



2022

## Parliament of Tasmania

### JOINT STANDING COMMITTEE SUBORDINATE LEGISLATION

### INQUIRY INTO THE CROWN LANDS REGULATIONS 2021 (S.R. 2021, No. 87)

#### Members of the Committee:

**Ms Tania Rattray MLC** (*Chair*)

**Ms Ruth Forrest MLC**

**Ms Leonie Hiscutt MLC** (*from 25 May 2022*)

**Ms Meg Webb MLC** (*Deputy Chair*) (*to 18 May 2022*)

**Ms Lara Alexander MP** (*from 1 March 2022*)

**Mr Felix Ellis MP** (*to 25 February 2022*)

**Ms Janie Finlay MP** (*Deputy Chair*)

**Ms Madeleine Ogilvie MP** (*to 28 February 2022*)

**Mr John Tucker MP** (*to 22 April 2022*)

**Mr Simon Wood MP** (*from 3 May 2022*)

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## **Introduction**

The Committee was appointed under the provisions of Section 3 of the *Subordinate Legislation Committee Act 1969* (No. 44 of 1969). Section 8 of the Act outlines the functions of the Committee, as follows –

- (a) to examine the provisions of every regulation, with special reference to the question whether or not –
  - (i) the regulation appears to be within the regulation-making power conferred by, or in accord with the general objects of, the Act pursuant to which it is made;
  - (ii) the form or purport of the regulation calls for elucidation;
  - (iii) the regulation unduly trespasses on personal rights and liberties;
  - (iv) the regulation unduly makes rights dependent on administrative decisions and not on judicial decisions; or
  - (v) should properly be dealt with by an Act and not by regulation; and
- (b) to make such reports and recommendations to the Legislative Council and the House of Assembly as it thinks desirable as the result of any such examination.

## **Inquiry**

On 1 February 2022, the Committee resolved to commence an inquiry into the CROWN LANDS REGULATIONS 2021 (S.R. 2021, No. 87) (the Regulations) and to invite the Minister for Parks and/or Departmental Officers to appear before the Committee to enable information received in relation to the Regulations to be placed on the public record.

On 10 March 2022, the following Departmental Officers attended a public hearing and provided evidence:

- Mark Bryce, Director Landscape Programs, Parks and Wildlife Service, Department of Natural Resources and Environment Tasmania;
- Lucy Thorne, Manager Property Services, Parks and Wildlife Service, Department of Natural Resources and Environment Tasmania;
- Jesse Walker, Team Leader (Assessments), Policy and Projects, Parks and Wildlife Service, Department of Natural Resources and Environment Tasmania; and
- Suzy Kidd, Senior Adviser, Minister Petrusma's Office, Minister for Police, Fire and Emergency Management; Minister for the Prevention of Family Violence; and Minister for Parks.

The Departmental Officers provided clarity around the seven day inclusion rules, use of drones and carrying of firearms. The Committee sought further information in relation to vehicles disposed of on Crown Land.

All correspondence relevant to the Regulations and the Hansard Transcript of Evidence are attached to this Report and should be read in conjunction with this Report.

The reporting process of the Inquiry was interrupted due to the prorogation of the Parliament on 6 April 2022.

### **Examination of the Regulations**

At its meeting on 10 March 2022, having considered the range of information received, the Committee resolved to pass as 'Examined' the — CROWN LANDS REGULATIONS 2021 (S.R. 2021, No. 87).

A handwritten signature in black ink, reading "Tania Rattray". The signature is written in a cursive, flowing style.

**HON TANIA RATTRAY MLC  
CHAIR**

2 June 2022

Minister for Parks  
Minister for the Prevention of Family Violence  
Minister for Police, Fire and Emergency Management



Level 5, Parliament Square  
4 Salamanca Place, HOBART TAS 7001 Australia  
GPO BOX 123, HOBART TAS 7001  
Ph: (03) 61657770  
Email: [minister.petrusma@dpac.tas.gov.au](mailto:minister.petrusma@dpac.tas.gov.au)

RECEIVED

24 NOV 2021

The Hon. Tania Rattray MLC  
Secretary  
Parliamentary Standing Committee on Subordinate Legislation  
Parliament House  
HOBART TAS 7000

***Crown Lands Regulations 2021*** (S 87)

The *Crown Lands Regulations 2021* (the Regulations) were notified in the *Gazette* on 17 November 2021.

The Regulations are a new set of regulations made under the *Crown Lands Act 1976*.

The Regulations provide for:

- the care, control, and management of public reserves;
- the imposition of charges in relation to the management of public reserves in certain circumstances; and
- provisions for prescribed offences.

In accordance with section 9 of the *Subordinate Legislation Act 1992*, I enclose the following certificates:

- the Chief Parliamentary Counsel's advice under section 7(2);
- the certificate issued by the Secretary of the Department of Treasury and Finance in accordance with section 5(1A); and
- the certificate from the responsible Minister under section 4.

Should you have any queries regarding this matter, please contact Bridget Dwyer, Team Leader, Reserve Management Policy, Parks and Wildlife Service, by telephone on 6165 4329 or by email to [bridget.dwyer@parks.tas.gov.au](mailto:bridget.dwyer@parks.tas.gov.au)

Yours sincerely

Hon Jacquie Petrusma MP  
Minister for Parks

**ADVICE UNDER SECTION 7(2) OF THE SUBORDINATE  
LEGISLATION ACT 1992**

***Crown Lands Regulations 2021***

Under section 7(2) of the *Subordinate Legislation Act 1992*, I advise that this statutory rule –

- (a) appears to be within the powers conferred by the *Crown Lands Act 1976*; and
- (b) does not appear, without clear and express authority being provided by that Act, to –
  - (i) have any retrospective effect; or
  - (ii) impose any tax, fee, fine, imprisonment or other penalty; or
  - (iii) sub-delegate powers delegated by the *Crown Lands Act 1976*; and
- (c) appears to be within the general objectives of the *Crown Lands Act 1976*; and
- (d) is expressed in as clear and unambiguous language as is reasonably possible.

Dated 29 October, 2021.



Robyn Webb  
**Chief Parliamentary Counsel**

## Department of Treasury and Finance

The Treasury Building  
21 Murray Street HOBART TAS 7000  
GPO Box 147 HOBART TAS 7001 Australia  
Telephone (03) 6166 4444 Facsimile (03) 6173 0219  
Email [secretary@treasury.tas.gov.au](mailto:secretary@treasury.tas.gov.au) Web [www.treasury.tas.gov.au](http://www.treasury.tas.gov.au)



Minister for Environment and Parks

### ***Crown Lands Regulations 2021***

In accordance with section 5(1A) of the *Subordinate Legislation Act 1992* I have determined that no part of the *Crown Lands Regulations 2021* would impose a significant burden, cost or disadvantage on any sector of the public

In making this determination I have considered the advice of the Department of Primary Industries, Parks, Water and Environment, the Department responsible for the Act under which the proposed subordinate legislation is to be made.

A handwritten signature in black ink, appearing to read "Jonathon Root".

for Jonathon Root  
Acting Secretary

29 October 2021

# CERTIFICATE OF COMPLIANCE

Her Excellency the Governor

## ***Crown Lands Regulations 2021***

I hereby certify that, in the preparation of the *Crown Lands Regulations 2021*, section 4 of the *Subordinate Legislation Act 1992* has been complied with so far as is reasonably practicable.



Minister for Parks

November 2021



# **CROWN LANDS REGULATIONS 2021**

## **FACT SHEET**

The *Crown Lands Regulations 2021* (the Regulations) provide necessary and effective prescription regarding the care, control, and management of public reserves under the *Crown Lands Act 1976* (CL Act), including:

- the use of vehicles, vessels, and aircraft, including authority to drive off-road, signage, and closure of roads;
- animals in public reserves, including prohibition on abandoning of animals, signage, and seizure;
- recreational activities, including camping, fires, and limiting access;
- protection of public reserves, including restrictions, and protection of flora and fauna;
- granting of authority, including cancellation and suspension of authority;
- removal of persons from a public reserve; and
- miscellaneous provisions, including fees, prescribed rate of interest, and delegations.

The Regulations provide for penalties, via court appearance.

The remade Regulations amend the *Crown Lands Regulations 2011* by providing for:

- inclusion of a new definition, product of wildlife, to provide clarity as to what hunting equipment can be used for the taking of any product of wildlife (Regulation 3);
- an update to the definition, authorised person, to include the managing authority of the public reserve (Regulation 3);
- an amendment to Regulation 11 to include flying devices to address the use of remotely piloted aircraft in a public reserve;
- an update to the provision by which a person can be notified of limited access to certain places to include via electronic means (Regulation 18), which is particularly relevant during an emergency. Previous provision was via a sign or notice published in a newspaper;
- an update to the way in which an authority can be granted to include, on a website operated by, or on behalf of the Department (Regulation 22);
- an extension to the exclusion period for a person found offending on a public reserve (Regulation 26) from 24 hours to a maximum of seven days, to reflect the seriousness of specific offences on reserved land;
- an increase to the number of penalty units assigned to Regulation 27 from 2 to 5;
- an update to delegations (Regulation 29) to include more generic titles, providing flexibility to delegate powers if an individual's role/title changes; and
- a number of minor inconsequential amendments.

Targeted consultation was undertaken with stakeholders on the operation of the *Crown Lands Regulation 2011*. The Department of Primary Industries, Parks, Water and Environment intends to undertake a comprehensive review of the Regulations, commencing in 2022, to review fees and charges; provide for an increase to the limitations period for prosecution of offences under the CL Act; and the power to issue infringement notices under the Regulations.

The Secretary of the Department of Treasury and Finance certified that the Regulations do not impose a significant burden, cost, or disadvantage on any sector of the public.

Copies of certificates issued in relation to the Regulations are attached.



## Joint Standing Committee Subordinate Legislation

3 February 2022

Hon Jacquie Petrusma MP  
Minister for Parks  
Level 5, Salamanca Building  
4 Salamanca Place  
HOBART 7000

e: [jacquie.petrusma@parliament.tas.gov.au](mailto:jacquie.petrusma@parliament.tas.gov.au)

Dear Minister,

### **CROWN LANDS REGULATIONS 2021 (S.R. 2021, No. 87)**

The Joint Standing Committee on Subordinate Legislation is currently considering the above Regulations. At the Committee's meeting on 1 February 2022, the Committee resolved to commence an inquiry into the above Regulations.

Accordingly, the Committee has requested that a public hearing be arranged with yourself or Departmental Officers. It would be appreciated if this public hearing could take place at the Committee's next meeting as follows:

**Date:** Thursday, 10 March 2022  
**Time:** 1.15 pm  
**Venue:** Committee Room 2, Parliament House

It would be appreciated if you would please confirm the availability of yourself or Departmental Officers who are available to attend to the Secretary, Ms Julie Thompson on 0488 060 687 or via email at [subleg@parliament.tas.gov.au](mailto:subleg@parliament.tas.gov.au)

Yours sincerely,

A handwritten signature in black ink, reading 'Tania Rattray'.

**TANIA RATTRAY MLC**  
CHAIR

w. 03 6212 2320 m. 0488 060 687 e. [subleg@parliament.tas.gov.au](mailto:subleg@parliament.tas.gov.au)



## Joint Standing Committee Subordinate Legislation

16 March 2022

Hon Jacquie Petrusma MP  
Minister for Parks  
Level 5, Salamanca Building  
4 Salamanca Place  
HOBART 7000

e: [jacquie.petrusma@parliament.tas.gov.au](mailto:jacquie.petrusma@parliament.tas.gov.au)

Dear Minister,

### **CROWN LANDS REGULATIONS 2021 (S.R. 2021, No. 87)**

As you would be aware, Departmental Officers appeared at a Public Hearing on Thursday, 10 March 2022 in relation to the above Regulations.

During the Public Hearing, Departmental Officers agreed to take the following question on notice:

#### **Removal of vehicles - Division 1 (9)**

*We often see where vehicles have been dumped, if there is an ability to identify who owns the vehicle, there may well have been a stolen vehicle. Is there any opportunity to recoup some finances? You do not get anything towed for no charge these days. Is that something that happens very often?*

The Committee would be pleased to receive this information by email to the Secretary. Ms Julie Thompson via email at [subleg@parliament.tas.gov.au](mailto:subleg@parliament.tas.gov.au)

Yours sincerely,

A handwritten signature in black ink, reading 'Tania Rattray'.

**TANIA RATTRAY MLC**  
CHAIR

w. 03 6212 2320 m. 0488 060 687 e. [subleg@parliament.tas.gov.au](mailto:subleg@parliament.tas.gov.au)

Minister for Parks  
 Minister for the Prevention of Family Violence  
 Minister for Police, Fire and Emergency Management



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29 MAR 2022

Hon Tania Rattray MLC  
 Chair  
 Joint Standing Committee – Subordinate Legislation  
 Sent via email: [subleg@parliament.tas.gov.au](mailto:subleg@parliament.tas.gov.au)

Dear Ms Rattray

Thank you for your letter dated 16 March 2022 regarding the Committee's Public Hearing in relation to the Crown Land Regulations 2021.

I note that during the Public Hearing, Departmental Officers agreed to take the following question on notice:

**Removal of vehicles – Division 1 (9)**

*We often see where vehicles have been dumped, if there is an ability to identify who owns the vehicle, there may well have been a stolen vehicle. Is there any opportunity to recoup some finances? You do not get anything towed for no charge these days. Is that something that happens very often?*

I am advised that the Tasmania Parks and Wildlife Service (PWS) removes a small number of vehicles from Crown land, being usually less than 10 per annum, which includes vehicles on Crown land that is a public reserve.

In most cases the owner of the vehicle can be identified, and the owner is contacted and encouraged to then collect or make arrangements to recover that vehicle at their own cost.

Where the vehicle is identifiable and the owner declines to remove that vehicle, I am advised that costs can then be recovered in accordance with Section 11 of the *Crown Lands Act 1976*.

Where the PWS cannot identify the owner, towing and disposal is at the Department's expense. The cost associated with this varies depending on the location, but the average cost would be around \$300 to \$400 per vehicle.

**THE PARLIAMENTARY JOINT STANDING COMMITTEE ON SUBORDINATE LEGISLATION MET IN COMMITTEE ROOM 2, PARLIAMENT HOUSE, HOBART, ON THURSDAY 10 MARCH 2022**

**INQUIRY INTO CROWN LANDS REGULATIONS 2021 (S.R. 2021, NO. 87)**

**MARK BRYCE**, DIRECTOR LANDSCAPE PROGRAMS, PARKS AND WILDLIFE SERVICE; **JESSE WALKER**, TEAM LEADER (ASSESSMENTS), POLICY AND PROJECTS, PARKS AND WILDLIFE SERVICE; **SUZY KIDD**, MRS JACQUIE PETRUSMA'S OFFICE, MINISTER FOR POLICE, FIRE AND EMERGENCY MANAGEMENT, MINISTER FOR THE PREVENTION OF FAMILY VIOLENCE, MINISTER FOR PARKS; AND **LUCY THORNE**, MANAGER, PROPERTY SERVICES MANAGEMENT, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

**CHAIR** (Ms Rattray) - Thank you very much for your time today. The committee felt that this was an important issue, and to actually have the information on the public record would be advantageous, not only for us as members, but also for the general public. We will start the broadcast.

Before we ask you to take the statutory declaration, you are most welcome to remove your mask when you are speaking. Sometimes it is not as clear when you do not, so that is acceptable, but when you are not speaking, if you put it on, that is helpful. I would like to introduce our members, because we do have a return member and a very new member today. We have Janie Finlay, MP; we have Ruth Forrest, MLC; myself, Tania Rattray; we have John Tucker, MP; our newest member of the committee is Lara Alexander, MP; and we also have Meg Webb, MLC. We have our secretariat support, Julie Thomson; and Allie; and we have Gaye and her support on Hansard; thank you.

Thank you, and welcome to the public hearings of the Joint Standing Committee on Subordinate Legislation, in the inquiry into Crown Land Regulations 2021 (No. 87). The evidence taken at this hearing is protected by parliamentary privilege and I would just like to remind you that the comments you make outside of the hearing may not be afforded such privilege. You have read the copy of the witness statements information? Thank you. The evidence you present will be recorded and broadcast and the *Hansard* version will be published on the committee's website when it is available.

I would invite whoever - I think Mark - you are going to make an opening statement, in regard to the crown land regulations that we have before us. Thank you.

**MARK BRYCE** - I am unsure as to the particular aspect of the crown land regulations that the committee wishes to explore but by way of introduction, as you would be aware, the Crown Land Regulations 2011 were reviewed in 2021. The regulations primarily relate to the care and control of public reserves and the use of the public reserves, primarily.

Public reserves are dedicated under section 8 of the Crown Lands Act 1976. Public reserves cover approximately 21 600 hectares in the state. It is 0.23 per cent of the land area of the state. The public reserves are usually managed by the Parks and Wildlife Service with

the Director General being the managing authority. Many of the public reserves are usually licensed by local councils for public use.

So, if you would like I can go through the changes.

**CHAIR** - That would be excellent, thank you.

**Mr BRYCE** - Notable changes to the Crown Land Regulations were regulation 3. There are some new interpretations, inclusion of a new definition product of wildlife to provide clarity about what products of wildlife is and that references the Nature Conservation Act. Previously it just appeared in there without any definition whatsoever.

The amendment to regulation 11, to include flying devices to address the use of remotely-piloted aircraft or drones, as most people refer to them, in a public reserve. An update to the provision by which a person can be notified of limited access to certain places to include electronic means. An example is where we might have public reserves affected by fire and the need to put up electronic boards to alert people to the fact that it is closed mainly due to safety concerns. This provision previously was only via a sign or a published notice. So, that is keeping up with the times.

The previous regulation 23 was updated to once again enable electronic communication and authority, an authority which can be granted under regulation 22 now. Once again that includes latest technology, website, electronic communications where previously it was all written.

There is an extension to the exclusion period for a person found offending on a public reserve. Those instances where someone can be excluded is included in the regulations. Previously it was only for 24 hours, but now that has been extended up to a maximum of seven days. This reflects some of the seriousness of those activities and also it is consistent with the management of reserve land. Often, the Parks and Wildlife Service is managing reserve land which is adjacent to a public reserve so it ensures that consistency in approach.

There is an increase in the number of penalty units assigned to regulation 27 from two to five, five being the maximum that is allowable under the act.

There has been an update to the delegation's regulation 29 to include more generic titles. Previously, that was quite restricted, so that allows a bit more flexibility to delegate powers to individual roles or titles.

On top of that, there are a number of minor inconsequential amendments recommended by the Office of Parliamentary Counsel.

**CHAIR** - Anything that you would like to add to that Suzy, Lucy or Jesse? No? Thank you then.

I will open it up for questions now. I note on the fact sheet that was provided, that you talk about targeted consultation that was undertaken with stakeholders. Can we have some indication of who those stakeholders were as a targeted consultation process?

**Mr BRYCE** - I checked on that. Most of it is internal. We have operational managers, we have regions and the regional staff implement these regulations and law enforcement officers are mainly engaged in implementing the regulations.

**CHAIR** - No broad consultation?

**Mr BRYCE** - No broad consultation in that the extent of the changes that were possible were quite limited because of the act.

**CHAIR** - My other question is about the extension of the exclusion period from 20 for offending on public reserves and from 24 hours to a maximum of seven days. You refer to reflect the seriousness of specific offences. Was seven days considered for a serious offence? I would have thought seven years.

**Ms FORREST** - You have to police it, don't you?

**CHAIR** - You have to police seven days for that matter. Just some indication, I know it might well be reflected in some other area but I am interested in where the seven days comes from, considering the serious nature of the offence.

**Mr BRYCE** - The reasons that you can restrict access to a public reserve is if someone is intoxicated and they are acting in a manner that may offend, annoy or injure another person and obstructing an authorised person to actually exercise powers. These are very similar to what we experience on reserve land. That was where seven days were considered sufficient by law enforcement officers for those types of behaviours to moderate and possibly allow in after that. I think it was linked to those types of behaviours and what was reasonable.

**Ms WEBB** - I am interested in that too because it is quite a jump from 24 hours to seven days. The things you described then, where here the explanation is to reflect the seriousness of specific offences. The things you described in that explanation did not sound overly serious, to be honest. Can you give us some more detail about the rationale that sits behind that and how the period of time is going to be determined? Presumably it can be up to seven days, so somebody decides is it 24 hours, is it three days or is it seven? What does warrant seven? Being intoxicated and being annoying? It does not sound particularly serious and it doesn't sound like it needs seven days.

**Mr BRYCE** - It is probably unlikely that it going to need seven days. More that when someone is harassing another camper in a public reserve and they might actually suggest that they can't return for the next couple of days but if they do so they might up that. We would usually involve the police in such circumstances.

Often with the crown land regulations there are other regulations that we probably would use and are more appropriate to the circumstances. There is a request from law enforcement officers that it will be useful to have a longer period of time.

**Ms WEBB** - Of course they would request that. That advice was not sought from anybody else on the appropriateness of that length of time other than the request from law enforcement officers?



**Mr BRYCE** - No, we have based it on the recent review of the National Parks and Reserves regulations.

**Ms WEBB** - Was that done on the request of law enforcement officers too?

**Mr BRYCE** - Yes, that is right.

**Ms WEBB** - Interesting. I am a little bit disturbed by that to be honest. It is a long time to say someone cannot come into a public area for seven days. I understand the functionality of wanting to be able to remove someone who perhaps is presenting a problem and some time elapsing will assist with that dying down. However, that is quite a long time to exclude someone from a public space and to do it just at the request of law enforcement, who, of course, will always prefer to have more availability in what they can bring to bear than not.

**Ms FORREST** - I assume this same provision would be used more if someone was intoxicated and being a nuisance in public. I can think of some reserves in my electorate where this used to happen repeatedly, destroying infrastructure and the like. Would this seven-day rule be more likely to be used for repeat offenders who keep turning up and harassing people?

**Mr BRYCE** - Yes.

**Ms FORREST** - What I am hearing you say, and I would like you to clarify, is it would have to be pretty serious or repetitive to actually get anywhere near a seven-day exclusion. But just one person being intoxicated and perhaps being a bit abusive while that is never okay, but they are not going to get seven days straight up of exclusion.

**Mr BRYCE** - No, very unlikely. In some places, for example Cockle Creek where you have a group down there, they are particularly boisterous. They have a lot of alcohol of an evening. If they end up harassing other campers nearby they might be excluded. If they are only excluded for 24 hours then and they come back in and just repeat the same behaviour, this allows us to say 'you need to stay out for a little longer now', which would usually involve the police too.

**Ms FORREST** - Would the seven days in the example you used, when they are excluded for 24 hours and then came back and did similar or worse, be seven days on top of that potentially?

**Mr BRYCE** - Yes, potentially it could be so. Separate events, separate incidents that occur. Second time around.

**Mr TUCKER** - I was going to ask you about the hunting equipment. You have there in the regulations that means any implement, weapon, apparatus, or material that a) yes, I can understand, b) is incapable of being so used because of. Can you explain a little bit more what you mean in there? That could mean anything. That could mean a chair, a table, a head the way it reads at the moment.

**Mr BRYCE** - It was expanded to include the definition for products of wildlife under the Nature Conservation Act. The Nature Conservation Act refers to animals, whether they are dead or alive and includes dead bodies of animals. It includes eggs from any form of wildlife and nests. It is a broader definition. If you are using equipment to take those sorts of things,

that is covered now. Where previously taking of wildlife has a particular definition, a common definition, this actually links it to the Nature Conservation Act so we get consistency in the way we deal with products of wildlife now.

**Ms WEBB** - I was interested again for a little more explanation on the penalty unit increase in regulation 27, the jump from two to five penalty units and the rationale behind that particular magnitude of increase.

**Mr BRYCE** - My understanding was it was a recommendation from the Office of Parliamentary Counsel.

**Ms WEBB** - For a consistency purpose I assume?

**Mr BRYCE** - Yes, consistency for most of the level five penalty units now.

**Ms FORREST** - Going to the use of aircraft and flying devices. We have had the issues of drones dealt with by way of bylaws in this committee previously with council bylaws. I am interested to know who would determine what is an emergency. You could have someone in a public reserve area who has injured themselves and the quickest way to get particular support may be via drone. We can maybe see more of that being used to deliver medical aid. How is an emergency defined or declared that would make that safe to do or acceptable under the regulations? You cannot even fly over to drop anything.

**Mr BRYCE** - Yes, well, we do not control the air space, so it is really about that landing or the dropping of something from an aircraft. So, most of all emergency flights are actually conducted by the Police, Search and Rescue.

**Ms FORREST** - Including drones, that might be delivering aid?

**Mr BRYCE** - They could actually start using drones in the future. That would all be considered, I would think, in an emergency under the definition of 'emergency'. We have had instance, where pilots have had to land for an emergency situation. We have had instances elsewhere, on reserve land, where some assessment was needed to be made as to whether it was an emergency situation. That is where we would actually consult with relevant specialists in those sorts of cases.

**Ms FORREST** - Okay, and parachutists? It does not refer to parachutists? Can parachutists land on a public reserve? I am hoping they are not dropping out of the aircraft but I hope they are coming down gently.

**Mr BRYCE** - They are not using the aircraft. This regulation is about the obligation that is on the pilot because the pilot is flying the aircraft and they are throwing things out of the aircraft. It is the actual person who is controlling that aircraft.

**Ms FORREST** - So, it is their responsibility as to - but a parachutist can land in a public reserve?

**Mr BRYCE** - Yes

**Ms FORREST** - If you need to clarify that further after the hearing, feel free. I mean particularly as sometimes they go a little bit off course, as we know. I have no desire to jump out of a perfectly well-functioning aircraft, but my sons did. Before they went, I just told them to tell me when they were done.

Just going back to the preservation of good order in relation to the Government House land, that has increased the penalty units there as well. Just wondering whether that was just for consistency or have there been incidents there that the Governor has or the Governor's Office has requested such an increase?

**Mr BRYCE** - No, I am not aware of any instance. I think it was mainly about inconsistency and also the fact that two penalty points are pretty minor nowadays. You know, it is a fairly low level. So, I think they were just keen on maintaining relevancy.

**Ms WEBB** - I wanted to clarify that limited access to certain places would have been added in the electronic display of a notice to restrict access. The way it is worded, the managing authority of a public reserve may display the sign that is in the public reserve or now, electronically. And then, of course, there are penalties if people do not comply with that notice.

So, are there circumstances - I understand that in an emergency or at short notice putting it up on website of whatever is going to be the biggest way to alert people to not be in a place, but, are there going to be times people might be inadvertently entering somewhere, where there is not a physical sign but on a website somewhere, there is a notice to say 'do not go there'. They would not necessarily have cause to have looked on that website?

**Mr BRYCE** - Yes, that is right and we would be taking those circumstances into account in dealing with anyone in those circumstances. So, obviously being reasonable, someone is already there or on their way and they did not happen to see it, it was not well publicised, all those sorts of factors.

**Ms WEBB** - So, there is flexibility in applying that?

**Mr BRYCE** - Well, there is discretion you would use depending on the circumstances.

**CHAIR** - Division 1 (9), which is about the removal of vehicles. We often see where vehicles have been dumped, if there is an ability to identify who owns the vehicle, there may well have been a stolen vehicle. Is there any opportunity to recoup some finances? You do not get anything towed for no charge these days. Is that something that happens very often? Page 9, number 9, removal of vehicles.

**Mr BRYCE** - I would have to take that on notice as I am not actually sure. Usually, where we can identify the owner of the vehicle, we would be contacting them. I do not have any of that information to hand.

**CHAIR** - If that can be provided for the information of the committee, because we know unfortunately that can happen, quite a bit on crown land, wherever they can put it out of the way. I will just go up and down the table, yes, thank you, Mr Tucker?

**Mr TUCKER** - I was going to follow on from Meg, who has covered most about the website operated in the authority. I wonder if you could expand a little bit more on that, how

that will be operated, and how it will affect people, like you said before, that might have missed it. It might have been well publicised and is on a website, but not there as a sign or something like that at that a particular site.

**Mr BRYCE** - Signs would always be used, but, by electronic means also increases the chance the information will get out there to those intending on visiting. The signage, is usually erected in major entry points to the public reserve.

Electronic means is another mechanism we can use to communicate. I cannot imagine there would be a situation where we would need to in the longer term of more than the first few hours, just put electronic notice up saying no access to the public reserve.

It is mainly for public safety, particularly where areas are being fire affected was the main motivation behind it.

**CHAIR** - If there are no further questions, on behalf of the committee we would sincerely like to thank you for your time today, it is very useful information. It also shows a clear intention by the committee to thoroughly examine the regulations that are in place and we trust the community appreciate, not only the work that you do but the work the committee does here.

Thank you, again to remind you that public hearing was broadcast and anything that you say outside of this is not afforded parliamentary privilege. Again, we thank you.

**THE WITNESSES WITHDREW.**