. It is just a commercial transaction.

**Ms O'BYRNE** - Can I give a little bit of further information? The Consolidated Fund contributes \$1.153 million and the fees are \$1.7 million.

**Mr FINCH** - Are they fairly constant? Can those fees be counted upon to be at about that same level?

**Mr JONES** - Again, we operate in a commercial environment, so while the laboratory has maintained a trend of increasing external revenue for a number of years they are in, as I said, a competitive environment so we cannot guarantee that it will always be the case in the future. They will have to remain competitive.

**Mr FINCH** - Where is the laboratory based? Do you have operations throughout the State or just in the one location?

[2.45 p.m.]

**Mr JONES** - The laboratory is based at New Town. It is co-located with Forensic Sciences, if you know where that is. It is in the St Johns complex at New Town.

**Mr FINCH** - Thanks very much. On table 4.3, changing the subject now, there is a massive increase in 2010-11 for the Mount Lyell treatment plant. But I have not heard a great deal about that.

**Ms O'BYRNE** - It is a significant project.

**Mr FINCH** - But what I am curious about is, will that fix the problem in the King River once and for all? The big question.

**Ms O'BYRNE** - If there was only one problem in the King River. You would be aware that obviously the Clean Up the King River Project is part of a strategic national heritage program where the objective is to improve the ecological health of the lower King in Macquarie Harbour. It is a culmination of six years of investigation development works which were completed in 2002 and identified that there were no cost-neutral options for treatment. Options investigated at that time to treat the acid drainage ranged in cost from \$10 million to \$16 million in capital costs and from \$1.6 million to \$10 million in annual operating costs. Recognising that the full treatment was unlikely to proceed due to the high cost, a staged approach to the problem is being developed. Firstly, involving copper cementation, then investigation of other technologies to further recover metals as value-added products. We received \$8.5 million from the Commonwealth and the Tasmanian Government to the stage 1 of the project which is now proceeding and water management works to divert clean water from the acid-producing waste drop dump and mine workings has now been completed at a cost of \$1.2 million.

The cost estimates for a plant for the removal of copper from the acid mine drainage have recently been completed and it is anticipated that expressions of interest for the design, construction and commissioning of a plant will be sought in approximately 12 months time and commissioning of copper removal plant is anticipated to occur around 2010-11 and this is being project managed by a steering group.

The slightly different position we are in now - and I have to be awfully careful because there is a lot of work going on - is that there is a market for copper now and there was not before. So that does change the engagement that we now have from other sources.

**Mr JONES** - Yes, and there has also been some significant advances in technology with the firm that we have been working with over this. So that now holds out what we regard as a very promising option for removing the vast majority of the copper and the zinc in a cost-effective manner.

Getting back to your original question, at this stage our best estimate is that the majority of that money that we currently have - in an interest-bearing account, I might add - will be drawn down in 2010-11. Obviously there is a way to go yet before that comes to reality, but that is our best estimate at this stage as to when that money would be drawn on to fund the construction of a plant. That will solve many problems of the King River and Macquarie Harbour. That river has a silt problem as well and putting the plant in there will not reduce the delta in Macquarie Harbour and solve some of the aluminium problems that would still be in the waste, but it will go an awfully long way to solving what we know of the King River problem.

**Ms O'BYRNE** - There is a view that we are in a much better position to resolve it than we were.

**Mr FINCH** - There were just a couple of questions -

**CHAIR** - Thank you. I think you might have gone backwards there, Minister, just a tad, back into environment.

**Mr FINCH** - Yes, we are hovering around there but it is about the analytical services that give us the results of what is going on. I am wondering about measurements for turbidity. I am thinking again about our issue with the Tamar River. Do Analytical Services constantly monitor our rivers and streams in Tasmania on a basis that there are measurements that are taken constantly throughout our State?

**Mr JONES** - No. Analytical Services Tasmania is effectively a chemistry laboratory that provides analytical services. It has no function in terms of ongoing monitoring. That is probably a question you would best direct to the Department of Primary Industries and Water that effectively run the river monitoring system for Tasmania.

**Mr FINCH** - It is difficult to get ahead with all the change of departments - DPIWE, Environment, Arts, we have got such a mix-up of things at the moment so it is quite confusing.

**Ms O'BYRNE** - One thing in terms of measuring water quality, though, and this is an opportunity to sing the praises of the local group in the north-east, is that when we produced the State of the Rivers report recently, the data that they collected is, we think, the only data collected by volunteers in the country that is considered to be of such a standard that it would be included in

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national reporting figures. DPIW has done a lot of work with that particular environmental group and that has provided us with a new opportunity to get better river health data.

**CHAIR** - The Climate Change Office: I am interested to know what your opinion on it is as to why that does not belong in your department, in the Environment department.

**Ms O'BYRNE** - I am not saying that I would not love to have responsibility for it, so putting that to one side, the role of the Climate Change Office is to give that whole-of-government approach so that it does not then become something that Environment does and is not the responsibility of all departments of government. I think that is an important mindset in terms of climate change.

The fact that all of us, individually and as departments, have to report to the Climate Change Office means that it is not one department trying to get other departments to do things; it is the Premier's Office and the Climate Change Office requiring all of those departments to go to them which I think works better.

**CHAIR** - So you see it as more of a political issue than an environment issue?

**Ms O'BYRNE** - No. I think it is one that we need to work on together. The environment bits that I have are often called the brown bits of the environment - that is the way we normally phrase it - so it is regulation and enforcement. The reality of climate change is that it is also about behaviour and about opportunity. Having this as a whole-of-government structure allows us to participate towards that as well. I think that is a positive thing to have - a Climate Change Office that we are all beholden to.

**CHAIR** - Members, is there anyone who has something that they would like to quickly ask in this area or would like to move on.

**Mr DEAN** - I have two quickly.

**CHAIR** - One priority question thanks, Mr Dean.

**Mr DEAN** - I am interested in the number of contaminated sites in and around Tasmania. How many new sites have been identified in the past 12 months and what programs are in place to rehabilitate them? What is happening in that area?

**Ms O'BYRNE** - Whilst I have some information here on individual sites that have had some focus recently, we can provide you with an updated copy on notice of the amount of new sites to have been identified in the last 12 months.

**Mr JONES** - Please copy to me so I can get the questions clear.

**Mr DEAN** - The remaining part of that question was: when will the environmentally relevant land use register be completed and available to the public.

**Mr JONES** - Yes. I probably better take that on notice if you are looking for a completion date.

**Mr DEAN** - Well I am asking for - whatever.

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**Mr JONES** - We are working on it. In one sense it may never be completed in the sense it has been designed for something that can be added to in terms of priority areas, so our first priority was to identify the locations of underground storage tanks which are the most common form of contaminated site in terms of leaking petrol and so on. We have done that. We are then moving on to look at old tip sites, but as I said it may be one of those things that we would progressively be able to add information to. Is that okay?

**Mr DEAN** - Yes, that is okay.

**Mr JONES** - So the number of new sites in the past 12 months?

**Mr DEAN** - Yes. How many contaminated sites are there nominated under sites -

**Ms O'BYRNE** - You want a whole amount and the ones just recently?

**Mr DEAN** - Yes, I do.

**Mrs JAMIESON** - Would that be used for the troubles that have been lobbied about the Howrah site and of others as well?

**Mr DEAN** - Yes.

**Mrs JAMIESON** - Nursing homes being built near tip sites and old petrol stations -

**CHAIR** - Mr Dean, seeing you have just asked the member for Mersey's question, you can ask your own now.

**Mr DEAN** - I am sorry. Did I ask your question?

**Mrs JAMIESON** - That is quite right.

**Mr DEAN** - I am sorry.

**CHAIR** - We are happy about that.

**Mr DEAN** - I am sorry. I apologise.

**CHAIR** - So you can ask that final question.

**Mrs JAMIESON** - You ask your question now.

**Mr DEAN** - I think I have asked the question

**Mrs JAMIESON** - This one has gone on notice so we will get an answer for it.

**Mr DEAN** - So you have got the points there, Mr Jones.

**Mr JONES** - How many over all of Tasmania and how many new sites in the past twelve months?

**Mr DEAN** - How many sites have been identified in the past twelve months; what programs are in place to rehabilitate them; how many sites have been rehabilitated and are now safe for use for new purposes?

**Output group 2  
Parks and Wildlife Management**

**2.1 Parks and Wildlife management -**

**Mrs JAMIESON** - Minister, in note 3 for Parks and Wildlife I am interested in the fact that you have a decreasing budget looking to forward Estimates, particularly with the emphasis on fitness and participation, so one would anticipate when we have parks that need to be looked after that we would actually be increasing our money or at least maintaining it. That is on page 4.5., output 2. It is dropping from \$51.372 million to \$45.843 million down to \$43.748 million.

**Ms O'BYRNE** - There are some spikes in here and the spikes are predominantly for the huge amount of money that we are spending on the Macquarie Island eradication program. I thought that there was another spike as well.

**Mrs JAMIESON** - No, I read those notes down below. So that will lead me then to the next question on Macquarie Island. Do you want to make any other comment on Macquarie Island?

**Ms O'BYRNE** - I am happy to update the committee on Macquarie Island; it is a pretty significant project.

**Mrs JAMIESON** - Dollars spent and what is the future of it, for example? The dog training program et cetera?

**Ms O'BYRNE** - As you know, it formally commenced in 2007-08. It is jointly funded by us and the Australian Government. There is no financial commitment by us for the 2008-09 year but we have committed \$12 million over financial years 2009-10 to 2014-15, which are rolling off the tongue like whey are tomorrow at the moment. The projects focus on the detailed planning and logistic components necessary to ensure the successful completion of a project of this scale and remoteness. This is the largest ever remote sub-Antarctic eradication of three species. So we are getting a lot of international interest as well because we have the three different species on the island. We are hoping that the work that will be done will prove to be a model for eradication in other sub-Antarctic islands, which is a much larger business now than I understood it to be in terms of the amount of islands that are suffering from this problem.

The tender project for the training of the dogs has been completed. We are finalising contracts for the three selected tenderers. An application for approval to use the selected pesticide and for aerial baiting has been finalised and that is ready to be submitted to APVMA, the Australian Pesticides and Veterinary Medicines Authority, and preparation of procurement of major services related to the project including shipping, helicopters and bait will be continuing in 2008-09.

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We have engaged the dog training coordinator as well, which is the National Coordinator for the New Zealand Department of Conservation, Predator and Protected Species program who have some expertise in offshore island work as well. I think that we might even be sending Keith over to look at an eradication in the very near future - not anywhere near as extensive as the one that we will be required to do.

**Mrs JAMIESON** - How many dogs are going to be involved in the training and then the use of?

**Ms O'BYRNE** - Eleven dogs.

[3.00 p.m.]

**Mr MOONEY** - Three different tenders have been chosen and they are for different reasons. The main reason is that you have to train a lot more dogs than you actually supply in the end, because there will be some point of failure with some dogs. As anyone who knows anything about dogs will know, not every dog will train well. There are about three different species being used - small, medium and large dogs.

**Ms O'BYRNE** - Retrievers, spaniels and terrier-crosses, I understand.

**Mr MOONEY** - Yes. The three different locations chosen for the tenders are simply because if you, for example, had a really bad disease go through one location you would not want that being the only location chosen. Basically they will train about 40 dogs but we will only end up with between 11 and 14 on site down at the island.

**Mrs JAMIESON** - How many handlers are involved?

**Mr MOONEY** - There will be one handler per dog while the dogs are on the island. They are very intensively managed.

**Mrs JAMIESON** - What is the cost of this then?

**Mr MOONEY** - A lot. It works out between \$25 000 and \$30 000 a dog to have on the island, so that is 11 to 14 times \$25 000 to \$30 000.

**Mrs JAMIESON** - And we still do not have a guarantee that it is going to work.

**Mr MOONEY** - No, I think we will do a very good job.

**Mrs JAMIESON** - Next year we will ask the same question again.

**Ms O'BYRNE** - It will take a long time to do. There are a whole host of things that we cannot do on the island beforehand, because you need to remove the sensitivity of the animals to things like being hunted and shot, so you need to give them kind of break. They have actually designed exclusion zones. Another thing we have noticed is that they are getting a reparation in vegetation as well in those areas. So there is a really good feeling that we can regenerate the island once they have been removed.

**Mrs JAMIESON** - So your dog program will go in conjunction with the bait-laying program.

**Mr MOONEY** - The dogs are on the island while the baiting occurs, so the dogs are available immediately after the baiting occurs.

**Ms O'BYRNE** - The dogs are trained not to take the bait.

**Mrs JAMIESON** - That does not raise the question of maybe dogs eating baits.

**Mr MOONEY** - No.

**Ms O'BYRNE** - That was my question too.

**Mr MOONEY** - The difficulty in training the dogs is not to locate rabbits, but to not go for the other species. Birds and chicks and other species will be on the island while the dogs are operating and that is the most important part. That is the most difficult part to train, the non-target species.

**Mrs JAMIESON** - Do we actually have an inventory of the different species on the island?

**Mr MOONEY** - The reason we have chosen the people who are training the dogs is because they can take the pups to locations that have the same species. We are choosing New Zealand operators and there is a New South Wales operator who has access to islands with the bird species that are on Macquarie Island.

**Ms O'BYRNE** - Chair, because this is an internationally significant project, I am happy if members of the committee and also members of the upper House would like to have a briefing, particularly with the person who is running the program at any time.

**Mrs JAMIESON** - It has certainly been very high profile.

**Ms O'BYRNE** - It is an extremely interesting project, so if members are interested we would be more than happy to organise a briefing on the whole program.

**Mrs JAMIESON** - Thank you. My last question, what about visitor numbers? Has their interest in going to Macquarie Island been maintained?

**Mr MOONEY** - Yes. There is a ceiling on the total number of people who can land on the island and that ceiling is basically met every year, so the demand certainly is still there and the interest factor is still there. There are three locations where they can land on the island and they are still landing on them. Sure, there is some damage from rabbits which you can see, but the number of penguins and other birds and seals are still very high and that is the main interest for people are going there.

**Ms O'BYRNE** - A key behavioural point at the end of the project, if the eradication is successful, is the quarantine process that we will be able to put in to make sure that we do not ever have a pregnant rat jumping off a ship in the future.

**Mrs JAMIESON** - Or a fox.

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**Ms O'BYRNE** - Or a fox, because that is a risk that we will still have, preserving the integrity of the island once the eradication program is completed.

**Mrs JAMIESON** - How much does the State Government get from visitors? It was about \$120 each trip last year, I think. Has that gone up?

**Mr MOONEY** - That is going up in the next licence round, which is in about one-and-a-half years, so it is still about \$120 per person per visit.

**Mrs JAMIESON** - I would appreciate a breakdown of what proportion of national park fees that are collected go to administration? Are they spent on site? Is what is collected at Cradle, for example, spent on Cradle, or is it just put into the Consolidated Revenue Fund?

**Ms O'BYRNE** - No, they are all hypothecated directly to Parks.

**Mr MOONEY** - We will probably take the total question on notice, but the principle of park entry fees is that the money is returned to where it is collected from. That is one of the basic principles. We obviously try to put as much money on the ground as possible, but there are certainly administrative costs. For example, you have to have people to collect it. We can take that on notice.

**Mrs JAMIESON** - Does any of it go to asset management or is that a separate parcel of money altogether?

**Ms O'BYRNE** - We have a different bucket of money for asset management, but there might be some asset management things that are required within a park.

**Mr MOONEY** - Some funds do go on, for example, track maintenance and remote area toilet maintenance, items like that which traditionally we have always spent user fees on. But we do have the Strategic Asset Management Fund which certainly assisted us in getting all our major assets up to a certain standard now.

**Mrs JAMIESON** - Thank you. Last year we were told there were about 450 minor reserves and there was an idea of having a major plan for all the minor reserves. So has that major plan for the minor reserves been dealt with yet and/or in progression?

**Mr MOONEY** - It is in the process of being developed.

**Mrs JAMIESON** - Any detail on that at all yet or not?

**Mr MOONEY** - We would hope to the plan for all the minor reserves finished by the end of this calendar year. These are the small conservation areas.

**Mrs JAMIESON** - Does Parks have much of a role in the administration or oversight of the marine bioregions, or is that strictly -

**Ms O'BYRNE** - We do once they are classified, if they are classified for us as a park.

**Mr MOONEY** - The seven current marine reserves are either national parks or nature reserves. But the RPDC recommendations for the future are administered by another department,

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the Department of Primary Industry. Under the Nature Conservation Act with which that portfolio rests is a declaration of the reserves and if any of the reserves are under our act, we will be managing them. But we do not know the outcome of the Bruny bioregion yet. It has not been decided.

**Ms O'BYRNE** - But it is a management and resource issue for us.

**Mrs JAMIESON** - Last year there were staff that were selected to work - dare I mention - on the fox eradication program and apparently about six staff moved over.

**Ms O'BYRNE** - Have they come back?

**Mrs JAMIESON** - I am just wondering about that. Were they replaced even? That would have left a gap in the staffing, so how is staffing going with Parks and Wildlife now?

**Ms O'BYRNE** - We have had an increase in park staffing. I think we provided that earlier on in the answers.

**CHAIR** - Some 14 additional bodies. Would you like to tell the committee where those 14 additional bodies have gone in the department?

**Mrs JAMIESON** - And did the staff that went over from parks to the fox eradication program stay with it or, because they did not find any foxes, move back?

**Mr MOONEY** - No, they are still there. I suppose it was provided as an opportunity of experience, learning and doing a different job role for a while. Most secondments are two-year secondments which have not been completed yet. They do have the opportunity to return to the Parks and Wildlife Service because they are public servants and they are on a secondment. We have back-filled the positions so we are not down any people due to people going across to the fox program.

**Mrs JAMIESON** - Thank you. Can we have an update, please, on what is happening with Maria Island.

**Ms O'BYRNE** - Anything in particular at Maria Island. There is a whole host of issues.

**Mrs JAMIESON** - Access was sick for a while. Are we back on track there?

**Ms O'BYRNE** - Okay, so it is about the ferry?

**Mrs JAMIESON** - Yes.

**Ms O'BYRNE** - I have had a lot of letters about some other activities on Maria Island recently.

**Mrs JAMIESON** - I am quite sure you have. Any about the wildlife management plan?

**Ms O'BYRNE** - You would be aware that there was a withdrawal of the Maria Island Company's ferry service in August of 2007. Parks and Wildlife explored a range of options for efficient ferry services to Maria Island. After considerable consultation with the local community

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and also some potential ferry operators, the decision was made to offer the service on the open market rather than offer an exclusive lease license. We sought through tender an operator, or a group of operators, to commit to a minimum level of ferry service during the winter period - 15 May to 15 September - in return for a fixed annual payment of \$36 000 in recognition of the commercial challenges faced by operators during the quieter shoulder and winter seasons. The preferred respondent to the tender was Sea Wings Eco Tours and they have agreed to provide a winter service this year with the option of a further year in 2009.

Access to Maria Island is also available through vessels that are currently licensed to charter services to the island and they do that independently. There have been a number of concerns regarding the cost of travelling to Maria Island as a result of this, because charges for the ferry service are not set by us; they are set by the ferry operator at commercial rates.

There has been a suggestion that Sea Wings were also charging for excess baggage. We understand that is not the case though, having investigated that. The Government have recently provided assistance to the Glamorgan-Spring Bay Council to establish a new pontoon tourist jetty at Triabunna. The idea of that is to enhance an operating capacity so it is a little bit more of an opportunity for any ferry operator wanting to make the Maria Island run. Access has been complicated by the condemning of the public jetty at Triabunna by Glamorgan-Spring Bay Council. The current ferry to Maria Island is utilising the private berthing facilities of Sea Wings. The current operator has expressed concern on the ongoing viability of the ferry operation given the current circumstances and level of visitation. I want to see Maria Island getting a lot more visitation; obviously, you would have to put it at a level that is sustainable for the island. It would be good to get another operator so there is a little bit of competition to impact on the price but Maria Island offers a cultural and environmental experience that you really cannot get in other places; it is really a unique piece of land. I still remember my Grade 10 visit there.

**CHAIR** - Minister, have you spoken with MAST about the replacement of the Triabunna Jetty?

**Mr MOONEY** - The Triabunna Jetty is owned and managed by the Glamorgan-Spring Bay Council and the one they have condemned is what they call the public offloading area. The area where the professional fishermen still go is still safe and sound but this 20-metre section is not. The Glamorgan-Spring Bay Council is in active conversation with all sorts of bodies to try to get enough money together to work on it. The Tasmanian Government has provided an amount of money to support that but it is not enough to do a completion for a new jetty.

**Mrs JAMIESON** - But given that we are going to try and promote more people going to Maria Island surely it could be a priority to insist that -

**Mr MOONEY** - We see it as an important component of the overall infrastructure management but we need to remind ourselves that the State Government committed up to \$800 000 in fixing up the Darlington Jetty at Maria Island National Park. So I think we have certainly served our part for public jetties.

**CHAIR** - You cannot get across though, so not much point in having the infrastructure on the other side.

**Mrs JAMIESON** - Helicopter across.

**CHAIR** - Fair comment.

*Members laughing.*

**Mrs JAMIESON** - I was also interested in a comment I saw here that Parks and Wildlife is planning for southern caves and karst areas to address a range of issues. What were the issues that we had down in the karsts in the southern caves?

**Mr MOONEY** - In the southern part of the State, especially around the old Bender's Quarry - I do not know if any members remember - there are still a few cave remnants that the public want to use. There is also the Mystery Creek Cave, where there was that unfortunate accident where a school party had an injury. There is still that, so we have done there is a big planning assessment to find out which are the most appropriate caves to still allow for public access that are safe and usable. That management plan is outlining which ones we should actively promote and encourage people to use that are basically a safe area but the intrinsic difficulty with caves in general is that whenever there is a rain event, you will get flooding because they are karst. It is just one of the difficulties down there because it is a very high rainfall area.

**Mrs JAMIESON** - Thank you. I was also going to ask about the fire strategies after we have had King Island, for example, and down the east coast and what have you. How is the strategic plan coming along for risk management et cetera with Cradle Mountain as well, or any other areas?

**Mr MOONEY** - Again, the Tasmanian Government were really good in providing funds for what we call a fuel reduction burning program. We have about \$2.11 million over the next four years which is designed to work out strategic locations. One example is the Douglas-Apsley National Park which has a management plan that said we will need to do quite a large burn but the resources were never there. Now, with this new money, we have combined resources with the Tasmanian Fire Service and Forestry Tasmania. We did a very large burn there recently in the southern end of the park, which will provide a lot of protection for private property. That type of activity is one that we are doing all around the State. Some are small and strategic, some will be larger but we are well on the pathway with that. We have done about 42 burns this winter out of that program.

**Mrs JAMIESON** - How do you prioritise that compared with Forestry, or private enterprise wanting to do burn-offs as well, because there is a heck of a lot of smoke around?

**Mr MOONEY** - Forestry burns are quite different from ours. These are the regeneration burns whereas these are fuel reduction burns; we do combine burns with Forestry on the fuel reduction burns but they do their own independent regeneration burns that we do not have any part in.

**Mrs JAMIESON** - And then members of the public also wish to do burn-offs as well.

[3.15 p.m.]

**Ms O'BYRNE** - This is one of the reasons we have been exploring the monitoring and the permit arrangements that might be able to be planned to look at that sort of mitigation - of having too much at any one time because there is only a certain amount of smoke that the atmosphere can cope with.

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**Mr GADD** - If we make a decision to burn a certain area and there are adjacent either private land holders or Forestry then we do the lot as one. So we are trying to bring them under that tent so then they fall in under our modelling and in that sense we have control of the amount of smoke that we are going to generate. If the weather does not permit we do not burn. However, we do not yet have control over everybody.

**Mrs JAMIESON** - You will have to get one of those air curtains, I can tell.

**Ms O'BYRNE** - A very large one by the sound of it.

**CHAIR** - They are movable you move them around.

**Ms O'BYRNE** - Yes, I saw some information during the lunch break.

**Mr GADD** - You have no idea of the volumes that we need to deal with, though. They are not applicable to fuel reduction burns because we need to take the fuel loads out of the areas that are there. To put them into an air curtain burner we would have to go and pick up all the fuel, transfer it to the burner and burn it in it. It is like a big incinerator. So for fuel reduction they are not applicable.

**Mrs JAMIESON** - Okay, we will take your word for that one. I was also interested in the school bookings that are being taken now. Any comment to make and how many schools have taken it up and cost involved?

**Ms O'BYRNE** - Which ones?

**Mrs JAMIESON** - School bookings that go into parks.

**Ms O'BYRNE** - For the summer ranger program?

**Mrs JAMIESON** - Educational programs or whatever.

**Mr MOONEY** - School bookings?

**Ms O'BYRNE** - The amount of school children who utilise the department program for things like summer rangers - that type of thing.

**Mr MOONEY** - We have a couple of different programs. We have always had, as you are probably aware, free entry for any Tasmanian schoolchild going to our parks and reserves; there is no parking fee applying to that. We also have a program in the winter where we have discovery rangers who are closer to the specific schools that do programs. We tend to concentrate on more regional rural schools that are closer to our national parks to get a bit of connection on ownership with the regional parks, and that is on a casual, on-needs basis. We have a relationship with the Education department where they will ring us up and say they would like this and that done and we will supply the discovery ranger program people - the interpretation rangers.

**Ms O'BYRNE** - We might be able to get a figure for you.

**Mrs JAMIESON** - Any progress on the boardwalks at Melaleuca?

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**Ms O'BYRNE** - You wanted a figure in terms of the amount of school programs?

**Mrs JAMIESON** - It would be interesting to have.

**Ms O'BYRNE** - We will get that for you.

**Mrs JAMIESON** - Thank you. Looking at Melaleuca - any progress on the boardwalks?

**Mr MOONEY** - Board walks at Melaleuca?

**Mrs JAMIESON** - There were lots of timber lying around a couple of years ago and it was not being used.

**CHAIR** - That is right - I have that question down as well, Mrs Jamieson.

**Ms O'BYRNE** - The Melaleuca board walk?

**CHAIR** - Yes, in 2005 a group of Burnie councillors did the walk between the accommodation at Melaleuca at Port Davey and out to Cockle Creek. There were substantial packs of timber that had been sitting there for quite some time; we have not been back but we have been assured that those tracks are down by now.

**Mrs JAMIESON** - I would like to be assured of that.

**Ms O'BYRNE** - Yes.

**Mr MOONEY** - I saw it about three months ago and I could not see any packs of timber but I will take it on notice.

**Mrs JAMIESON** - It has probably rotted by now.

**Mr MOONEY** - No, it is treated pine - it lasts a long time.

**CHAIR** - As long as it is not sitting beside the track.

**Ms O'BYRNE** - We can make a phone call and find that out. I am sure that it is done.

**Mr MOONEY** - I am sure it has been laid.

**Mr FINCH** - It was mentioned in a couple of budget Estimates.

**Ms O'BYRNE** - Okay, before my time, I am sorry.

**Mr FINCH** - We have talked about this issue that we all experienced down there. The packs of timber were there. I have another point to bring up about Cradle Mountain and Lake St Clair. Packs of wood are there to do the work but nobody has been sent in to carry out the work. We have been talking about that for three years.

**CHAIR** - Hence my interest in the 14 additional bodies -

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**Ms O'BYRNE** - I see.

**CHAIR** - We were hoping that some of them might have been directed to maintenance.

**Ms O'BYRNE** - We can probably find that out before the end of the session today and perhaps we could move on to another area. Peter would be in a position and double check for your information today. I do not want to put it on notice if we can get an answer for you today, that is all.

**Mrs JAMIESON** - Thank you. Could I have an update on the Cradle Mountain sewerage program and its relationship to the Kentish Council, ongoing maintenance etc?

**Ms O'BYRNE** - In terms of relationship to individual councils, that is now going to be taken up in the whole water and sewerage reform process. I am happy to give you an update of where we are up to individually with this project.

**Mrs JAMIESON** - Do you have that there?

**Ms O'BYRNE** - Yes. The CVCSS is a key catalyst for being able to develop the iconic facilities we have up there. It will replace two outdated treatment facilities as well as a number of individual septic systems. The design for the sewerage plant is now complete and all the necessary environmental approvals have been received. The process design has taken into account the very high standard of treatment that is required in that area. A total of \$5.922 million has been allocated in 2008-09 to fund the construction. It has actually been designed based on a 25-year projection which allows for visitor number growth during that time as well.

The sewerage treatment plant will cater for a projected peak average of 350 kilolitres per day with the capability of a further plan extension to 500 kilolitres per day if required. I understand that that is actually more than twice the current flow, so to speak. It incorporates a treated effluent reuse scheme for non-potable water use and that will enable our end-users to greatly which is their water consumption which will actually set quite a model for sustainable environmental solutions as well that might get picked up in other areas.

The plant's operating and depreciation costs are being determined at the moment and final end-user cost I guess really will depend on the recommendations of the water and sewerage review that is currently being undertaken by Treasury. The management of the sewerage service by regional water authority rather than a small local council will probably spread the load across a larger body of people benefiting - a larger body of ratepayers will actually benefit from the end-user's cost substantially.

The project has been approved by the Parliamentary Standing Committee on Public Works and the contract for the reticulation was awarded in December. The contract for design, supply and installation equipment was awarded in April, design developments commenced, and the tender for the plant building itself is expected to go to tender soon, probably in early July. The commissioning of the plant is expected in mid-2009. As part of the contract, the plant is going to be operated for 12 months after construction by the equipment contractor before being handed over to whatever authority management operation will actually be there.

**Mr FINCH** - Could we go back to the standard of tracks again? This is about the Cradle Mountain-Lake St Clair area and is anecdotal evidence from someone who was working on the

Queen's Birthday weekend this month. They saw signs of imminent work with this stockpiled material on the side of the track at the early stage of the overland track to Marions Lookout, but he said that the old split-timber sections were in an appalling state, with walkers leaving the track to avoid sinking in the mud and consequently creating more environmental damage. I am just curious as to what progress we can expect on these deteriorating sections perhaps in the coming year.

**Mr MOONEY** - I suppose that it comes back to the efficiencies of air transport. With a lot of these issues with the remote tracks what we tend to do now is take in materials when there is an opportunity with air transport in a cost-effective process. For example, there might be a helicopter up there doing other projects and other works, and it could be a Hydro helicopter, Forestry or anyone. We take that opportunity to put the actual material in the spot but it does not mean we are going to do the work the next day. It often means that the timber will stay there for a couple of months at a time until we have the work program organised, but at least the timber is in there ready to go. It is a sign of the times with air transport being so expensive now that we have to be able to utilise aircraft when they are in the vicinity, so at times we do have stockloads of timber sitting there for months at a time. On the overall lifespan of the timber which would be between 25 and 30 years in that type of terrain, it is not a high cost.

Perhaps we could explain it better by having a sign on the timber, I am not sure, but the point of issue that a lot of people do have is that they see the timber sitting there but no work being done. Often we have been using an opportunity that wasn't there normally to get it in at a cost-effective rate. The split timber, the old cordwood, which is I think what your constituent was referring to, has deteriorated. When we had the cordwood put in about 40 years ago it was actually under the unemployment relief program. They called it the Red Scheme - I do not know if you remember that long ago - in the late 1960s, early 1970s.

**Mr WING** - The Whitlam Government scheme.

**Mr MOONEY** - That's it, and that is when a lot of that cordwood was put in place, so at the moment is quite a few kilometres of the same age and deteriorating all at once. That is something that we are addressing at the moment with treated pine. At the end of the day we can only do what we have resources for. I am quite confident that all that timber that is stockpiled will be certainly laid next summer, the end of this calendar year. Of the 58 kilometres of the Overland Track, 42 kilometres is boarded now and when you think about the effort and time involved and the inconvenience of a little bit of mud on people's shoes, I think it is a pretty good job.

**Mr GADD** - Our track workers only work through the warmer months. It is pointless putting them there at this time of year.

**Mr FINCH** - Yes, I understand that. If it is done by next summer, the work is going to be taken care of. Most reports say that the shuttle bus service to Dove Lake is working well but someone raised concerns about the cut-off time for the last bus back from the lake.

**Ms O'BYRNE** - On the individual day?

**Mr FINCH** - Yes. I think it is 4.30 p.m. Certainly over the Queen's Birthday weekend it was 4.30 p.m., but it seems pretty hard to time a walk to catch the last bus. If somebody gets stranded at the car park with the last bus gone, and they are tired after a long day, how do they get on?

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**Mr GADD** - There is a beautiful boardwalk we have constructed from the car park back to the visitor centre.

*Laughter.*

**Mr FINCH** - Okay.

**Mr MOONEY** - There is actually a last run done to the Dove Lake car park by a staff member just on dark, which covers all the off-shoots as well. We do that as part of our management regime.

**Mr FINCH** - Just to check to make sure that everybody is in?

**Mr MOONEY** - Yes, to check for any stranded persons.

**Mr FINCH** - Okay. That was an observation somebody made and thought, 'If I miss the bus, how will I get on?'. With the traffic control measures on the road from the visitor centre to Dove Lake, you are obviously calming traffic, but there has been some criticism that it can cause minor accidents. Have any accidents been reported on that road?

**Mr MOONEY** - No. It is actually quite amazing because the reason the road was redone was because of the horrific accident we had with the bus, where there were multiple deaths. Since then there have been no major accidents. There have been scrapings because there are narrow sections of road where only one vehicle can go through and the other vehicle must wait, but there are some impatient people who believe they get through the gap. Rear vision mirrors are the big by-product -

**Mr WING** - And that was predicted by the Joint House Standing Committee on Public Works, which had reservations about that whole system.

**Ms O'BYRNE** - Only scrapings, though.

**Mr MOONEY** - As far as personal safety goes, it is an impeccable record. The safety side has improved dramatically but it is still fair to say that some people will push the limits as far as going in those narrow lanes is concerned.

**Mr FINCH** - An automatic boom gate has been installed at the visitor centre - that is at the beginning of the Dove Lake Road. What is the function of that boom gate?

**Mr WING** - To go up and down. Boom, boom!

*Laughter.*

**Mr MOONEY** - The whole intention of management of the road is to reduce the amount of vehicles on the road at any one time, therefore reducing the number of vehicles parked at the end point, which is Dove Lake, because it only has a certain capacity. That is why we introduced the shuttle bus which has improved things significantly, but there are still a number of private vehicles that wish to go in. We will never restrict those totally because people who are impaired or have disabilities need to have their own apparatus to go in and they cannot get onto a public

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shuttle bus, for example. The idea of a boom gate is to allow vehicles to go in once there is a space available at the end of the road so that they do not get into a situation where they go in and there are no spaces available and so they start parking off the road and destroying the environment or get bogged. That is the whole function of it. It has an electronic recording system that records the amount of vehicles that are at the end of the road at Dove Lake and as soon as there is a space available the boom gate rises and the vehicle goes in.

**Mr FINCH** - That is probably why there was difficulty understanding what it was doing there and the function it performed.

**Ms O'BYRNE** - Can I quickly add to an answer from before? The work on the Melaleuca track, that you are all very interested in, was completed. I am advised that a lift has also been done recently for some additional work that might happen there as well, so it will be a much more comfortable walk next time.

**Mr FINCH** - We will bring that up at the Budget Estimates next year.

**Ms O'BYRNE** - Fantastic. We will make sure we have a running commentary on Melaleuca.

**Mr FINCH** - Thanks for that explanation. There is a fairly hefty fee to walk the Overland Track now for the high season. I am wondering what that is expected to raise in this coming year. Did I get the inference, Minister, that the money that is raised on particular operations are spent back on those operations?

**Ms O'BYRNE** - We hypothecate all the fees back into Parks and they will pretty much go directly into the park that they have been collected from.

**Mr GADD** - And in this case it goes directly to the Overland Track.

**Ms O'BYRNE** - Yes.

**Mr FINCH** - How will that be spent?

[3.30 p.m.]

**Mr MOONEY** - The money that is raised from the Overland Track fee goes directly back into the total management of the Overland Track, and that is comprised of quite a few different components. Track maintenance is number one and also track information. We have track rangers that walk the track regularly and provide information to persons about all sorts of issues - safety, fauna, flora, where they can gain access to water, all those sorts of things.

Then we have maintenance of the huts which is a high commodity for that track. It is also keeping in place, I suppose, the experience that we always want to provide. Since the track has been in place with a permit system, the one-way walking system has drastically increased the experience level of every person walking the track. We have had people who walked the track 20 years ago and who have come back and walked it in the last year or so and then said they had a far better experience and feel less crowded now. Yet the number of people walking the track in totality has increased. So that is a good sign that what we have done in our management regime has worked.

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The permit period is only for a set period. After that we tend to find that especially Tasmanians line up the day after the permit period is finished and they are on the race track.

**Ms O'BYRNE** - Local knowledge.

**Mr MOONEY** - Yes, and that works quite well because it gives all Tasmanians the opportunity to walk the track at no cost. We do regular surveys and the feedback we get from people is actually that they want the fee raised. They want the charge to be higher so that they know that it will always go back into the management of the track. They are happy with what has been happening so far and they want to come back in another 10 years and see a more improved service. They can see that it works.

**Ms O'BYRNE** - Currently it is effectively cost recovery because the money that goes in is paying for the overall maintenance of the Overland Track, apart from major infrastructure projects that may come up during the time. In terms of its general operation it is all paid for out of the fees.

**Mr MOONEY** - The whole intention to make it self sustainable so that it was not an impost on the taxpayer to manage the Overland Track when many taxpayers may never use it. That was the whole principle - user fees - and it seems to have worked quite well.

**Mrs SMITH** - My question is about Lake Barrington, which I am aware is under Parks control, and we are all aware that the National Rowing Championships are coming there in the 2010-11 Budget year. They are going to be on site for eight days. I am told there is one pit that collects the joint sewage and other water and that Parks have a plan to address that before we end up with an extraordinary number of people on site from day to day.

**Mr MOONEY** - It is actually leased to the Tasmanian Rowing Council. We don't manage it any more.

**Ms O'BYRNE** - We don't manage Barrington?

**Mr MOONEY** - No, it is leased to the Tasmanian Rowing Council.

**Ms O'BYRNE** - Right.

**Mr MOONEY** - I can explain. About three years ago we went into negotiations with the Tasmanian Rowing Council about the future of Lake Barrington. The Tasmanian Rowing Council now has a lease of the whole site, so the management and the infrastructure, repairs and maintenance for the site is totally their responsibility. What we have been doing though is that we had a transition period of them taking the lease on because it is very hard for a not for profit organisation like that to take a lease on from day one. So we have had this induction period where we have supported some of the infrastructure management for a couple of years to get them on their own feet, and one of them is the sewerage management system.

One of the great difficulties with that sewerage management system is that it has a lot of what we call ingress where water comes into the pipes because the pipes are actually under the lake level table. When the lake was planned and built back in the mid 1980s for the World Rowing Championships it was done very quickly and very robustly, but it was not done for a very long-term event. And now, that many years later, the sewerage system is basically at a level where it

has to be supported quite significantly on a daily basis; in other words, trucks come in and collect the effluent deposits and take them back them back to a sewerage development works with the local council.

What we have been working with the Tasmanian Rowing Council on is for them to have their own sewerage system on site. We have not got there yet with that. But we are aware of the event coming up and we are making arrangements to work with them so that the sewage will be serviced. But we are trying to make it self sustaining for the Rowing Council in their own right. They can actually apply for a lot of funds that we could not as a State authority. They have been actually successful at getting some funds injected into it. At the end of the day it is a rowing venue for rowers. They are the best organisation to really manage it in the long term.

**Mrs SMITH** - So you are comfortable that, with eight days of rowing there, it will be able to be environmentally safe?

**Mr MOONEY** - The way you handle it is to just send more trucks in. That is how it is handled, to be honest.

**Mrs SMITH** - I am told that after an ordinary weekend of rowing it can be a \$3000 cost for the truck to empty the pit. My concern is that it would be eight days at \$3000 a day and also I am told that the interest in the event is significant so we are going to get a significant benefit for Tasmania in that process, but we could have some bad advertising too if the issue is not addressed.

**Mr MOONEY** - The Tasmanian Rowing Council are getting very good at their administration management. Originally they never even had a user-fee process. In other words, people would go and stay there for nothing, whereas at least now they are starting to charge people to camp there, for example. So you originally had up to 2000 people camping there for nothing. Now they are starting to charge a fee and we are fairly confident, through working with the council, that the fee structure they will have in place will nearly cover the costs of managing the sewage.

**Mrs SMITH** - That is interesting, because my information was that no-one will be camping on-site, even the organisation people.

**Mr MOONEY** - No, they do not camp at the proper rowing - there is an area about a kilometre or so further along where they allow camping.

**Mrs SMITH** - I will be very surprised if 2000 people can camp there with the facility capacity of the area.

**Mr MOONEY** - No, that is before that they had up to 2000. They have a limit now. I am not sure what the limit is. I will have to get it from the council.

**Mrs SMITH** - So you are comfortable, Minister, that over those eight days through the leasing that Parks have there will be no environmental issues regarding the sewage et cetera?

**Ms O'BYRNE** - I have not been advised that there is any concern that there will be a problem. I am happy to put on record that, if there is a need during that eights days, then we will go in and assist and do all we can to help them through that. At this stage no-one has indicated

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that they believe there would be a significant risk. But we are very happy to go in and assist in whatever way we can.

**Mrs SMITH** - I can see a massive benefit tourism-wise here for Tassie - an event of eight days, a week before and a week after - and we should not miss these opportunities.

**Ms O'BYRNE** - No, but that is also about doing a long-term plan because that is not the only time we are going to have that opportunity - rowing is growing in numbers - and certainly we are seen as a home of rowing. So the ongoing discussions that Parks are having will hopefully give us a better long-term sustainable plan.

**Mrs SMITH** - I am pleased to see there is a good relationship quite clearly between the Rowing Council and Parks and that the issue will be addressed. I do not like bad publicity about our areas.

**Ms O'BYRNE** - No.

**The committee suspended from 3.38 p.m. to 3.50 p.m.**

**Mr DEAN** - On your web site you have a spiel about feral cats and you identify them as formidable hunters, prolific and ruthless predators, carriers of diseases including toxoplasmosis et cetera. I take it that this is an area covered by Primary Industries, do you play any role in it at all? The reason I ask the question is that they refused to do anything about feral cats and I thought your department might intervene.

**Ms O'BYRNE** - In that case, I could talk about a project that we are doing within our own area and that is eradication on Tasman Island. We have a population of around 50 feral cats on Tasman Island and what we are looking at the moment is -

**Mr DEAN** - As against a population in Tasmania of millions, probably.

**Ms O'BYRNE** - I can only tell you about my area, though. The rest are obviously under the purvey of someone else. It is an interesting model that I think might have some interest across a number of areas and that is consideration by the WILDCARE Gift Fund for the Tasmanian Coastal Conservation Fund. Interest has been expressed by DPIW's Resource Management and Conservation division which have responsibility for feral cats in undertaking such a project and therefore submitting an application for funding to WILDCARE. Friends of Tasman Island have also discussed a cat eradication program project and would like to submit a funding application. The project was mentioned by Bob Tyson from WILDCARE Gift Fund committee as an example of a suitable project for the Tasmanian Coast Conservation Fund and Rob Pennicott has also expressed an interest in the project. He is a major WILDCARE donor.

Parks and Wildlife Service also discussed the possibility of submitting a cat eradication project for funding by Tasmanian Coast Conservation Fund. At present they do not have a significant amount for allocation as WILDCARE is waiting for the first donation from Rob Pennicott or another significant donor. If and when that becomes available it may be the case that the WILDCARE Gift Fund exclusively approaches Parks and Wildlife Service to submit such a project for consideration. We are looking at other opportunities to relate to the issue. Staff do

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carry out feral cat control already when conditions are suitable.. Is that what you were about to say Peter, did I guess you?

**Mr MOONEY** - We have a pretty good program on Bruny Island where we work for the local community. Also on Flinders Island -

**Mr DEAN** - For cat eradication?

**Mr MOONEY** - Control at the moment, we cannot say eradication, on Flinders and Bruny. We also are opportunistic with programs. We have pretty good relationships with a few veterinary surgeries around the State that supply good services for the euthanasing wild cats when we trap them. We do control feral cat populations but it is opportunistic. It is not widely statewide and strategic but it is opportunistic.

**Ms O'BYRNE** - Local government areas have opportunities as well. I think that Latrobe's model indicates that there is capacity there.

**Mr MOONEY** - Most of the programs that we have been working on have been the NRM-based programs that have some funding to help the community group. A local government might help out things and like that. The prime responsibility on all off-reserve land where feral cats are a problem certainly lies with the Department of Primary Industry and Water.

**Mr DEAN** - My next question deals with your other web site's comment about foxes and I want to know what the authority is for this? You say that the red fox has recently been introduced into Tasmania. With what authority do you make that statement?

**Ms O'BYRNE** - Yes, because we think that the fox has been introduced into Tasmania. You don't have that fear, Mr Dean.

**Mr DEAN** - There is no evidence to show that it has been introduced into Tasmania; it is an allegation.

**Ms O'BYRNE** - The responsibility for foxes is with the Minister for Primary Industry and Water.

**Mr DEAN** - But this is on your web site, and I want to know why.

**Ms O'BYRNE** - Parks and Wildlife Service believes that there is evidence of fox habitation in Tasmania. They have found scats in the past that I am aware of. We hold this to be true.

**Mr DEAN** - My next question is in relation to the Low Head Pilot Station. That has been an area that has received a lot of comment over a long period of time. The management of the commercial operation and maintenance of grounds has been ongoing for an unacceptably long period. What stage are we at? There has been a lot of discussion about the management control and maintenance of it for a long period of time. I think there has been some concern that it is not being properly managed and maintained or commercially used in the way it should be, et cetera. What is happening there?

**Ms O'BYRNE** - I have obviously had an interest in this area for some time. Concerns were raised in the past, particularly last Christmas. That is probably when we noticed a large media

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interest in the issue of Low Head. There was a suggestion that Parks and Wildlife Service were not taking their responsibility for the facilities as seriously as they could. I am adamant that that is not the case. We have commenced \$500 000 -

**Mr DEAN** - It is commercial site and I know I could have asked the question under that but it is also under this.

**Ms O'BYRNE** - It is parks management facility. We have spent \$500 000 on the refurbishment of the boat crew cottages, made up of \$250 000 from the State and \$250 000 from the Australian Government. George Town Council has committed to install sewerage infrastructure estimated to cost approximately \$250 000. There was some contention that it might not be happening. Unfortunately, at that meeting there was no representative from council to put their case, but they have been quite clear that they are supporting that project.

The successful tender was submitted by Anstey Construction with refurbishment works expected to be completed by mid-September of this year. Parks and Wildlife Service are working with the Low Head Pilot Station advisory group and, as you know, they have representatives from the progress associations, volunteer support group, George Town Council and the Low Head Company. An initial expression of interest to manage the station and lighthouse precinct failed to attract a large response. A second EOI is about to be advertised nationally. Whilst there was no significant response to the first EOI there has been significant interest since then so we believe there will probably be a stronger field of applicants this time. That EOI is about to come to me, I think.

**Mr GADD** - It is coming today.

**Ms O'BYRNE** - You would be aware that there have been interim arrangements for the management of the café. We have had Deb Green in there since Christmas and the continued provision of café and accommodation services, until such time as the EOI is finalised, will continue. The grounds maintenance is currently being undertaken by the volunteers but they get support from professional maintenance service funded by Parks and Wildlife Service. I know there has been, historically, a bit of community disquiet. I think Parks and Wildlife Service and their local group have worked very well together to try to resolve some of those concerns. There is a delay in the EOI and I know that people would like to have that filled. I am hoping that it will be settled. The information we are getting is quite positive about the amount of interest in managing the site.

**Mr DEAN** - It is an important tourism site in Low Head and George Town precinct and it needs to be cared for.

**Ms O'BYRNE** - I agree; I have an emotional attachment. I used to holiday there as a child so I understand its significance, not only for the local region but its national significance in maritime heritage as well. George Town Council also has opportunities to develop the water area for diving around there. I think there is a lot of opportunity there; it is about getting someone in who can really give us that commitment the we need though.

**Mr DEAN** - Thank you.

**Mrs JAMIESON** - Going back to Cradle Mountain, I understand that an audit was done on Cradle Mountain and its critical incident evacuation management plan. The emergency

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evacuation plans for Cradle Mountain had not been released last year. I understand that they were to be released this year. Have they been released and how are they being promoted?

**Mr MOONEY** - Actually several things have occurred. What has happened is that we got some funding to do an emergency management plan for Cradle Mountain Valley which incorporates all the commercial businesses, our business and has to do with things like evacuation processes in case of a big fire or big flooding incident and issues like that. Is that the one you are referring to?

**Mrs JAMIESON** - That is the one.

**Mr MOONEY** - That plan has not been publicly released yet. It has not been completed yet.

**Mrs JAMIESON** - You said that last year.

[4.00 p.m.]

**Mr MOONEY** - Yes, well it is actually through a Commonwealth process. I do not want to blast that, but anyway, it is very nearly ready to be released.

*Laughter.*

**Ms O'BYRNE** - This is the point where we advise you about the role of *Hansard*. I am only joking, of course.

**Mr MOONEY** - You can put it on notice about getting you a date when it will be released, but it is very soon. There is another aspect to this. We have done an in-house review of management of bushwalkers and lost people and people who do not register and things like that since we had that particularly nasty incident up at Cradle Mountain last year.

**Mrs JAMIESON** - No, it was more the big stuff.

**Mr MOONEY** - The big stuff is very nearly alive and ready for publication.

**Mrs JAMIESON** - Thank you.

**Mr FINCH** - Minister, I just wanted to get on to the subject of the Brammalls, Tim and Achana, who established a commercial standing camp at Bryans Corner in the Freycinet National Park after responding to expressions of interest by the former minister in April 2005. They established a business. They were described as visionary and they started the Freycinet Escape tours in March 2007. Then after just a few short months of operation, and in fact only weeks after an official Parks and Wildlife Service environmental audit of the camp assessed the camp as exemplary, the minister ordered the immediate suspension of All4adventure's lease in July 2007.

I am curious about the state of play in respect of the dispute that they now have with your department. It was suspended because a sea eagle's nest was found in that particular area, but it is believed to be unused. There has been knowledge forthcoming that that nest was known about before they responded to the expression of interest to establish that camp. They are feeling very disenfranchised, as you probably realise.

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**Ms O'BYRNE** - I have met with Tim and Archana in some of their other roles and I have known Tim for some years, so I do have sympathy for the position that they are currently in. Before I make any comment I want to say that I do want to fix this issue. The reality is that there are in fact two sea eagle nests in that region, one 300 to 500 metres away and one partially completed sea eagles' nest very close to where the standing camp was.

**Mr GADD** - Above it.

**Ms O'BYRNE** - Yes, pretty much above the standing camp.

There is a view that that would not be enough to preclude activity around this eagles' nest. The experts on sea eagles say that they construct a number of nests and have them in varying stages of construction. So the fact that they have a partially constructed one can be part of their breeding pattern and that is significant. There was confusion, I think, in people's minds about which sea eagles' nest people were talking about, but it did become clear afterwards that there was some knowledge within the department of the eagles' nest.

I am happy to table, if the committee would like, an investigation that was taken internally and an internal response to that investigation. The only thing that is not in there - and these are documents that have been applied for by the Brammalls, so it is not information that they do not have - are the names of individuals. Because of privacy reasons we have removed those. I am happy to have those tabled for the committee if that would be of interest.

Where we stand now is that there has been an ongoing discussion about how to resolve the issue. There were management level meetings and there is a disagreement about the use of clause 22 within the lease to resolve the issue. The Brammalls believe that the dispute process within clause 22 is an appropriate mechanism to use. Our advice from the Solicitor-General is that clause 22 was designed for disputes about the lease, which are small things that could be managed internally. The reality is that this is a dispute about whether or not the lease should have ever been granted and the obligations around that.

We have suggested mediation. There has been some discussion about what the mediation might look like. I am currently in receipt of a letter from the Brammalls that they have asked me to act upon and I have undertaken to get back to them in the early part of next week. I do not want to do anything to undermine what I am hoping might be a resolution to the issue but, as it stands, if the issue cannot be resolved prior, then we still have an offer of mediation that we will pay for. They do have a right, if they are not satisfied with the outcome of that, to take legal action. I am hoping that it does not get to that, as it is an expensive process for them that I would not want to see them go through. I am hoping that we still will have a resolution to this issue.

I am happy to table the internal report and the actions that have been taken as a result of the internal report.

**Mr FINCH** - Is compensation under consideration in this pathway to a resolution?

**Ms O'BYRNE** - I do need to be reasonably careful because there have been media comments about types of compensation figures, though any discussions that we have had have been confidential as part of the management level agreement. I am in the difficult position of not wanting to break that confidence at this stage, but I am aware of the cost involved and the engagement that they had to set up the business. I do not want to see them disadvantaged, but I

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also have an obligation to ensure that, if there is a recompense, and I am not wanting to make much of a to-do there, that a recompense would be appropriate given that I would be using taxpayers dollars to do so. But that is why I am hoping first of all to be able to respond to the letter that I currently have in an effort to resolve the issue and, if not, that we will be able to go into the mediation that we have undertaken to pay for.

**Mr FINCH** - Thank you, Minister.

**CHAIR** - Minister, would you be prepared to comment on the relocation offer that you gave to the Brammalls?

**Ms O'BYRNE** - Under the terms of the lease their standing camp had to be removed for three months of the year so it had to be something that could be taken down and removed. When this issue occurred we flew in a helicopter to do that for them, so that they could take their camping structure away. So that they still have that. We did offer them an alternative site. Parks officers believe that the alternative site is an appropriate one. The Brammalls disagree and they have the right to do that.

**CHAIR** - So there has been no mediation in terms of the relocation issue?

**Ms O'BYRNE** - They were not comfortable with the other site.

**CHAIR** - So there was no opportunity to further that particular -?

**Ms O'BYRNE** - I am assuming that, given the presence of the eagles nest, we are a little bit restricted. An alternative site we offered was unacceptable to them for their business proposition.

**Mr WING** - And relocation of the nest was probably unacceptable to birds.

**Ms O'BYRNE** - I do not think that we can relocate the nest, no. It might not be a nest that the sea eagle ever uses, but it also might be because of the standing camp that they did not finish the sea eagle nest as well. I am not an expert on that area but I think that we are being particularly careful to prevent an impact on the breeding pattern of sea eagles.

**CHAIR** - Minister, would you give this committee an undertaking to inform the committee, especially the member for Rosevears and also myself, as to where those negotiations get to after next week?

**Ms O'BYRNE** - Yes, I am happy to keep members informed. I am also happy to table the documents as I said before. I really would like to see this matter resolved. I do not think that prolonging it is advantageous for any party.

**CHAIR** - I certainly agree with you there. It seems there are different reports in the media and it would be advantageous that the members of the committee have the appropriate and right information.

**Ms O'BYRNE** - The party that we are dealing with have every right to make those cases in the media. They are not precluded from doing so, but I am bound by the confidentiality agreements that we have in the management level. But I also note that they have not identified

those figures either. There has been some media speculation, but I do not want to add fuel to that at all.

**CHAIR** - Thank you. I would like now to move onto output group 3 - Heritage and the Arts.

**Output group 3  
Heritage and the Arts**

**CHAIR** - I am particularly interested, Minister, in the review of the Heritage Act.

**Ms O'BYRNE** - Yes, so am I

**CHAIR** - I am sure that you will have some news for us on the timing of that review.

**Ms O'BYRNE** - Can I tick that one off now? A number of measures are under way now to finalise the Historical Heritage Act reform. In September 2007 there was a position paper put out called 'Managing Our Heritage,' which outlined a reform framework which is based on the work of Professor Richard Mackay, who is extremely well recognised in this field and is considered to be at the leading edge in terms of heritage legislative protection. It reflects current thinking and matches best practice, but also meets our obligation to COAG. Under that we are required to better integrate heritage management principles within our planning system and provide greater certainty and consistency to owners, developers and planning authorities. We had a series of 60 forums for planning authorities which are held across the State. There are 12 planning authorities that are now involved in a reference group that is considering the detail that will sit behind the proposed legislative reform. We are working closely with planning authorities, heritage professionals and relevant areas of government to work together on this process and also working with the Land Use Planning Branch and Justice on a standardised heritage schedule template for planning schemes as part of the better planning outcomes process. I am hoping to get a deal tabled in the House during 2008-09. One of the necessary steps for reform in this area has to be about training and about education, about support mechanisms for communities and planning authorities and how to manage heritage. Some of those issues were identified in the Mackay report.

They will be further explored and discussed with local government. We have had some discussions recently and people might have seen reference to it in this weekend's paper about an historic heritage symposium. That is about getting some key local people and perhaps national and international people, stakeholders, to talk about the best ways that we can move forward. The Mackay report, when it was done, was leading edge. It might be that we need to take a few extra steps. There may be some other lessons to learn and also give us a focus on the very high demand that we have to funding conservation works. I think there have been some significant gains just recently. I think the reform of the National Trust has gone very well. We have greater collaboration between local government and Heritage Tasmania and the manner in which the Tasmanian Heritage Council is implementing its legislative responsibilities in a more consultative perhaps, and more accountable manner.

We need to build on these gains if we are going to have an integrated system of heritage management in Tasmania because we need a system that is not only aligned with our national counterparts, it has to reflect our State planning requirements and legislation. It also has to give some certainty and clarity for owners as well. I think that has been one of the things also for developers and planning authorities, that there has been an unknown quantity and people have

been nervous about getting engaged in a debate about heritage properties. The shift that we need to make is a recognition that having a heritage property is a great asset. We have great responsibility as custodian so we need to assist people through that step rather than the imagery that I think we have had around heritage which has historically been more punitive.

The reality is that most local government areas and in fact most people who purchase heritage properties understand the value of their heritage property and the points of difference that it offers us from other States. Our role is to shape the system so we can better support them through that process. That has been the key driving the legislative reform process. I want to have the symposium first because I think it has been a little while since we had the Mackay Report and I do not want to lose other opportunities. There have been a number of other issues raised recently about different types of mechanisms for raising funds for heritage. I think they need to be explored as well. That is where we are up to at the moment. So we shall have the symposium later in the year and I am hoping to get the legislation in as quickly as possible to provide that certainty. I want to thank the staff of Heritage Tasmania and the community people who have responded holistically to the report because there is obviously a keen engagement and desire to drive reform. It is being done not as a 'we need to get rid of our responsibilities'; it has been very much about embracing our responsibilities and working out how we can build and support our built heritage.

**CHAIR** - So the Parliament are not likely to see that until 2010, working on that time frame?

**Ms O'BYRNE** - No, I am hoping for the autumn session next year.

**Mr SMITH** - The financial year will be exploring the travel concessions and the like.

**Ms O'BYRNE** - Yes. I want to see whether or not we can value-add to the process because it has gone on such a long time. What I do not want is to go to all the effort of bringing in reform and miss some opportunities that we have just at the moment in terms of other conversations.

**CHAIR** - Amendments are very useful, Minister.

**Ms O'BYRNE** - They are indeed. If we really were talking about 2010, then amendments would be something that we would look at, although I think that they often are a lot of pain for people without the gain that they necessarily see but because I think we will be getting it in that quickly I think that is in a reasonable time frame. The heritage symposium will give us just that additional look at the ways that particularly we might look around financing and supporting because we do some very good things that not a lot of people know about - if you own a heritage property you can apply for grants to assist you to work on that property. A lot of people know that. I think we need to advertise that more. We need to share that information. The heritage office does a lot of work with developers but we never see the good stories in the media.

[4.15 p.m.]

We need to start talking about some of the good stories. I think there are some new people from Launceston here. The renovation of the building just next to the Royal Oak that had the fire; the owner there has been very complimentary about the relationship with the Heritage Office and their assistance to him in bringing that building up to the necessary standard. So there are good stories that do not get told and once again with a Launceston focus. Launceston City Council does have a strong focus on its heritage building, as I think many councils do now.

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**Mr WING** - It is probably not generally known that funding is available. How much is available?

**Ms O'BYRNE** - It is up to \$25 000.

**Mr SMITH** - Up to an amount of \$25 000 is available for an individual grant which up to a third of the total cost of the works which is inclusive of in-kind commitment to a property owner.

**Mr WING** - That is good.

**Ms O'BYRNE** - The shift that we need to make is to, 'I have a heritage property. I will go the Heritage Tasmania office because they will help me to develop this and give me information and opportunities.' Whereas, I think what we have had before was, 'I have a heritage property, oh no, I will not be able to do anything.' But we do want to have adaptive re-use.

**Mr WING** - I would not take it up if I were you because you could lose your seat.

**Mr DEAN** - The infamous church in Launceston in St John St might be blamed.

**Ms O'BYRNE** - It is the old Chalmers Church.

**Mr WING** - Oh yes.

**Ms O'BYRNE** - That has been an issue for some time. We all know it. That is the shift that we do want to make but that does mean exploring other opportunities. As you have seen, there is a commitment in the Budget to urban renewal and built heritage and I think that will provide some opportunities as well. Similar to the cycling money though, it is not enough money to fix everything. The nature is that we have nearly half of the nation's collection of heritage buildings residing in Tasmania. That is a wonderful asset for us but it is also a huge responsibility. I have to be careful saying nearly half because no-one is quite sure of the numbers. But we do have a significant collection in Tasmania.

**Mr WING** - Much higher than a per capita basis would indicate.

**Ms O'BYRNE** - Yes. That is the other thing, should that small working population in Tasmania be responsible for all of it and what other leverage opportunities exist in terms of responsibilities that exist elsewhere.

**CHAIR** - They are certainly spread.

**Ms O'BYRNE** - Yes and hopefully with the nomination for convict serial listing, which we hope the Australian Government will be putting forward next year, that will make that a world significant international heritage site. So that will change our capacity too.

**Mr WING** - How much Federal money do we get to assist with that? Senator Brian Harradine helped at one stage to get more funding.

**Ms O'BYRNE** - Probably we would have to take that on notice to get a figure in terms of the funding.

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**Mr SMITH** - In terms of what area of heritage?

**Mr WING** - To restoring heritage properties and maintaining them.

**Mr SMITH** - I think the political answer would be to say the bucket is never large enough or full enough. But the Federal Government provide funding for the National Trust. It provides some funding for infrastructure conservation funding. So, for instance, some of the works at the separate prison at Port Arthur are being jointly funded by the State and the Federal Governments. However, since the days of the old National States Grants Program, we have seen some erosion in the level of funding available and that is part of our ongoing dialogue with the Australian Government to ensure that the challenge of heritage receives the full attention that is due to it.

**Mr GADD** - There is no doubt that the Commonwealth Government are moving to a focus on national and world heritage which we have a lot of, but it does not cover everything that we have to deal with here in Tasmania.

**Mr WING** - Do we get any funding from them?

**Mr GADD** - No, it is a project funding.

**Ms O'BYRNE** - One-offs. We do not have an ongoing operational budget that we get from the Australian Government.

**Mrs JAMIESON** - Does the Home Hill money all come from the State or has there been any Commonwealth money, bearing in mind the significance of it.

**Ms O'BYRNE** - No, the \$425 000 is all ours. The issue, of course, for Home Hill is that it has split management authority because the collection is cared for by the national heritage and the building itself is council owned. So there will have to be discussions with both management authorities about the best way to do that, so that we are doing the physical work that needs to come, but also the preservation of the collection because, as we said before, it is a significant, historical piece.

**Mrs JAMIESON** - Certainly and for that we are most appreciative.

**Ms O'BYRNE** - It is a great project.

**Mr WING** - So extra funding is made available in this Budget for restoration work on Home Hill, the home of the late Prime Minister, Joe Lyons and Dame Enid Lyons.

**Ms O'BYRNE** - Yes.

**Mr WING** - How much is being made available for that?

**Ms O'BYRNE** - It is \$425 000. I am afraid that you were away from the table, but the point that I made is that they have a split arrangement in terms of management of that site. The collection itself is run by the National Trust, thank you. It has been a long day and I am starting to lose them. The building itself is managed by the Devonport City Council. So it will be in conjunction with them to ensure that it is not only about the infrastructure requirements but also about collection management as well.

**Mr WING** - I am very happy about that. I had the pleasure in 1979, with two others, of spending about two hours with Dame Enid Lyons at Home Hill.

**Ms O'BYRNE** - People think of Joe Lyons but Enid was a significant political figure.

**Mr WING** - She spent more time there than he did, I think.

**Ms O'BYRNE** - And the sound of the glass ceiling shattering was really Enid's one.

**Mr WING** - She was a remarkably fine lady. She told me on about three occasions my father was one of her strongest campaign supporters.

**Ms O'BYRNE** - Oh, really!

**Mr WING** - Yes, so I am very pleased to see that happening. And as to the balance of the funding, how is that being applied in the main?

**Ms O'BYRNE** - I am not quite sure how to tick things.

**Mr WING** - Just the major items.

**Ms O'BYRNE** - There is the National Trust funding that is a permanent, recurrent allocation of \$310 000 per annum. That comes after new governance programs that have taken them significantly.

**CHAIR** -The National Trust has certainly not been in the headlines of late, Minister.

**Ms O'BYRNE** - Except for the very successful engagement in the Heritage Festival.

**CHAIR** - In any negative way, I might add.

**Ms O'BYRNE** - No, and I think it has been really good and it is important to recognise the volunteers in the National Trust who do so much in that area. It would be impossible for them otherwise.

**Mr SMITH** - From a recurrent perspective, the Government through its Budget this year has made an allocation of \$200 000 as ongoing permanent funding for the conservation funding program we mentioned a moment ago. There is an increase in base funding to allow for indexation between salaries and other operational costs such as insurance and the like. As noted, the funding grant for National Trust is proposed to go to a triennial grant arrangement so there is even greater certainty now 18 months after exiting administration, which has gone incredibly well. And we are looking for further information in relation to the operation of the Heritage Fund that has been announced as part of the Urban Renewal and Heritage Fund.

**Mr WING** - Good. Thank you.

**Mrs JAMIESON** - Is there any thought, Minister, of putting a part-time paid coordinator or for volunteers because Home Hill runs on its volunteers and it is such a precious property?

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**Ms O'BYRNE** - I am not sure that we have had any conversations about that but I think it would probably be something that would need to be driven by Devonport City Council.

**Mr SMITH** - I would like to suggest that Home Hill already has a very capable and long standing coordinator of that site and does run off the volunteer base. The National Trust operates a number of properties across the State. Their capacity at times has been very limited to engaged staff and for that reason one of the things that they do is to ensure an appropriate mix of volunteer and paid staff.

**Mrs JAMIESON** - But given the prominence of Home Hill itself and the fact that you are spending all this money on it and are going to be upgrading it to be promoted more, and from the historical point of view as well, it would be appropriate to consider because the lady who is doing the coordinating now is not going to last. She has been doing it for about 30 years. We cannot expect that to go on for ever of course but we need to train volunteers to understand the history as well. So there is quite a lot of work involved in just managing the property.

**Ms O'BYRNE** - We will be having consultations with them about the spending of the \$425 000 so I am sure that could have conversations with them about how best to continue the learning around that as well.

**Mr SMITH** - And I would have no doubt that the opportunities that Home Hill presents are only going to become more apparent in the future because it is one of, I believe, only three prime ministerial residences open to the public in Australia and the fact that it has actually got the original family home but also objects and moveable items of heritage that are directly related to the occupation by the family. The place is in a unique situation, especially compared to other National Trust properties elsewhere and in Tasmania.

**Mrs JAMIESON** - In fact it is so close to the ferry too, it is a very good stop off point for a quick visit while you are filling in time.

**Mr SMITH** - Yes.

**Mr DEAN** - What is the position with the heritage component of the York Park stadium, Minister? What stage are we at and what is the future for the remaining part of that building?

**Ms O'BYRNE** - I have some information on it but I am pretty sure that Peter has been down to the site, which might be more useful.

**Mr SMITH** - I have not been but I have certainly had staff there. Within a matter of days of the fire we had our northern regional staff out there. We wanted to make sure like with the Myer fire that due consideration was given initially to matters of public health and safety and giving the owners of the site the opportunity to consider the immediate and pressing issues.

We have continued to have engagement both with the authority but also with the Launceston City Council in regard to that and at this stage my understanding is that we are waiting further advice about the intentions that are being explored between those two bodies so that formally once an application is considered it can be taken to the Heritage Council that says about whether it is a matter of rebuilding or, as speculated in the media, the option of potentially relocating portions of the stand.

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**Mr DEAN** - To be clear on that, we are waiting now for the council and the authority. What do you mean, the authority?

**Mrs SMITH** - The managing authority for the managing -

**Ms O'BYRNE** - Robert Groenewegen.

**Mr DEAN** - Yes, at the York Park Inveresk precinct which is council.

**Ms O'BYRNE** - Once we know what their intentions are then it will go to the Heritage Council who will make a determination about that. The two things that are being talked about at the moment and in speculation are about potential rebuilding but also about shifting around to the Invermay Park area. We want to work with them and I think everyone recognises it is a significant piece of our history.

**Mr DEAN** - My next issue deals with the one I raised before and Mr Wing raised; a lot of our heritage buildings are privately owned, unfortunately. Well, not unfortunately but they are -

**Ms O'BYRNE** - It is the nature of the game.

**Mr DEAN** - and the unfortunate about it is that some of those owners do not have the funds with which to maintain these buildings. My first question is - and I know it is monitored - but I am wondering about the monitoring regime that we have in place to watch and care for these heritage buildings that are falling into disrepair and get to a stage where they cannot be resurrected and a good example of this is in Boland Street. What is the long-term plan? How do you stop this happening?

**Ms O'BYRNE** - In terms of Boland Street or everywhere?

**Mr DEAN** - Boland Street is an example but Boland Street is not the only place, as I understand it. There are other places and I mention Chalmers Church as another one that is starting to fall into bad disrepair.

**Ms O'BYRNE** - Peter may jump in here but there is a difference between buildings that fall into disrepair because of a lack of capacity for people to do anything about it. There is another issue whereby buildings are deliberately allowed to fall into disrepair and that is when the Heritage Council would step in. One of the reasons we want to do the legislative reform is to give us a better framework so that we can start prioritising those buildings and if you look at it we would end up with buildings that are clearly of international significance and we can all pull together a few numbers - those that are of national significance and State and local significance. They are buildings that are important because they mean something about the story of the city.

Once we have those kind of scales we can then structure how we support it. If there is clearly international significance, then there is a different expectation. For a World Heritage site, for instance, we would expect a buy-in from the Australian Government. They are the sort of negotiations we want to have. But there are buildings that are significant simply because of their street face. There is nothing about the building themselves but the streetscape that they offer is significant and you could probably argue that that is one of the cases for Boland Street. It is not the cottage itself, it is the framework, perhaps, and Peter may jump in because I may be completing undermining the Heritage Council of Tasmania as we speak.

The need for legislative reform is clearly depicted in cases like Boland Street where we get into a position where it is not clear about who should do what; they fall into a state of disrepair to the point where someone says, 'There's no value in them now and I can't afford to fix it' and we do not want buildings to get to that point.

The other key part is the skill base in being able to fix heritage buildings as well; we have all heard of sandstone being encased in concrete and I can tell who are the Heritage people in the room because they are all going to shiver when I say that because it damages the sandstone - but we see a lot of well-intentioned people doing that. Another key part of the Heritage legislation reform would be the capacity to lift education and training so that you could look in the Yellow Pages and get somebody who says they are an expert on heritage building work that they actually are. I think that is a key part about education and training community development, but we also need to shift public debate. It is that point I said before - people need to think, 'Yes, it is a great thing that I am a custodian of a piece of our history and these are the wonderful bits of support I can get', which is different to what we had in the past.

[4.30 p.m.]

**Ms RITCHIE** - Minister, are you suggesting accreditation for people to be able to put the tick in terms of their heritage capacity?

**Ms O'BYRNE** - I do not think that is something we should shy away from. I think that that might be the sort of area that we need to go. Given, say, the nature of sandstone buildings, a great deal of the knowledge is in Tasmania about how to manage these buildings so maybe we could create an argument for our being a centrepiece or a showcase of heritage support and maintenance in that way.

Certainly I do feel for those people who genuinely try to do up their heritage-listed property and find that it is not that someone has done something that would damage it if it were a normal property but that they have damaged it because they have not had the skill base to understand the particular age of the building.

**Ms RITCHIE** - They have not engaged a heritage specialist, effectively.

**Ms O'BYRNE** - Yes, they are not being evil or bad, they are just not necessarily skilled in that area and I think that is something we might want to explore.

**Mr DEAN** - You have probably seen, Minister, the Archbishop of Hobart this morning commenting in the *Mercury* that there is a lack of funds to support the modifications and restoration of many of the heritage buildings.

**Ms O'BYRNE** - Let alone the heritage churches.

**Mr DEAN** - He was probably referring to churches but he was suggesting that there ought to be tax benefits for donations to look after some of these heritage sites and heritage buildings. I would also like to raise with you the issue that was put up by the Greens and I think was also flagged by the previous Premier in relation to a form of Tattslotto game for the purposes of raising funds for heritage buildings. What is your position on that? Are you considering either of those options?

## UNCORRECTED PROOF ISSUE

**Ms O'BYRNE** - One of the things with the heritage symposium is that whilst we have a lot of work done on the Mackay report, which is particularly well known and well read and I am sure you would have seen it in your other role, we need to explore some of those other issues in terms of other ways to find money and resource heritage. I do not want to shut the door on any of those and certainly I have had my department working on preparing some information about how they might work.

One of the things with lotteries I think we do need to pay some attention to is the fact that where they have worked it has been where the lottery already exists. That needs to be key and we also need to factor in the gambling issue, although a lottery does not fall into the same kind of gaming group that you would normally consider problematic.

I think they are things we need to consider as part of this symposium. I do not think we should shut the door on any model at this stage that allows us to do that. What I am pleased about the money that is in the Urban Renewal and Built Heritage Fund is that it will give us capacity to leverage but, as I said, it is nowhere enough money to fix every heritage building in Tasmania. There probably is not enough money anywhere to do that.

**Mr SMITH** - Regarding the article that was referred to in the *Mercury* this morning and the Archbishop commenting on that, one of the core appeals that we saw with the National Trust going into administration was that they already had a tax-deductibility gifts program which gave the capacity for some of our major public buildings such as St David's Cathedral and the like to have tax-deductible gift status recognised and that is a very strong core appeal and one of the newer services that we are promoting more and more that the National Trust can offer across the State that gives it an outward-looking approach, and that has been very valuable.

**Ms O'BYRNE** - At this stage I am not shutting the door on any options that allows us to maximise the amount of money we can spend.

**Mr DEAN** - Just one very quick question. Franklin House does not seem to be provided for in the current Budget in any great way and I am wondering what the State Government has in that regard. That is a National Trust building.

**Ms O'BYRNE** - Yes, it is considered to be one of the world's best-run Trust properties, too.

**Mr DEAN** - It is the best run because it is run by volunteers -

**Ms O'BYRNE** - Yes, they are very committed.

**Mr DEAN** - who are really struggling to make ends meet and really are pleading for us to do something.

**Ms O'BYRNE** - One of the reasons we have given the triennial funding is to provide that level of security to the National Trust as well so that it can make those forward plans that it needs to. Pete might have something to add to that.

**Mr SMITH** - We were very conscious when we entered into a grant deed with the National Trust 18 months ago with it coming out of administration that we wanted to ensure that the Trust was sustainable, and one element of sustainability for the Trust is about them making appropriate decisions in the organisation about how many properties it can continue to present to the public

and how many it might hold for other reasons, such as Ellis House in Ulverstone. With that in mind the funding for the National Trust was actually attributed to very specific things about ensuring sound and contemporary governance provisions for the Trust and purchasing a set of agreed services and programs around community heritage that not only help to sustain the Trust but also position Chris Tassell and his staff to work more actively in the community around maybe some non-traditional areas but to continue the fine work that the Trust has managed in a number of areas at this stage. So the funding is not specifically about the presentation and operation of properties, rather it is about giving the Trust the capacity from their own funds to ensure their own sustainability and then for the Government to purchase an agreed set of services and programs that it wants to purchase so that the Trust value-adds to the role of Heritage Tasmania, the role of the Heritage Council and other members of the heritage sector.

**Mrs JAMIESON** - Last year we were given to understand that the budget committed to carry out some survey work with local council so that we did not have the problems that we had in the past with Penguin and others. Any progress and comment to make there?

**Ms O'BYRNE** - We have done some work with Southern Midlands. They have actually formed a partnership to better manage the heritage assets within their municipality so we are on the way to creating those opportunities of working with people about it, and we are all very aware of the rich nature of that municipality's agricultural history and its convict and settlement heritage. So with some financial assistance from the State Government the Southern Midlands Council commissioned an independent assessment of heritage places within its municipality, the results of that survey are now being processed and Southern Midlands Council and staff of Heritage Tasmania will be assessing the recommendations, commencing with Oatlands, which is the first place they want to start with.

An assessment of each property identified in the survey will be done in consultation with the property owners and the wider community and that is going to be used to update the local planning scheme and the heritage schedule and register to allow us to better describe and depict those precincts and cultural heritage sites. It sounds very much like it is just a listing exercise but it is a lot more than that; it is about changing the community's sense of the worth and understanding the benefit of having those sites. So that conversation we had before about changing us from saying, 'Oh no, it's heritage' to 'Isn't it wonderful that we are these custodians', this is actually one of those steps towards doing that. I do not know if Peter wants to add some more to that.

We have had a number of authorities respond to the State Government's initiative. We have Launceston, Meander Valley, Kingborough, Glenorchy, Southern Midlands, as I said, and Waratah-Wynyard. Burnie has commenced its survey in 2008 and a number of other planning authorities have undertaken surveys completely independently, without our financial assistance. The surveys are viewed, as I said, as a way of really changing that culture.

**Mrs JAMIESON** - So the local councils will fund it themselves?

**Ms O'BYRNE** - They can.

**Mr SMITH** - It has been a jointly-funded arrangement. You asked about progress; Kingborough has been implemented at a State level. As the minister highlighted, work is occurring at the moment with Southern Midlands, Meander Valley and Launceston. With Launceston we are trialling the introduction of precincts. There are three out of 23 precincts that

are being explored at the moment as a means of establishing the significance of a collection of places rather than individual places, which I think will lead to enhance management arrangements both for owners and for the planning authorities involved and it gives us greater capacity to provide and support planning authorities in the management and development of guidelines to make sure that things are clearer and more consistently applied across the State.

**CHAIR** - We will move now to the TMAG, as it is most affectionately known.

**Ms O'BYRNE** - I thank Peter Smith and welcome to the table Mr Bill Bleathman.

### **3.2 Tasmanian Museum and Art Gallery -**

**Ms O'BYRNE** - I am just want to tell Bill, because he is particularly passionate about TMAG, that time is running out.

**Mr WING** - In the forward projections there seem to be fairly moderate increases, mainly CPI one supposes, except that compared with this current financial year and next there is a steeper increase, but it is fairly moderate all the way through. So I do not really have any questions about this. At a function in the last few months I had the opportunity to see parts of the Tasmania Museum and Art Gallery that I had not seen before -

**Ms O'BYRNE** - Behind the scenes tours.

**Mr WING** - Yes, and I was very impressed with the various collections and I think that it has been very well run, a very good standard for a museum and I do not have any queries or any problems.

**Mr FINCH** - If I go to table 4.7 expenses by output 3.2, on the TMAG there is substantial development work under way. But through the information that I have been given here I cannot get a grasp of the progress or the completion in the estimates figures.

**Ms O'BYRNE** - Whilst I would love to do that I am going to throw it to Bill here because he does this so much better than I and he is doing it on an almost daily basis right now.

**Mr FINCH** - We have had an understanding previously about the work that is being done and our enthusiastic support of that.

**Ms O'BYRNE** - The master plan.

**Mr FINCH** - So I am just curious as I have not been in there for some time.

**Ms O'BYRNE** - There is some very exciting archaeological work that is taking place that I am sure that Bill will fill you in on.

**Mr FINCH** - I would like to have some understanding of where we are at.

**Mr BLEATHMAN** - There are two elements to our budget, one is the recurrent consolidated fund budget and the other is the redevelopment which is under a capital investment program. In the 2008-09 financial year there is an amount of \$5 859 000 specifically allocated to the next

stage of the redevelopment. That is the second tranche of the \$30 million allocation over four years.

**Mr FINCH** - And progress is coming along fine?

**Mr BLEATHMAN** - Yes.

**Mr FINCH** - I am just curious. From the figures that we have been given here, the target for visitor numbers for the Tasmanian Museum and Art Gallery seems modest and you are even predicting to be below the 2005-06 figures. I would have thought, what with the improvements and with more going on there that perhaps your target, your projections, might be a little bit higher.

**Mr BLEATHMAN** - Once we complete the redevelopment, visitor numbers will be over 600-650 000. Last year we had two exhibitions that were quite outstanding in terms of visitor numbers; one was the Ashes trophy and we had 20 000 through in four days, and the other was National Treasures from Australia's Great Libraries which had 87 000 through. We did not have those two exhibitions this year so that number is not sustainable.

But certainly 300 000 visitors a year is a large number. We are up from 130 00 six years ago and it has now been sustained for three years in a row. We passed 300 00 this current financial year about three weeks ago. Our emphasis has been on not necessarily bringing the big exhibitions in at this time because we are focussing on our redevelopment.

But using the collections that we have to be more appropriately showcased in our education area particularly, the school education area has gone really strongly, particularly the Antarctica exhibition that we have had for some time and the Aboriginal exhibition, Ningenneh Tunapry, which we opened last December. That has had an outstanding response from both the Aboriginal community and the students and community groups that have gone through.

**Ms O'BYRNE** - It has won a national award as well.

**Mr BLEATHMAN** - The bark canoe, which is the centre of that exhibition, won the ACT Government's Knowledge Management Gold Award for the most outstanding cultural retrieval program in the nation last year, which we are really proud of. It is a great thing.

**Mr FINCH** - So was that generated by your own staff, that exhibition?

**Mr BLEATHMAN** - Yes it certainly was. We established a Tasmanian Aboriginal Advisory Council about four years ago made up of prominent Tasmanian Aboriginal people to advise the trustees of the museum and government on all aspects of Tasmanian Aboriginal culture and broader indigenous cultures within the museum. We work with them and certainly the Aboriginal community that they represent to develop that Ningenneh Tunapry exhibition.

Every word was written by them and endorsed by the community and it is an exhibition that shows not only historical Tasmanian Aboriginal culture but a contemporary, vibrant Aboriginal community that is around today. There are five separate Aboriginal education programs and they are booked out for the remainder of this year with school groups. But they are delivered by Tasmanian Aboriginal people, not museum workers. Museum workers support the Aboriginal people in the delivery of those programs, which have been outstandingly well received.

[4.45 p.m.]

**Ms O'BYRNE** - My former chief of staff is famous for his action-man shot in the contemporary Aboriginal community display.

**Mr FINCH** - I am just wondering, Minister, too, through you, does the museum set a target for exhibitions that are generated in-house or one a year, one every two years? Or do you fill in the gaps between touring exhibitions? How does your process work?

**Mr BLEATHMAN** - We try to upgrade one of the more substantial themes of the museum every two years. Between the upgrade every two years we suffer a lack of travelling exhibitions and other shows. We also look at minor modifications and changes as we go through. We are about to start work on the geology gallery within the museum. We are upgrading that - it has not been upgraded for ages. It is almost a museum exhibit in its own right. But it will be upgraded. We have just finished upgrading the money and metals gallery at the museum and those sorts of things. Certainly as the redevelopment kicks in, those sort of changes will be less because what will open at the end of the redevelopment is a major new show across all aspects of the museum.

**Mr FINCH** - Is there money allocated too for the marketing of when something is renovated? Do you then go out and promote that again to let people know that it has been rejuvenated?

**Mr BLEATHMAN** - Yes, we treat every redevelopment or every new exhibition as a separate project and we look at that project as a complete whole. We develop a budget for that project made up of Government money and we go out to sponsors, philanthropists and supporters to get funding or in-kind support from them and then we deliver the program. We have people monitoring that budget all the way through. Certainly marketing and promotion is important. We have some really good networks within the State and it does not cost us a great deal of money to do that. It is always one area that needs to be strengthened and emphasised more, but we seem to be going okay at the moment.

**Mr FINCH** - Thank you.

**Mrs JAMIESON** - Just two questions. Would you care to make a comment at all on what has happened at Sullivans Cove and the key major development in that area of Sullivans Cove?

**Mr BLEATHMAN** - The redevelopment?

**Mrs JAMIESON** - Yes.

**Mr BLEATHMAN** - We have been working very closely with the Sullivans Cove Waterfront Authority since the former Premier announced that he would provide \$30 million to redevelop the Tasmanian Museum and Art Gallery. Indeed, in all of our master plan exercises that we were having with our own architects, we have been guided by, if you like, the regulations or requirements of the Sullivans Cove Waterfront Authority as to what we place and where we place it. I must say that the archaeology that we have found, while not really looking for archaeology, has been absolutely outstanding and it has certainly changed our thinking as to where the priorities lie. It is now a major focus for our museum. But we work with a lot of people all around the cove in terms of maximising the benefits, particularly for our end of the cove. I think it is quite an exciting time.

**Ms O'BYRNE** - Have the House had our briefing on the TMAG redevelopment yet?

**CHAIR** - Not that I am aware of, Minister.

**Mrs JAMIESON** - No.

**Ms O'BYRNE** - I know that you will have a bit on because I have a couple of briefings done but I am sure that he will be happy to give you a briefing on the plans and show you the master plans.

**CHAIR** - By the end of today we are going to have quite a crew of briefings to attend.

**Ms O'BYRNE** - We are going to keep you very busy but there is good things happening.

**Mrs JAMIESON** - I am very pleased about that.

**Ms O'BYRNE** - If I put the offer on the table and then, if they are appropriate, you can take them up. But they may be an interest to someone else.

**Mrs JAMIESON** - My only other question was: there was a book made available last year - the \$75 book, the major publication. How is that going?

**Mr BLEATHMAN** - We are developing a companion edition now called *Site* that will be finished by the end of this year. The book will promote the site that we are redeveloping. We had a print run of about 4000 and we are well over half-sold. That has been going well and that is funding another publication, maybe a major one on the Tasmanian tiger that we hope to have in the next couple of years.

**Mrs JAMIESON** - Something to look forward to.

**CHAIR** - When do they start to be discounted?

*Laughter.*

**Ms O'BYRNE** - I am hoping they are never on the remainder list.

**Mr BLEATHMAN** - We are different. We go the other way because they are rarer.

**Ms O'BYRNE** - I would get in now.

**CHAIR** - If there is nothing else on 3.2 we will move on to 3.3. Mr Finch?

### **3.3 Art industry development -**

**Mr FINCH** - I am just sorting myself out here.

**Ms O'BYRNE** - So we will be focussing on theatre now?

## UNCORRECTED PROOF ISSUE

**Mr FINCH** - No, it is just that art industry development is an interesting subject, because last year I talked about an artist, Katie -

**Ms O'BYRNE** - Katie Woodruff?

**Mr FINCH** - Katie Woodruff, yes.

**Ms O'BYRNE** - She actually won the Material Girl Art Exhibition this year.

**Mr FINCH** - Okay, and she went to I think -

**Mr WING** - Amsterdam -

**Mr FINCH** - Amsterdam - thanks, everybody for helping - and she has just come back from a special residency in Spain too. So this art industry development is about providing support from local artists and art organisations. We have often talked about the fact that a little can go a long way in helping to promote Tasmania. I know that they had a special exhibition in Amsterdam of the work and of her work, and a lot of people came and embraced Tasmania because of their being at the exhibition. Travel grants are so important to artists to broaden their horizons and their knowledge, but I have also heard criticism that it is not simple to apply for the grants. I am just wondering if that is assessed - how you would rate the ease of applying for a grant.

**Ms O'BYRNE** - Is there a particular thing that they have identified as being a problem?

**Mr FINCH** - No, this is a general sort of comment. Let us talk about the process to ensure that it is either easy or not easy.

**Ms HOUGH** - There are a couple of opportunities for individual artists. The most simple way of pursuing those opportunities such as you have just mentioned is through the Artsbridge grants which are assessed every six weeks. It is a rolling program that supports people's travel and accommodation costs to go away, so it is not as involved as an artist applying for a specific grant as an individual artist which is around -

**Mr FINCH** - So it is not as involved, did you say?

**Ms HOUGH** - It is not as involved as that. The application for individual artists is no more onerous than it is in any other jurisdiction. They are required to put in an itinerary, a budget and a description of what their project is. If they are looking at export markets, they need evidence of research of those things and letters of support from people, so it is pretty standard. We have tried very hard to make our application process as simple as possible but also as similar as possible to Australia Council so that when people are applying to both they can use the one template and not have to do lots and lots of extra work. We have also made applications available to be downloaded from the website, and this coming year we will make them available to be filled in online, which is also easier for a lot of people. The cultural exchange program that was introduced as part of An Island Inspired in this financial year that we are talking about today was developed as a reciprocal exchange program. We are about to make a recommendation to the Minister that she has not seen yet because it just came out of the board meeting from last week.

**Mr FINCH** - This is hot off the press, Minister.

## UNCORRECTED PROOF ISSUE

**Ms O'BYRNE** - You can see my initial reaction to these things.

**Ms HOUGH** - It is a recommendation that we make that a rolling program similar to Artsbridge for exactly those reasons that you have just outlined - to make it more flexible for people to secure those opportunities that come up at the last moment.

**Mr FINCH** - I might stress that it wasn't Katie Woodruff who was critical of the method of applying for a grant.

**Ms O'BYRNE** - No, I am sure Katie would have mentioned it - just generally.

**Mr FINCH** - It was just how she has developed as an artist of the highest order through those opportunities.

**Ms O'BYRNE** - And it is an issue in grant applications. One of the things that we have noticed with the roll-out of the Aboriginal arts program is that we needed to stagger the introduction because what we needed to do was to build capacity within the community for that program to be fully utilised. We are aware that there are groups within the community that we do need to work with to ensure that they are managing that process. But that is a learning and business development for them as well.

**Ms HOUGH** - It is, and there is also recognition in arts organisations that particularly for individual artists while you are busy creating your work and keeping your business afloat it is very hard to find the time to make all these applications, which is why we try to streamline things as much as possible. We also send program officers out. We have just finished the road show for this coming assistance round that closes on 1 August. So we actually sent program officers out in Hobart, Launceston and Devonport this year to run seminars for artists who want to apply so that they can get some first-hand advice about how you fill in the form, what is required in your budget. Program officers probably spend at least an hour with most of the clients actually taking them through their application before they submit it, so they have that opportunity.

**Mr FINCH** - Very good, thanks very much. Note 5 referred to increased expenditure under the Arts for Public Building Scheme. I am just curious about what this involves and where will the money be going? How is it going to be spent?

**Ms O'BYRNE** - You are familiar with the scheme that it is 2 per cent?

**Mr FINCH** - No, I am not.

**Ms O'BYRNE** - It is 2 per cent of all Government capital works budgets of \$100 000 and over have to be set aside for commissioning or purchasing of art works with a cap of \$80 000 per project, and we administer it through arts@work?

**Ms HOUGH** - Correct.

**Ms O'BYRNE** - There are approximately 30 commissions currently under way across the State with a combined value of just under \$1 million. For instance, when you go to a school opening at the moment, like the primary school opening that you went to, you would have noticed some marvellous pieces of art work in the area around the quadrangle where the kids spend a lot

## UNCORRECTED PROOF ISSUE

of their inside time. That is part of Art for Public Buildings, and that is bringing opportunities for young people in schools to see local artists' products at that work.

**Mr FINCH** - Who makes the application for that, the school or the artist?

**Ms O'BYRNE** - It is a standard thing for any project that happens. I am trying to think how we step it through.

**Ms HOUGH** - Once their project is approved, they need to apply so they talk to us. Arts@work does all the commissioning process for them so, depending on the amount and on what they want, we will do either a tender or an expression of interest. If there is a very specific work that they want with particular artists that they might have worked with before, then we can supply them with a register of artists that do that sort of work. But there is a competitive process for it.

**Mr FINCH** - These are the CEOs or the managers or the people who are running public buildings?

**Ms HOUGH** - That is correct, running the public building projects.

**Ms O'BYRNE** - There has been some suggestion, and we have talked about it, about how you might localise it so that if you were doing a project in the Huon Valley, for instance, you would look at potentially getting an artist from down there. That is not always possible, but it certainly is something that is taken into consideration. It is providing work opportunities for local artists, but it is also a depiction for Tasmanian community members of what art can be. We think it has been a particularly good project mainly because it has provided work for artists, many of whom have gone on to much better and bigger things. But this has been an opportunity for them to showcase their work.

**Mr FINCH** - Yes, and then after that increase next financial year there is then a drop in 2009-10?

**Ms HOUGH** - It is just based on what the building projects are that we know are coming up.

**Ms O'BYRNE** - So 2 per cent of all projects over \$100 000 is for an arts@work project up to \$80 000 -

**Ms HOUGH** - It is overall.

**Ms O'BYRNE** - As Ms Hough said, that is based on buildings that we know are coming up that are going to make application through the scheme. I am assuming it becomes variable in terms of the cost of the project as well.

**Mr FINCH** - Then again, if you get a rush of good applications and you want to increase, that is when you go around to the Treasurer's door and knock on the door? That was the same circumstance, was it?

**Ms O'BYRNE** - If the Treasurer is reading this, yes.

**CHAIR** - I think he will need to be reminded from past history.

## UNCORRECTED PROOF ISSUE

**Ms RITCHIE** - He is still getting over the Burnie issue.

**Mr FINCH** - There is an increase in the coming year for Ten Days on the Island?

**Ms O'BYRNE** - Yes.

**Mr FINCH** - That is grants and sundries, is it?

**Ms O'BYRNE** - Yes, we can do that now if you want to.

**Mr FINCH** - Thank you, Chair.

**CHAIR** - We will move on now -

**Ms O'BYRNE** - Can I quickly answer that question because I do not think Mr Finch realised he would not get a chance to have that question answered now. The money is consistent money of \$1 million each year, which will allow them to get the interest on it as well. So it is consistent funding that they know that they are going to get and they can use the interest as well. So that is the ongoing payment.

**Mr FINCH** - I had a couple of questions on Ten Days on the Island. Is our advisor going?

**Ms O'BYRNE** - You can still do it in administered payments at the end, but I do not want Katherine to leave on that basis.

**CHAIR** - In the interest of allowing Katherine to go, we might ask Mr Finch if he would like to ask that question.

**Mr FINCH** - Thanks. I did want to ask about Ten Days on the Island because there is an increase in the coming year and then the consequent drop in the Forward Estimates of 2009-10, and then we have a fairly substantial increases. So what is in the crystal ball? What is happening?

*Laughter.*

[5.00 p.m.]

**Ms O'BYRNE** - You know they will not tell us what is in the program, don't you? You enjoy getting little bits out every now and then. In fact, you could ask him that and he would have to tell you.

**Mr FINCH** - When is the next Ten Days on the Island program; from when to when?

**Ms O'BYRNE** - For 10 days next year.

**Ms HOUGH** - It is in March-April 2009 so they will be doing the program launch around October-November this year. What the budget papers have shown is an Evening Out as the one in which that administered payment is put forward. Where previously they had a large sum in the festival year followed by a small sum the following year, we have evened it out so that they get

## UNCORRECTED PROOF ISSUE

the money across the years which makes it much easier for them to consistently program, engage in contracts for the next two to three year period so the fluctuation is no longer there.

**Ms O'BYRNE** - And it gives us an opportunity for higher investment.

**Ms HOUGH** - Absolutely.

**Mr FINCH** - So Ten Days on the Island has been an obvious success?

**Ms O'BYRNE** - Yes.

**Mr FINCH** - And it is here to stay? The Government obviously endorses that view -

**Ms O'BYRNE** - Indeed.

**Mr FINCH** - with doubling the budget allocation for the coming year.

**Ms O'BYRNE** - It is not really doubling but -

**Mr FINCH** - What is it now, \$1.4 million?

**Ms HOUGH** - Yes, it is \$1.4 million.

**Mr FINCH** - That is a recognition by the Government that this is part of our agenda now?

**Ms O'BYRNE** - Of the 165 609 people who attended the events last time, 27 146 went to ticketed events, 24 780 to free events and we had 113 683 attending exhibitions and installations. I think the Tasmanian community has spoken very firmly about how they view the role of Ten Days in the Government's agenda.

**Mr FINCH** - Is it still about bringing entertainers from islands?

**Ms O'BYRNE** - Yes, that is still the focus.

**Ms HOUGH** - It is still very much an island spectacle.

**Mr FINCH** - Fine, okay.

**Mr WING** - And only that, isn't it?

**Ms O'BYRNE** - Yes and also showcasing some of our Island talents as well.

**Mr WING** - As long as they come from the Island State.

**CHAIR** - Thank you, Katherine, we appreciate you coming back and the table.

### **3.4 Aboriginal heritage -**

**Ms O'BYRNE** - Can I take a few minutes to go through this to give you a head start that will take a little while to tell you where we are because it has been an ongoing issue, not without

controversy and certainly we are committed to getting this legislation up. You may find that I answer many questions in giving you this picture of where we are up to at the moment.

Everyone would be comfortable with the fact that the Relics Act does not go far enough. The Relics Act is based on a dated paradigm, an archaeological paradigm. It was based around the prevalent use at the time of what was worth protecting. It is too archaic in many ways, it is not tough enough, it does not protect enough, it does not educate enough, it is simply not good enough.

Public consultation for the new legislation began in July 2005 and it was clear that we would need extensive negotiation with a whole range of groups on such an issue and a lot of time to gather views. I think the time component was probably the most difficult to get everyone's head around but it has taken so much time to have these conversations. The second round of consultations for the new legislation project was undertaken between November and December 2006. You can see from the project web site how that consultation panned out.

Although Aboriginal individuals and community groups participated in both the range of consultation, mainly through public forums, there was limited substantive and cohesive comments that were coordinated from the Aboriginal community and there were still a number of differing views. That slowed the project down while we tried to get further comment from the Aboriginal community. There was information from the statewide Aboriginal community forum held in mid 2006 which was forwarded to the project team and that has been incorporated.

Through 2007 the project team worked first with TALSC - Tasmanian Aboriginal Land and Sea Council - and consequently with Michael Mansell from TAC to try to get a coordinated Aboriginal community comment. Whilst some preliminary and informal comment was provided there was no coordinated comment and both groups effectively withdrew from consultation, so they no longer wanted to discuss this with us. That obviously slowed things down again. What was identified was the need to go to individual Aboriginal communities around the State and Scott Gadd, as project sponsor, commenced a program of visiting Aboriginal community groups and inviting community members to discuss the project. That has been pretty effective in terms of identifying what the underlying concerns might be. It has also generated a reasonable amount of goodwill in the community now that that conversation has been had at that level.

The program was agreed to by Mr Mansell. That was a necessary part of ensuring that we would get a broad input into the process.

**CHAIR** - Is that on behalf of all Aborigines or just himself?

**Ms O'BYRNE** - Michael ticked off on it because TAC has their member areas.

**CHAIR** - But was that a personal tick off, just the way you said Michael Mansell ticked off, I thought it was just him.

**Ms O'BYRNE** - It's probably the language I used.

**Mr GADD** - We felt it important to have the TAC re-engaged before I went to various communities like Flinders Island and others -

**Ms O'BYRNE** - Who might not necessarily be part of the TAC.

**Mr GADD** - Essentially what the minister is saying is that we got Michael's tick before I embarked on that broader program of discussion.

**CHAIR** - Because we know that there is not complete consensus from all Aboriginal quarters.

**Ms O'BYRNE** - No, and this is the reason that Scott met with all of the other groups that needed to have their voices heard. TALSC and the TAC have since re-engaged. I met with TALSC a little while ago and we have agreed to continue to work with them to explore a number of the key aspects prior to the drafting of the legislation. I anticipate we will have to start drafting the framework of the legislation, if not the detail, simply because we are going to have a time component and I need to make sure that TALSC is comfortable with understanding that that will mainly be the procedural things that need to be done for new legislation. I imagine we will have to start that, but I need to talk to TALSC and make sure that they understand that it is not writing the whole legislation it is simply starting the work to set the framework up.

Michael Mansell has similarly written to me requesting further time to consult with the Aboriginal community before progressing the legislation. That is where we are at the moment. I am happy to talk about Aboriginal heritage and the way the legislation might work in other States, or is that not what you feel we need at this time?

**Ms RITCHIE** - I know it is difficult to put a time frame on these things, but do you have any time line in mind for when you might conclude the process?

**Mr GADD** - When the piece of legislation might come before the House.

**Ms O'BYRNE** - I think there is a recognition that we need to have it done now and the fact that the community has re-engaged shows that we might get some progress on it. We could not have given you a time line a few months ago, before they were talking to us again.

**Mr GADD** - I started on Saturday on Bruny Island with re-engaging on the third round of consultation and talking broad principles of what the legislation might look like. I am booked to see just about every group over the next month, so I will be moving around the State over the next month. After that we hope to have enough feedback from them to move to a draft bill. Once we have a draft bill I have promised to go back and consult on it. That will be the interesting round of consultation and post that I have promised to go back with a final bill and consult again. I will probably have a flak jacket on for that one.

The reality is we will be into next year but it is an urgent issue, if you look at the damage and other issues that are emerging around Aboriginal heritage. We are aiming to bring something to Parliament next year.

**Ms RITCHIE** - Probably appropriately leading to the issue of Aboriginal sites themselves and the damage that might be going on to them, I notice from looking at the Tasmanian Aboriginal Heritage Office web site that it states computer modelling is being developed by the Aboriginal Heritage Office to understand where the sites are, what it meant in terms of how Aboriginal people interacted at those particular sites over time. Can you give us an update on, if my interpretation of what the modelling is correct that it is supposed to be right, what are you hoping to drag out of that computer modelling and how much it is going to cost?

**Ms O'BYRNE** - When you survey a site you never survey 100 per cent of the site and this is generally an issue. Once you start work on any project you can often come across things that you had not anticipated. Anything that we can do to further clarify where sites might be, so the computer modelling system that is on the web site aims to compute the risk of Aboriginal heritage being present within an area based on environmental and landscape characteristics, the type of place that they might be. Think about the Arthur Pieman, for instance. Anywhere where you could get a view of the sea or that is close to it is an area where there is a high concentration of Aboriginal heritage.

It is mainly shell middens, and that makes sense. There is an abundance of food. It is the best location to see what is going on. All the reasons that we would go there now were the reasons that they would go there thousands of years ago. Therefore it is clear that most coastal zones would have a high risk of containing heritage.

A 40 degree slope without much vegetation would have a low risk of containing Aboriginal heritage, yet a flat plain on a river would present high risk. These are the places where you would reasonably assume there would be a gathering of community. Various characteristics of landscape and environment, vegetation, food sources and geography are put together into a spatial analysis to determine the risk of presence. It is essentially a predictive modelling system that would be able to inform land holders and the community about the likelihood.

But I do want to stress that it is very much in its infancy at the moment so there is a lot of work still to be done on this, but we do think that it is a mechanism to not only to have a broader understanding within the Aboriginal community, but also amongst our whole community about the sites that might have a high risk, and what they mean.

In having that discussion about what they mean, you start to change the understanding and debate about Aboriginal heritage. People realise that it is not just a midden, but a place where peoples whole lives were focused. There are many stories for Aboriginal people around those sites.

**Ms RITCHIE** - Without having ever seen the software that has been developed, I presume that was done by a consultant. The cost and all those things?

**Ms O'BYRNE** - Steve, probably does not want to answer that because it is Steve's first ever appearance in front of Estimates so please be nice to him.

**Ms RITCHIE** - Welcome, Steve.

*Laughter.*

**Mr GALL** - We currently have a database which has dots on a map. That basically is all the sites that have been surveyed in the last 15 years or so.

**Ms RITCHIE** - Do you know how many dots you have?

**Mr GALL** - It is about 11 000 at the moment. That is probably less than five per cent of the State. That will give you a bit of an idea.

**Ms RITCHIE** - You estimate that that would only be five per cent of what is out there.

**Mr GALL** - Yes, it would not be anywhere near that. It is based on archaeological information so it just goes out and surveys an area for a project. So you only get the dot on the map for that particular proponent's area of interest. So you do not get all the information relating to the surroundings of that site. It is very minimal information.

**Ms RITCHIE** - Who identifies them, Steve?

**Mr GALL** - It can be a range of archaeologists or Aboriginal heritage officers who are trained in heritage identification.

**Ms O'BYRNE** - I cannot go and identify one, for instance. I have had them pointed out to me.

**Mr GALL** - If archaeologists are involved, they have Aboriginal community as well as part of their code of practice. We have Aboriginal heritage officers in the State as well, which is another issue, who also go out and identify sites.

**CHAIR** - So everybody is registered in an appropriate manner to identify Aboriginal middens?

**Mr GADD** - No, not directly. One of the issues we currently have is that we have a range of skills out there in the field and we need to address that. And we would like to encourage the community to implement some accreditation as part of the reforms.

**CHAIR** - When will that take place?

**Ms O'BYRNE** - Part of the legislative reform process.

**Mr GADD** - We hope to build that into the new legislation.

**Ms O'BYRNE** - I think there is a general understanding by the community of the need to do that. We have had discussions about the lack of capacity.

**Mr GADD** - My experience is exactly that, yes.

**CHAIR** - So sooner rather than later for the legislation, I would suggest.

**Ms RITCHIE** - I appreciate the vastness of the job and that is why I was interested in it when I was reading about it. You may not have this data. You have said that 11 000 are on there, but in an average calendar year how many new sites would you be finding?

**Mr GALL** - That's hard to say. It depends on how many projects are done here. We do not actually send people out to look for them. If a proponent, such as Gunns or Transend or whoever, is putting up a project they will be required to go out and have the surveys done if they are in areas that are of high potential. That information is soon gathered. If you have a Transend-type project it may identify 100 sites, so it can vary.

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**Ms RITCHIE** - So in times of when there is lots of infrastructure development, you are more than likely to see a large increase in the number of sites.

**Ms O'BYRNE** - Let me say that just discovering the site does not then mean that a project cannot go ahead. It might be that there has been some disturbance already. On agricultural properties you will find that that is quite often the case. There has already been significant disturbance and the recommendation from TALSC to the Aboriginal Heritage Office would be to conceal it or to move it. So finding it does not necessarily mean that you then cannot do the project.

[5.15 p.m.]

It quite often means that there are remediation things that might need to be done. Sometimes you have to go around them. Sometimes you just conceal them again and that is an important thing the community support as well. So the action that we will take really does depend on the nature of the site, its significance and whether or not there has been any disturbance.

**Ms RITCHIE** - How many staff are located in the Tasmanian Aboriginal Heritage Office?

**Ms O'BYRNE** - I gave that figure earlier and I'll have to dig it up now.

**Mr GALL** - Nine staff or 8.2.

**Ms RITCHIE** - Is that 8.2 FTEs?

**Mr GALL** - That is 8.6; it has it here.

**Ms RITCHIE** - Thank you. I may have missed that earlier.

**CHAIR** - Is that similar to last year or has there been an increase?

**Mr GALL** - There has been increased from 7.21. But what that has not counted is that we are about to put on another person to deal with some of the major projects that are coming up, because we are finding that there seems to be a big boom on development within the State and we have to get some more people on to do that side of it.

**CHAIR** - Water development?

**Ms O'BYRNE** - Economic booms.

**Ms RITCHIE** - The web site also states that the office is seeking to increase the promotional and marketing activities for Aboriginal culture and heritage. I am wondering what they currently do now and how they are seeking to build on it in terms of promoting, I presume, visitor attendance at heritage sites?

**Ms O'BYRNE** - It is probably not only visitor attendance. It is probably also a broader understanding and education within the community -

**Ms RITCHIE** - Education through schools and those things. Can we expand on those things?

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**Ms O'BYRNE** - about the merit of Aboriginal heritage. It is not something that we have typically explained to people and I think that there is a lot more work that we need to do in terms of understanding what a midden means.

**Ms RITCHIE** - It is certainly not something that was done at school when I was there.

**Ms O'BYRNE** - No, and I think these are conversations that we need to start having. Part of the legislation reform process will allow us to start explaining why a midden matters, why a raised area where a community might have been - and there are quite a lot of them in coastal areas - matters, and what it has. Also the rock carving as well; we have seen a lack of respect for them in the past and we need to build an understanding of why the petroglyphs matter.

**Ms RITCHIE** - Would the department be interested in developing, a guide to some of the sites? It is not something that I have seen around too often. I just ask the question about that.

**Mr GADD** - A big part of the reform has to be education. We need information to empower people. One of the key principles that underpins the new legislation will be duty of care. We want people to have a duty of care to inform themselves before they take an action. We are going to have to make certain bits of information available. There are some sensitivities within the community about how you make that information available and to what degree. So we going to have to work through that. But a big part of the message I am putting out there now as part of this round is that we are going to have to do that. It is generally being accepted after some discussion that there is a need for that.

Access is a bit more problematic, particularly for tourism purposes, because there are some groups in the State that are more willing to embrace that concept than others. There are some who really are not ready yet. We do not know enough about the site to be able to interpret it and make it available to others.

**Ms O'BYRNE** - There are some sites community do not want publicised either, because of the significance of the site and for sensitive reasons, and that has to be respected as well.

**Mr GADD** - So we will have to work through all of that. But the bottom line is that education has to be a key to the reform. If we expect the broader community to take responsibility, we are going to have to tell them what it is and how they do it.

**Ms RITCHIE** - I am pleased to hear that is being given full weight in your considerations because I think it is important going forward.

**Mrs JAMIESON** - Two fairly quick questions. Cultural exchange. We have the Goondooloo dancers up on the north-west coast. They have been invited to go to Japan in November by a cultural exchange but they do not have their funding. So where would they fit in? There are other groups out there that also look for cultural exchange?

**Ms O'BYRNE** - Probably the arts project that we have that has an exchange program might be appropriate.

**Mrs JAMIESON** - They are saying they have no money.

**Ms O'BYRNE** - They should not be saying that.

**Mr GADD** - There is additional money in Arts.

**Ms O'BYRNE** - There is more money in Arts for that work still in that program. I am happy to talk to you about that project.

**Mrs JAMIESON** - Right, we will pursue that one. We are having a few challenges with the Mersey Leven Aboriginal Corporation because they say they are not funded to do that. Where does MLAC actually get it's funding from?

**Mr GADD** - Mainly the Federal Government and it is mainly to deliver particular services.

**Ms O'BYRNE** - So it is essentially project-based.

**Mrs JAMIESON** - Because we are striking a few challenges with that like the Goodooloo Dancers, for example. Is Tiagarra funded through MLAC now?

**Ms O'BYRNE** - That is another Commonwealth-funded project.

**Mrs JAMIESON** - So the State has nothing to do with Tiagarra itself at all.

**Ms O'BYRNE** - Not directly, no.

**Mrs JAMIESON** - Does the money go through the Devonport Council? It just seems to be a bit nebulous.

**Mr GADD** - It is not something that we are part of. We are assuming it comes from the Feds through MLAC.

**Mrs JAMIESON** - I accept that. My other question would be that there was a partnership between Aboriginal women, Arts Tasmania and TMAG with their project last year for reading and cultural activities. Is that still happening?

**Ms O'BYRNE** - Can I take that one notice because Katherine would have the answer to that.

**Mr GADD** - It actually comes under Arts and TMAG.

**Mr WING** - So it seems that this funding can be used for the promotion of Aboriginal culture and not just physical heritage.

**Ms O'BYRNE** - That is the other shift that also needed to be made. The problem with the Aboriginal Relics Act is that it is all about things and, in fact, only things only before 1876 are considered to be relics under the act, so it is inadequate in terms of protection. The new legislation has to have a focus on a much broader understanding of cultural protection.

**Mr WING** - Yes. This funding will not deal only with relics, though, will it?

**Ms O'BYRNE** - That is the point. The reason that we need to do the new legislation is that the previous legislation only dealt with relics before 1876. So it was prescriptive and you can make your own arguments about how inappropriate it is.

**Mr WING** - So in terms of date and items it will be changed with the new legislation.

**Ms O'BYRNE** - Yes.

**Mr WING** - The reason I ask that is because some years ago when I was in Cairns I took the train trip to Kuranda where I was surprised to find an Aboriginal performing centre and it was brilliant. The Aboriginal people were explaining their dances and music and it finished up with many of the audience up on the stage with them and having photographs taken.

**Ms O'BYRNE** - Did you dance with them?

**Mr WING** - No.

**Mrs JAMIESON** - That is where Charles came from.

**Mr WING** - Charles?

**Mrs JAMIESON** - Charles who lives in Penguin now.

**Mr WING** - I don't know Charles.

**Mrs JAMIESON** - He is with the Goodooloo Dancers.

**Mr WING** - Oh, right. Well, it was very impressive. It was a lovely atmosphere and things like that will do much towards reconciliation. I had discussions with Michael Mansell and Marlene Mansell and others when I came back and there was a project which involved the building of an Aboriginal centre in the Mole Creek area; it was off the beaten track, that was the only thing. Jim Bacon was interested in it. There was some divergence of opinion in the Aboriginal community. Some people were not in favour of it but I just hope that it may be possible sometime to have a centre like that where Aboriginal culture and dance is performed and displayed.

**Ms O'BYRNE** - I think that ended up the way it did - and I know this not from this portfolio but from my Office of Aboriginal Affairs portfolio before - was particularly because there was a divergence with the community, but it really did talk about the need for Aboriginal cultural tourism but also the capacity building that needed to happen around that. The key thing that comes out of that is that you need to have an authentic tourism experience. It cannot be something that is created for tourists, it actually has to be about local history and culture. Certainly we are keen to continue to discuss with Tourism the opportunities for training Aboriginal people in developing Aboriginal tourism opportunities because Kuranda has obviously made a big selling point out of those kinds of things.

**Mr WING** - Have you seen the Kuranda performance?

**Ms O'BYRNE** - I have been to the Kuranda performance, yes.

**Mr WING** - It is really very good.

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**Ms O'BYRNE** - There are a number of different projects around the country like that and the key really is about skills and capacity building within communities and think that is where we have to do a lot of work.

**Mr WING** - There were plans involved to build a cafeteria.

**Ms O'BYRNE** - Yes. I know pretty well where you mean because I know where they started to trial it but it has not -

**Mr WING** - I cannot think of the name of the project.

**Mr GADD** - The reality is that our priority at the moment is the new legislation and also dealing with the development boom that we have at the moment, but hopefully they are the sorts of outcomes that we will see down the track once we get the reform in place.

**Mr WING** - It would be very good if there can be a centre like that established at a place appropriate for the Aboriginal people but hopefully on a main road, not off the beaten track like Mole Creek.

**Ms O'BYRNE** - That is the discussion we are having about changing people's attitudes and understanding of Aboriginal heritage as well and that in Tasmania has been a significant debate over the years.

**Mr WING** - Mrs Jamieson is saying Tiagarra.

**Mrs JAMIESON** - I know they were interested in developing something. That is why I wanted to know where the funding came from.

**Mr WING** - That could be a very appropriate place because there is space there and there is now that link already.

**Mrs JAMIESON** - That is right, and you also have the other artefacts around there at the Bluff..

**Ms O'BYRNE** - One of the things we looked at in Arts grants was the need to build support, capacity and strength in Aboriginal communities to allow them to start exploring those opportunities as well because it really is about community driving and achieving this themselves and our assisting them in that process.

**Mr WING** - I really hope that can happen. I think it would be very good for the Tasmanian people to learn more about the Aboriginal culture, heritage, language and performances, as well as in the interests of tourism, to make an attractive tourist destination.

**Mrs JAMIESON** - Just further to that, Minister, we took Charles and Jeremy with us to Minimata in Japan recently and they were so well received. Everybody just loved them. The Japanese were absolutely stunned but they were really well accepted and that is one reason why they have been invited back to Tokyo.

**Mr FINCH** - My things have really been covered in the discussion. I suppose one of the controversial aspects of the Aboriginal heritage legislation is the management of the Aboriginal

heritage that is on private land. I suppose this is part of the negotiation process, Mr Gadd, isn't it, that -

**Ms O'BYRNE** - This is part of our providing some clarity as well because there is a view amongst land holders that they do not really know what they should do and when they should do it and this is about providing a much better structure to assist them as well, because I think a lot of the times when we do end up in conflict it is not out of any intent but simply a lack of understanding and knowledge. I think the main drive of the legislation is to clarify what responsibilities exist where and what processes people need to go through.

**Mr GADD** - Integrated with our existing planning system as well.

**Mr FINCH** - A couple of alarm bells rang for me when you mentioned Arthurs River because I remember the last time I was there it was just such a stunning location for the shack sites particularly that are there. I am just wondering whether they are built on middens.

**Ms O'BYRNE** - Well, funny you should mention that. We have significant problems in the Arthur Pieman conservation area, particularly in terms of the tracks because the place where you would drive your four-wheel drive to stop and get the best view is, of course, the place where people a couple of thousand years ago would walk and stop to get the best view, so it is not unusual that we are dealing with the same sorts of issues. We are trying to work with local communities there and also with off-road vehicle users about how we might manage this better and with the Aboriginal community as well.

**Mr GADD** - We do not see new legislation as being retrospective and we also see a principle in there of not being overly concerned about pre-existing use. I mean, if there is a shack on a site and it has been there for a long time and they are going to continue to use it for that, then we do not see the legislation coming into play unless somebody wants to knock it over and build a new one.

**Ms O'BYRNE** - When you look particularly at agricultural developments, if the land has already been significantly disturbed then we will get a (?? 5:29:26) from (??) saying, 'Look, that is fine, we are quite happy for them to disturb it again'. There has been a lot of support from community in that area but there needs to be clarity for people so they understand about the decision making process as well.

**Mr GADD** - And our consultations will cover the broader community, not just the Aboriginal community, and have done to this point as well.

**Mr FINCH** - I was not so much worried about the use of the land, more the shacks that are already so well established there -

**Ms O'BYRNE** - Indeed they are.

**Mr FINCH** - and in such a good community there too.

**Mr GADD** - The shacks sites project that has now been concluded has identified that some shacks do need to be removed, and that work progresses and some indeed have and will be removed.

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**CHAIR** - Don't get too excited, Mr Finch.

**Mr GADD** - But anyone who is in that boat would already understand the position that we are in.

**Ms O'BYRNE** - That would be quite down the process.

**Mr GADD** - Ansons Bay was mentioned as a good example.

**CHAIR** - Hence my reference to bona fide people identifying with this. But that is something that we will not follow up in this session today. Next we will move to 3.5.

**Mr DEAN** - Just a couple of entries there and you have mostly answered the question already. I was going to ask if there are any areas in dispute, for example Bell Bay?

**Ms O'BYRNE** - In terms of the pulp mill or Bell Bay?

**Mr DEAN** - In relation to the pulp mill and any other site of Bell Bay at the present time. Have they all been sorted out?

**Ms O'BYRNE** - The issues in relation to the pulp mill site are based around the fact that whilst there was community engagement there have been original surveys done. There was an original survey done then another one by Stanton and Stone which identified 22 sites, 12 of which required protection.

**Mr GALL** - Thirty-four all up - 12 that needed protection.

**Ms O'BYRNE** - Thirty-four sites. 12 did not require it, I think, 32 that did.

**Mr DEAN** - They were all in around where the mill is proposed. Is that it?

**Ms O'BYRNE** - At the mill site area. So those reports were done - you would be aware that the community have withdrawn its support from the project. That is not an issue right now because the permits are based on the information that was gathered in the original reports which were done by credit officers. Where it would become an issue potentially is when they get to the point of actually disturbing a site where they are then required to engage an Aboriginal expert, an archaeologist or a heritage officer to be on site. There are a whole host of rules around that. I am happy to go into those if you want to.

**Mr DEAN** - No, I do not think I need you to.

**Ms O'BYRNE** - But that is an issue for -

**Mr DEAN** - My main concern is has a position been reached? It is settled that the mill pays and where are we going if there is not? That is my next question.

**Ms O'BYRNE** - The permit has been granted based on the information that exists. There is no breach of the permit conditions at this stage because it is based on a report that was done by Stanton and Stone. What will happen though is, in the event of Aboriginal heritage sites being located during construction, there are a number of things under the permit condition that must

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take place. The proponents must cease construction activities immediately within 100 metres of the Aboriginal heritage site.

They must notify the Aboriginal heritage office within 24 hours, assess the characteristics, condition and heritage value of the Aboriginal heritage using suitably qualified specialists, arrange a field inspection with staff from the Aboriginal Heritage Office if necessary to identify regulatory implications and options for dealing with the Aboriginal Heritage, engage with a Tasmanian Aboriginal Land and Sea Council on assessment and management options as required, determine appropriate actions with regard to the continuation of works including, as appropriate, gaining approval of a permitted action and not recommence construction activities until approval is received from the director. So the heritage management plan that they have provides the operational guidelines. In that way it is enacting the pulp mill permit. The question will be quite clearly what happens when the proponent actually uncovers an Aboriginal site? And getting an appropriately qualified person to engage.

**Mr DEAN** - The councils have been very supportive in this type of process, have they not?

**Ms O'BYRNE** - Yes, there have been suggestions that they were not but we have evidence of the number of times conversations were had that there was engagement. I think that they have done what they can in terms of identifying this. It is an obligation on them as a proponent now should they uncover a site to actually have an appropriate specialist on site.

**Mr DEAN** - My next question is in relation to the cataract gorge in Launceston. I understand that there are a number of sites that have been identified in the Cataract Gorge that have Aboriginal heritage significance. What is the position there because there is a Marshall Plan that has been completed by the Launceston City Council. As I understand it they do not want those sites to be absolutely identified. Is that right? Where are we going with that?

**Mr GALL** - They had a heritage officer go and assess the gorge area. We did not get any input from that process until the nice plan was actually developed and in print.

**Mr DEAN** - I see. I suppose it was the right time to consult you.

**Mr GALL** - So we had no input into that process whatsoever. It was certainly not on the cards to lock up any areas which were put in the public arena but there is a problem about how much to disclose as it is a sensitive area. That is what we are trying to negotiate and trying to get a bit more headway into - this is part of the education process and people cannot value something they do not know about. So it is an ongoing process that we are trying to deal with at the moment and we are just trying to get a balance. I have not had any other dealings with the Gorge. That document made out that people would be locked out of the areas and those sorts of things. It was just that the location of the sites would not be disclosed.

**Ms O'BYRNE** - It is not unusual for sites not to be publicly disclosed on advice from the community because of the need to protect significant sites.

**Mr DEAN** - That is the case but -

**Ms O'BYRNE** - Sometimes it is to do with - and I will use the term in this context - religious significance or the significance of the site in that sense.

### **3.5 Royal Tasmanian Botanical Gardens**

**Ms O'BYRNE** - Which are beautiful by the way, just lovely. I would like to say in relation to the gardens though that the nature of our collection is that there are a number of species of tree that are ageing so in recent storms we have had damage to parts of our collection but there is an ongoing program of building our collection so that it continues to reflect the very diverse picture of our plant history.

**CHAIR** - Minister, we are aware that we have your expertise in your departments with you there and if there is anything that you do not have the answers to we are happy to take that at a later time.

**Mrs JAMIESON** - I am interested in armillaria which we had a problem with some years ago. Have we eradicated that and/or put on an ongoing monitoring program?

**Mr GADD** - We have an ongoing monitoring program. We have not eradicated it - in fact, we may never eradicate it but it is definitely under control. There was an outbreak I think maybe 18 months ago but it was brought under control. We had to remove a significant specimen as a result of that but we monitor all areas of the garden, particularly those with previous history and I am fairly confident it is under control.

**Mrs JAMIESON** - So is monitoring that a fairly costly procedure or not?

**Mr GADD** - It is done with in-house resources because obviously we have the skills up there and we have recently employed arborists directly into the garden staff so that does minimise the costs but sure, they could be doing other things, if they did not have to do that.

**Mrs JAMIESON** - Has there been a problem with vandalism at all in the gardens?

**Mr GADD** - Not really, the site is secured in the evening. We have had minor issues with people knocking off money out of the conservatory fountain. It appeared to be one particular family. I think we are on top of that now. The only real vandalism that occurs now are the possums that come over the fence at night time.

**Mrs JAMIESON** - I am interested in the minus-Peter Cundall effect as a drawcard, is there any comment that you would like to make about that?

**Mr GADD** - Well that is a good question because he has been an icon for the gardens and he has certainly given us a profile. We are in discussions with a couple of other entities about how we might take Pete's vege patch forward and the board did discuss at the last meeting about how we might continue to keep Mr Cundall engaged, albeit he has made it pretty clear he wants to retire.

**CHAIR** - He is 81, he is entitled to feel that way.

**Mr GADD** - Well we are not sure that we agree with him on that.

**CHAIR** - Clone him.

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**Mr GADD** - If we could, we would. We do not have an answer to that yet but we are very conscious of that profile and we are very keen to maintain it. The ABC appear keen to use another Tasmanian presenter in a similar program so there may be an opportunity there.

**Ms O'BYRNE** - Visitor numbers to the garden are increasing as well. We have had significant increases and I think as we see petrol prices increase as well, we will find that it becomes a more accessible opportunity for people like me as well.

**Mrs JAMIESON** - I want to ask about the gardens being used as a venue for events. Has that presented any significant problems and is there increasing usage?

**Ms O'BYRNE** - We obviously have a couple of spikes in the number of events, we had the TreadLightly EnviroFest, we have also had a couple of concerts and we have the children's theatre that occurs in the gardens sometimes and the Shakespeare. What we get out of them is repeat visits because it is people's re-engagement with the gardens that might bring them back. It is about profile-raising of the garden, primarily.

**Mrs JAMIESON** - The number of employees, the number of volunteers and donations would be my final questions.

**Mr GADD** - Can I take donations and volunteers on notice?

**Mrs JAMIESON** - You can take the donation, if you like. You could take all three on notice if you wish to save you time.

**Mr GADD** - I can give you the number of staff.

**Mr WING** - While you are looking for that, I was going to comment that Peter Cundall always gives the gardens their full-name, 'Royal Tasmanian Botanical Gardens'.

**Ms O'BYRNE** - He is very good that way. The staff number is 37 FTEs.

**Mrs JAMIESON** - Right, and the volunteers?

**Ms O'BYRNE** - Volunteers we will have to take on notice.

Another thing that we are exploring for the gardens is something that they have suggested - because they have that wonderful cycle track from there into the city - that they might be able to use bikes as a way of transport as well. Some of them are very keenly pursuing that as an option, so we are looking at that. It is not only healthy for them but good for our carbon footprint as well.

**Mr FINCH** - There was a rumour some time ago about a charge for entry. What has happened there? Is that on the radar; to consider a charge for entry?

**Ms O'BYRNE** - There is a charge for concerts.

**Mr FINCH** - Right.

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**Mr GADD** - We do charge for events. At the recent TreadLightly festival we asked for a \$5 entry fee if you travelled by vehicle to the gardens. If you travelled by foot or other human power we let you in for nothing, given the nature of the event and the environment.

**Ms O'BYRNE** - We had places to park bikes.

**Mr GADD** - But, no, there are no plans at all to charge for entry to the gardens.

**Mr DEAN** - Weddings and that, I suppose, you do.

**Mr GADD** - We do hire out the various elements of the gardens for things like weddings and the conservatory. We do charge for those but for general access, there is no charge.

**Ms O'BYRNE** - You have to buy your coffee but it is extremely good coffee, so I can recommend that in any breaks in the Legislative Council that you rock on down to the gardens and have a coffee.

**Mr GADD** - I also recommend the restaurant as a fantastic place for lunch.

**Mr DEAN** - Yes, it is.

**CHAIR** - If only we had time.

**Mr FINCH** - Okay, so people are forthcoming with their donations.

**Mr GADD** - They are, and we have donation boxes scattered throughout. We do generate a little income out of those. I would love to get more.

**Ms O'BYRNE** - We are having some discussions about other ways to do this.

**Mr GADD** - We have 350 000 visitors, if only I got a dollar off every one, we would be right.

**Mr FINCH** - An entry sounds a lot better, doesn't it? The explanation for the ending of the capital investment program for the end of this current financial year is understandable, but in note 9 on page 4.6 there is a mention of the Royal Tasmanian Botanical Gardens Backflow Prevention Project. I have not been able to find an explanation of that.

**Mr GADD** - Do you want to know what that project is?

**Mr FINCH** - Yes.

**Mr GADD** - There is a new law - I think it is under the Building Code - that says when you have effluent and water infrastructure in the same place, you need to be able to prevent any possibility of a back flow so that there might be cross-contamination into the water supply. You therefore have to install these - forgive me but I do not get the technical aspects of this - back flow prevention devices. It is essentially a valve that allows a one-way flow.

**Mr DEAN** - A reflux valve.

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**Mr GADD** - Yes.

*Laughter.*

**Ms O'BYRNE** - So to speak.

**Mr GADD** - If you have been to Hobart airport recently and the new development as you turn into the airport drive, there are some big pipes. They are blue - big valves in a big cage. They are back flow prevention devices which are currently being installed into the gardens. Then we will be screening them and hiding them as best we can.

**Mr FINCH** - Okay, so they must be quite extensive and quite expensive.

**Mr GADD** - Absolutely.

**Mr FINCH** - Yes, it seems like a simple process, doesn't it?

**Mr GADD** - That is what we thought.

*Laughter.*

**Mr FINCH** - It sounds simple, okay. Also it seems to me that there is room for expansion. Right from when I was a kid, it seems that the botanical gardens have always -

[5.45 p.m.]

**Ms O'BYRNE** - Are you planning a move on the Governor, Kerry?

**Mr FINCH** - been the same size. No, no. I am thinking more back up the hill across the road. You know what I mean, I am just wondering about promoting our interesting Tasmanian flora. People love to go to go to botanical gardens, and I am sure that they would love to see or would take in more of the botanical gardens if there was more.

**Mr GADD** - Absolutely. There are real opportunities there with the Domain and Beaumaris Zoo. There are no opportunities with Government House and I will just put that on the record.

*Laughter.*

**Mr GADD** - The reality is we need to manage what we have before we look beyond the fence but we are developing a strategic master plan that very much engages with those issues about what the Gardens might look like in 20 years' time. Recently we have reacquired ownership of Pavilion Point where the old ANM shed was on the other side of the highway and that is now back in control of the Gardens.

**Mr FINCH** - So that presents what opportunity?

**Mr GADD** - An opportunity mainly for a bit of a recreation space and some sort of interpretation; perhaps a picnic and barbecue area so people do not actually have to come right into the Gardens because we find that a lot of people just want to come for a barbecue and the facilities within the Gardens are therefore stretched, so it is just another outlet and another possibility to do that. We will probably do some plantings and some other interpretation down

there. The Domain presents itself as a great opportunity to perhaps look at Australian native species in particular.

**Ms O'BYRNE** - A broader cultural heritage precinct.

**Mr GADD** - Dialogue is ongoing with the Hobart City Council but there is nothing on the immediate radar. As I said, we are more focused on issues within the boundary at the moment.

**Mr WING** - In Tasmania, I think we have the opportunity to present a flower show of the equal of the Chelsea Flower Show. The Launceston Rotary Club, for some years, did a very good job having a flower show then the emphasis seemed to be on commercial side of it selling garden equipment, fertilisers, seeds and bulbs et cetera but still with a flower show and then they ceased that. Having seen the Chelsea Flower Show, I am sure that we could provide just as high a standard exhibition somewhere in Tasmania during spring which would attract people from the mainland.

**Ms O'BYRNE** - The Tulip Festival certainly does that now; there is a great interest in the Tulip Festival. Generally people are coming in a little bit before the Tulip Festival.

**Mr GADD** - The tulips can be a bit unpredictable, as you would know, but we are trying to broaden that concept to not just tulips.

**Mr WING** - Yes, that would be very good; to have it in some nice exhibition centre and it could become an Australian feature and an international one as well.

**Mr GADD** - I agree.

**CHAIR** - If we have not got any more questions about the Royal Tasmanian Botanical Gardens we will move onto the last one. I believe that grants and subsidies has been fairly well covered -

**Ms O'BYRNE** - Can I just give one additional answer to a question before, from Mr Dean, on contaminated sites? The Environment Division currently oversees the management of 65 known contaminated sites in Tasmania. In addition, environmental works conducted at 17 sites that have hosted potentially contaminating activities are being developed for more sensitive uses such as residential use and they are being assessed by the division. These sites may or may not be contaminated and that is what the assessments will determine. Within the last 12 months seven sites have been cleared for more sensitive uses through the sites sign-off process, and cleared means that the site was not causing an unacceptable risk to human health or to the environment. In the last 12 months the Environment division has received approximately 18 notifications of potentially contaminated sites and 11 new requests of assessment of sites changing to more sensitive land uses.

In terms of remediation, the Director of Environmental Management has the power to require contamination to be remediated within these EPNs - the protection notices - or a remediation notice, both issued under EMPCA. Most sites that are being overseen by the Environment Division are either in the process of being investigated to establish the extent and magnitude of contamination being remediated to remove or reduce contamination to acceptable levels, or being monitored to assess the longer-term behaviour of contamination and ensure the

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protection of human health and the environment. The nature of remediation work does depend on the nature of the contamination.

**Mr DEAN** - Thank you very much.

**CHAIR** - We will move on now to grants and subsidies but I believe we have probably covered that one fairly well unless any other member of the committee -

**Mrs JAMIESON** - I was going to ask about the Living Environment Program as it is mentioned in point 10. I was also interested in a definition of 'brown environmental issues'.

**Ms O'BYRNE** - Brown environmental issues -

**Mrs JAMIESON** - Yes, rather than green environmental issues.

**Ms O'BYRNE** - Brown generally in terms of the regulation and enforcement around those sorts of level two industries. That is the simple answer of brown. Do you have a better one?

**Mr GADD** - Mining, sewerage and things like that as opposed to parks and reserve management which we call the green environment.

**CHAIR** - Is there any particular reason the money was not spent last year?

**Mr GADD** - No, just as always when we have large buckets of money we initiate projects and sometimes we do not get it out the door in that financial year. In this case we have another \$266 000 that is committed but has not yet gone out the door.

**Mrs JAMIESON** - So any plans for it?

**Mr GADD** - Yes, it is committed already.

**Mrs JAMIESON** - To what in particular?

**Mr GADD** - I might have to take on notice specifically what that relates to.

**Ms O'BYRNE** - I have some here. I think some of these are the ones that are currently in process: clean beers, the container deposit system feasibility study; the urban stormwater program and there are some others as well which I will have to get you. They are smaller projects.

**CHAIR** - So that has been a three-year project? Will those projects be assessed at the end of the life of this funding? Will there be some sort of process where the department will put out what was achieved and the outcomes with those achievements?

**Mrs JAMIESON** - And what of the future? After all, we are going to have an ongoing program of development.

**Mr GADD** - We have done an ongoing assessment as we have moved through them. I think you will find when we publish our annual report that there will some statements to the

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effectiveness or otherwise in that. We certainly also have the ability to publish on our web site any outcomes that we have achieved through that.

**Mrs JAMIESON** - So it will not be known as the Living Environment Program in the future; it will be known as something else?

**Ms O'BYRNE** - That program itself will continue in the sense that there will be environmental sustainability supported through the EPA but also under the Climate Change Office there is funding for community projects and engagement. Economic Development also has some projects to assist businesses with their sustainability. We see the Living Environment Program as really the 'let's see how Government can act in this way', and it is clear that the Government can act and there are appropriate mechanisms for that.

**Mr GADD** - It is a pilot and now it is time to go to a whole-of-government approach.

**Mrs JAMIESON** - Thank you, Madam Chair.

**CHAIR** - Minister, I have had a quick whip around the table to my committee and by the look of it I think everyone has asked their fill of questions for today. There will be certainly more opportunity when we discuss this on the Floor of the House. I would like to thank you on behalf of Committee B for your cooperation and for the way that you have conducted yourself today. It has been a very enlightening and also informative session. I thank all the members of your department who have ably assisted you. I would like to offer that, if you would like to have any further discussions, we might like to do that in the President's rooms at the end of this session. That invitation has been extended to you and all of your staff.

**Ms O'BYRNE** - Can I also put on record my thanks to the department and the staff for the work that they have done. Estimates is a good, healthy experience for them because I think we pride ourselves in our democracy on the ability to have this level of accountability. Can I also congratulate you, Chair, on your first chairing of Estimates and say that we have really appreciated the opportunity and the way that it has been conducted. I thank all members.

**CHAIR** - Thank you. We look forward to your continued role as the minister for these particular areas of your portfolio.

**Ms O'BYRNE** - So do I.

**The committee adjourned at 5.54 p.m.**