

UNCORRECTED PROOF ISSUE

Tuesday 24 June 2008 - Estimates Committee B (Bartlett) - Part 1

LEGISLATIVE COUNCIL

ESTIMATES COMMITTEE B

Tuesday 24 June 2008

MEMBERS

Mr Dean
Mr Finch
Mr Wing
Mrs Jamieson
Mrs Rattray-Wagner (Chair)
Ms Ritchie

SUBSTITUTE MEMBERS

IN ATTENDANCE

Hon. David Bartlett, Premier; Minister for Education and Skills; Minister for Workplace Relations

Department of Premier and Cabinet

Greg Johannes, Executive Director
Marguerite Scott, Director, Community Development
Rhys Edwards, Secretary
Rebekah Burton, Deputy Secretary
Phil Foulston, Director, Executive Division
Anna Cuthbertson, Executive Officer
Jeff Reeve, Acting Director, Corporate Services
Peter Wright, Manager, Finance
Frank Ogle, Director, Public Sector Management Office
John McCormick, Director, Policy
Jamie Bayly-Stark, Director, Policy
Phil Hoysted, Director, Tasmania *Together* Progress Board
Mellissa Astinakis, Director, Social Inclusion Unit
Hayden Jones, Project Manager

Department of Justice

Lisa Hutton, Secretary
Brian Smith, Deputy Secretary
Michael Stevens, Deputy Secretary
Peter Fischer, State Planning Adviser
Roy Ormerod, General Manager, Workplace Standards

Department of Education

John Smyth, Secretary
Greg Glass, Deputy Secretary, Corporate Services
Jenny Gale, General Manager, Strategic Policy and Performance
Liz Banks, General Manager, Learning Services North-West
Lynne James, Manager, State Programs - Students
Andrew Finch, Director, Finance, Facilities and Business Support
Sue Kennedy, Manager, Ministerial and Co-ordination Unit
Siobhan Gaskell, Director, Information Service and Community Learning
Mark Sayer, General Manager, Skills Tasmania
Malcolm White, Chief Executive Officer, TAFE Tasmania
Tony Luttrell, General Manager, Corporate Services, TAFE Tasmania
Suzie Jacobson, Manager, Corporate Affairs

Parliament

Peter Alcock, Clerk, House of Assembly
David Pearce, Clerk, Legislative Council
John Birch, Manager Finance, House of Assembly
John Menadue, Manager, Parliamentary Services, Legislature-General

Office of the Governor

John Chilcott, Official Secretary of the Governor
Andrea Lidster, Budget Officer, Government House
Anna Cuthbertson, Executive Officer

Ministerial Staff

Terry Field, Chief of Staff
Mat Rowell, Deputy Chief of Staff
Alison Woolford, Office Finance Manager

The committee met at 9.30 a.m.

CHAIR (Mrs Rattray-Wagner) - Premier, welcome. This committee would like to take this opportunity to congratulate you on being appointed Premier of our State, and we are very pleased to have both the Minister for Education and Premier of Tasmania in this committee process this week. It is our intention to go through the output groups as we have already prearranged, starting with Division 7, and as we have already come to an arrangement with how we might do this process today, I would ask you to commence with that. Premier, I ask you to lead off.

Mr BARTLETT - Thank you. I will give a very brief overview of these two parts of my portfolio of Planning and Workplace Relations, which come under the Department of Justice. I took over this portfolio in April this year and in that short time I have become even more aware and therefore very keen to keep the portfolio as Premier, particularly around the planning system and industrial relations and keeping our workplaces safe, because I see them as highly important things. When it comes to the regional planning approach we are taking and the review of the planning system, I took the view that it had seen a couple of ministers and I wanted to keep it and see it through as much as I could to the end because I see them as very parts of our strategies of enabling economic growth and sustainable communities throughout Tasmania.

Therefore in this year's Budget there is \$750 000 for settlement and investment strategies that builds on the local government regional planning initiatives by developing regionally-based settlement and investment strategies to guide sustainable growth in the State for the next 20 years. There is an additional funding of \$1.2 million over three years that has been allocated for approvals and compliance in the Workplace Standards Tasmania area. While that might not sound very exciting, I know this committee will have a peripheral interest in mine safety and I intend to see some of that money used for the employment of new mines inspectors and so on to beef up our capacity in that area, although I am sure you will recognise that that is a very difficult task given that we have just employed one new principal mines inspector and that took us some months in a booming mining industry to find those skills. But we will be working hard to find more and this additional money will enable us to do so.

Another one close to my heart is the appointment of a Tasmanian State Architect. We all know how vital our existing heritage in the built environment is in Tasmania and how significant it is on a national and international basis, but I would also say that our future heritage is also very important, and that includes the sorts of public buildings we are building now, like schools, hospitals and so on but also throughout the State looking at the right sort of design principles so we can ensure that what we do build now is the heritage of the future and not the eyesores of the future or the functionally-reduced buildings of the future.

Other highlights of the portfolio in the coming year will be the completion of the review of Tasmania's planning system, which I think has a week to run in terms of public submissions - no, it closed yesterday, I am sorry. I know members of the committee will want to flesh out where we are going with that. I am also looking forward to implementing a package of recommendations coming out of the Clayton workers compensation review, and I would be happy to explain to the committee today where we are at with that exactly. Mine safety, of course, is another focus and as I have said, we will be announcing a range of national safety standards and guidelines in the coming weeks as a first response to the coroner's recommendations from the Renison mine inquest, but there is more work to be done there and I am already meeting with the unions and industry to map out a way forward to ensure that Tasmania has, and is seen to have, the safest mines in the country.

I was also pleased to be able to refer the draft State policy on the protection of agricultural land during my first week as Premier to the RPDC for assessment after a review involving extensive consultation and, of course, members would know that that is also being dealt with through both Houses of the Parliament at the moment. So that is my brief overview and I am happy to take questions in whichever way you see fit, Madam Chair.

DIVISION 7

(Department of Justice)

CHAIR - Thank you very much, Premier. We will now make a start on Division 7 and I am going to start off by asking about the department itself that looks after this area. You talked about the difficulty in getting a mining inspector. Can you tell me how many new appointments have been made, have there been any redundancies and are there any staff on long-term sick leave or workers compensation leave?

Ms HUTTON - It depends on whether you mean Workplace Standards only.

CHAIR - Just in the general area.

Mr BARTLETT - Because this department has effectively two ministers - Minister Llewellyn would look after every other output other than 9, 10 and 11 - I can only provide as much information as we have but Minister Llewellyn is probably the primary minister of this department as he has the bulk of the outputs. I am happy to talk about whole-of-department things or each of those output groups that I am responsible for - which would you prefer?

CHAIR - Your output groups would be appreciated.

Mr BARTLETT - Okay. What was your question again?

CHAIR - We talked about staffing issues and obviously in an annual report we can find out how many staff there are but we are looking to drill down on how many new appointments have been made in the areas of each output group, and redundancies, any long-term sick leave or workers compensation leave.

Mr DEAN - Madam Chair, can we include in that the salaries of any new employees and vehicle allocations et cetera?

CHAIR - Under new appointments I already indicated that.

Mr BARTLETT - I am informed Mr Ormerod can tell you a bit about new appointments in the Workplace Standards area and Mr Smith can talk about cars and things like that or at least provide us with that information.

Mr ORMEROD - I cannot give you exact figures on how many have been appointed and how many have left through the year but I can say that there have been no redundancies in our area at all. There have been no workers compensation claims of any significance in relation to the inspectorate. We are currently carrying three vacancies in the general inspectorate and we are about to advertise those vacancies now. We have advertised for five trainee positions because we realise that in the inspectorate we have a problem that most Tasmanian workplaces experience

these days - an ageing work force - and from those five vacancies advertised we received 106 applications and are in the process of going through those for selection of the five trainees.

There was a major question about mining. We currently have two mining engineers and two general OH&S mine experts, making a total of four in that unit, and we intend to increase that further. The biggest challenge we face in the OH&S area is the recruiting of qualified OH&S people.

CHAIR - Thank you. Premier, I think we have our wires crossed here. I was starting off at output group 9, which is the top of Division 7, so I apologise if we have been a little confused.

**Output group 9
Industrial Relations Services**

9.1 Services of the Tasmanian Industrial Commission -

Mr BARTLETT - That is all right. Perhaps Michael Stevens can answer the same question for output group 9 in broad terms. We can answer in broad terms and then table the information in detail, hopefully by the end of the day, if you want us to.

Mr STEVENS - Certainly in the Tasmanian Industrial Commission there has been no appointments in the last 12 months in terms of the commissioners. Regarding the staff themselves, I can check for you, I am not totally sure but I am not aware of any replacement at the administrative level. There have certainly been no redundancies.

Mr BARTLETT - It would be true to say we have had a retirement in the industrial relations policy area.

Mr STEVENS - As of about four days ago we have had a retirement in that area, so we currently have a vacancy there.

CHAIR - How do you go about replacing them? A retirement might suggest that there is quite a bit of expertise that may be lost to the area, so how does your office go about replacing that expertise?

Mr STEVENS - We go through a normal selection process. There is a position description which requires a significant amount of experience in the State Service and other areas so we would not anticipate there would be a particular problem with succession planning.

[9.45 a.m.]

Mr BARTLETT - I would add, at the risk of fluffing his ego too much, that Michael Stevens, as Deputy Secretary, has an enormous amount of experience in industrial relations through being the State Service Commissioner at one stage, Director of HR in the Department of Health at another stage, and a general manager in education for some time.

Mr STEVENS - Thank you, Mr Premier.

CHAIR - He certainly has a handle on your CVs!

Laughter.

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Mr WING - It must be difficult because you seem to be on the move all the time!

Mr BARTLETT - Only onwards and upwards!

CHAIR - That's what we are finding - it's quite a mismatch as we work through these departments. Premier, you said it is responsible for awards approval, industrial agreements and resolutions, so can you give me an idea whether there has been any creation of awards or approvals of industrial agreements? How many? Do we have a quantum of those particular areas?

Mr BARTLETT - Okay - a statistical picture of the commission's activities over recent years: I can give you a view over the 2004-05, 2005-06 and 2006-07 financial years. New awards created were two, five and two over those three periods. Award variations were 53, 32 and 22. Disputes handled - termination of employment, breach of awards, severance pay, long service leave, breach of IR act - 409, 380 and 217.

CHAIR - It has steadily gone down.

Mr BARTLETT - It has. It has gone down both in terms of creation of new awards and in terms of disputes. Registered agreements have also gone down - 98, 115 and 19. So there is a significant drop-off there. Full bench proceedings were nine, 20 and eight. Under other categories, long service leave disputes were two, seven and zero. I am informed that WorkChoice has led to the fall - due to agreements being ticked off nationally.

CHAIR - But there is no requirement for them to come through the State process?

Mr BARTLETT - Not post-WorkChoices.

CHAIR - Will that change with the changes to WorkChoices?

Mr BARTLETT - There are a number of national IR system impacts that have potential to have effect in Tasmania. Our position is that we have not signed up to the new national system that the new Government in Canberra is proposing and we will not do so until we see the substantive legislation and have it available for scrutiny; until we understand more deeply the governance arrangements that have been agreed and finalised about how a Federal body might work and might serve Tasmania, for example; and until the terms of the inter-governmental agreement have been agreed to. Those three things are the precursor to our signing up willingly to the Federal Government's proposals.

CHAIR - What involvement has this department had in that Federal overarching -

Mr BARTLETT - At senior officer level they would be meeting fairly regularly these days. I have attended one ministerial council of workplace relations ministers, which was four weeks and four days ago - I can pinpoint the day - and I would characterise the discussions there as not heading rapidly in the direction that the Federal Government thought they might. The States are waiting to see substantive information on some of the proposals before signing up. While there is a spirit of cooperation around the table, there is also a desire to see the genuine impact on individual States.

CHAIR - Have there been significant changes to the Industrial Relations Act 1984?

Mr BARTLETT - I am informed that there have not been any significant changes to that.

9.2 Workers Rehabilitation and Compensation Tribunal decisions -

Mrs JAMIESON - Last year I noticed there were 12 cases involving the departments. How many decisions went against the department?

Mr BARTLETT - I might have to take that on notice and try to get you that information. I do not have it with me.

Mrs JAMIESON - I just wondered whether any of them were ongoing as well.

Mr BARTLETT - While this tribunal is administered out of this department, the data would be held by each individual agency. They would manage their own workers compensation activities. I am sure we could get you an aggregated summary of that. The tribunal would hold that information, and we can get it for you.

Mrs JAMIESON - Okay. I was also interested in the breakdown of any costs that might have been awarded against any of those government departments and whether any of those decisions are ongoing or have been appealed. Are you saying that all that information would be available on request?

Mr BARTLETT - We would endeavour to get it for you.

Mrs JAMIESON - Thank you.

Mr DEAN - On that point: would any common issues coming out of any of those hearings be within your area to determine where you go in the future?

Mr BARTLETT - Well, yes in broad terms. But this is an independent tribunal and essentially the department's role is that of a postbox, if you like - they pay the salaries and provide the corporate support. But this is an independent tribunal that operates like a court. The chief commissioner, in his recent annual report, has drawn attention to the large number of claims resolved in negotiations by the parties under the umbrella of a common law settlement that does not appear to have rehabilitation and the return to work of the worker as a primary consideration. That is a case in point where the chief commissioner has made a statement about a trend he is seeing through the tribunal that we would need to respond to in a policy sense - or get agencies to do so.

Mrs JAMIESON - Do you use videoconferencing and linking when it comes to hearings or are they all actual, physical court cases?

Mr BARTLETT - They are generally face-to-face.

Mrs JAMIESON - I was just thinking of the difficulty some people might have in getting down there to a court case.

Mr BARTLETT - If there were difficulties we would be able to facilitate those people.

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Mrs JAMIESON- So would we have any idea how many may have been video-linked?

Mr BARTLETT - I do not think so. We could ask the tribunal.

Mrs JAMIESON - Thank you. When it comes to retraining and other tasks that are part of the return to the work force, are they actually directions that are given through the findings of the court cases?

Mr BARTLETT - Essentially the tribunal is committed to providing dispute resolution -

Mrs JAMIESON - So part of that dispute resolution could be a direction into retraining or rehabilitation of any sort?

Mr BARTLETT - Yes, I would imagine so. It might be a negotiated outcome between the parties under the auspices of the tribunal; it might be directed by the tribunal if parties cannot come to agreement. But essentially the outcomes of the tribunal that would be consistent with the aims of the Workers Rehabilitation and Compensation Act. The registrar conducts a conciliation process under the auspices of the tribunal. The use of commissioners in the conciliation phase was commenced a number of years ago and I understand that stakeholders believe that that is the right way ahead. Commissioners are engaged in a conciliation process that gets the best outcomes without getting into more formal proceedings. Since that has been in place we have found that the conciliation phase provides timelier and more cost-effective services, especially in the north and north-west.

Mrs JAMIESON - Do we have enough conciliators in specialised areas?

Mr BARTLETT - I understand there is no backlog of cases, as it were, and that would be a good indicator that it is reasonably well staffed. I even have photos to show you! Let me read from the annual report of the Workers Rehabilitation and Compensation Tribunal from last year. It says:

'These photos illustrate the premises, and more particularly demonstrate the different environment in which arbitrated hearings and conciliation conferences occur. There are videoconferencing facilities at the premises in Hobart and Launceston. The tribunals continue to use the Ulverstone Magistrates Court which has now been refurbished and used by the IR Commission of Tasmania. The continued use of this facility is part of a cooperative arrangement the tribunal has with the IR Commission of Tasmania, with the commission using the tribunal's premises in Launceston. The tribunal continues to use a conference room located at the Workplace Standards Authority office at Reece House in Burnie. In particular, these premises, together with the videoconference facilities are used in respect of section 81A referrals in order to relieve parties of the obligation to travel from Launceston or Hobart to attend such hearings.'

Mrs JAMIESON - I noticed on the web site that there has been a bit of peak in the winter period. Is there a reason for that? In June and July there were about 12 cases and then in September they tail off to December.

CHAIR - They're probably on holidays. And it's warmer inside in winter!

Mr BARTLETT - I do not know whether that is statistically significant or not, although I imagine that people take holidays over the summer and the throughput slows down. I understand that there is a relatively small number of cases anyway, so you will get a bit of lumpiness statistically in the throughput. I am informed that there is no backlog of cases to deal with at any particular time of the year, so therefore the tribunal seems to be working in an orderly fashion.

Mrs JAMIESON - Would any of the decisions made by the tribunal have been appealed at all? If so, how many?

Mr BARTLETT - I can tell you that on purely a numerical basis the conciliation process conducted by the tribunal continues to be very successful in that of something like 75 per cent of cases are resolved in conciliation. The secretary tells me that she cannot remember any appeals.

CHAIR - I suggest that is a good sign.

[10.00 a.m.]

Mr BARTLETT - So therefore it would be a fairly low number. There certainly have been no appeals in the past year. One hundred matters were settled; return to work was trialed in 43 cases; return to work incorporating settled, 34; settlement involving resignation from employment, 57. It doesn't list in the annual report details of any appeals, so one might assume that they were either very few in number or nonexistent.

Mrs JAMIESON - I was wondering also whether within the work processes staff were actually given very clear guidelines about grievance procedures and how to look after themselves as well -

Mr BARTLETT - Are you asking that across the public sector?

Mrs JAMIESON - Across the whole public sector because a lot of workers don't seem to understand there are grievance procedures and different ways to deal with things depending on the context.

Mr BARTLETT - Every HR branch across government in every agency would have a clear grievance procedure in which to deal with -

Mrs JAMIESON - Yes, but do the workers understand? That is where I am coming from.

Mr BARTLETT - I understand it is accessed quite frequently, which I am not sure is a good measure, but it means that they are aware of it.

Mrs JAMIESON - That's good if people are aware of it and they are actually utilising it. In the Budget for this year we are looking at \$1.1 million but it is then increasing. Is there a reason why it is increasing - is that just routine increasing?

Mr BARTLETT - Just normal indexation.

Mrs JAMIESON - Okay, fine.

9.3 industrial relations policy and advocacy services -

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Mr FINCH - My naive budgetary mind sees this constant figure of \$320 000 which runs right through for industrial relations policy and advocacy services. My question is: Why would it run through just at \$320 000 each year?

Mr DEAN - It is \$322 000 each year.

Mr FINCH - Sorry, \$322 000 each year.

Mr SMITH - This output was transferred to Justice a couple of years ago from the Department of Premier and Cabinet, and that is the amount that was officially transferred to us. But the Department of Justice is in negotiations with Treasury to make sure that this does get indexation. There is not any indexation included in this, like there is in every other output in our agency. Hopefully when we see the Budget papers next year there will be an amount in there for indexation, so we are looking at fixing that.

Mr FINCH - What would you expect that to be, 3 per cent or what?

Mr SMITH - Yes, the normal salary indexation of 3.5 per cent and the non-salary indexation of 2 per cent. So it will go up and our forward Estimates will be changed to fix that. This is a genuine mistake.

Mr FINCH - This allocation just goes into the service and into a pool of money that is used for these services?

Mr SMITH - For that service for that output, yes.

Mr DEAN - Just on that point, does that mean you are able to run that area on that amount of money so why would you want it indexed at this stage or are you running into the black already?

Mr SMITH - No, funding is sufficient to run the output, but it is normal Government policy for every output to get indexation.

Mr DEAN - Is it necessary for that to occur if you have sufficient money there? It would seem from the Budget papers here that you do.

Mr BARTLETT - I will answer that. While we have sufficient money in that output, what will happen over time is that due to the public sector wages agreement that will increase by - when the unions hopefully agree to it - somewhere between 20 and 29 per cent in public sector wages over the course of the life of the agreement. What will happen is that the money that goes in salaries ends up chewing up more and more of the overall global budget and there is less recurrent dollars in flexible funding that might fund projects, fund inquiries or fund the work that actually is done. While for some years you could sustain a 3.5 per cent increase in salaries, after a while it would eat up and swallow the whole \$322 000.

Mr DEAN - I accept that after a period of time, but it would seem that it is adequate at this time and it is satisfying your needs. That is what it would appear in the Budget papers.

Mr BARTLETT - But it will not forever.

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Mr DEAN - No.

Mr FINCH - It just seemed interesting that it is such a constant. How many people are involved in policy and advocacy services? Can be it be worked down into that basis so that you know how many are actually in that service at any given time?

Mr SMITH - There was one who has retired.

Mr BARTLETT - It was one who has now retired.

Mr FINCH - I heard about that earlier.

Mr BARTLETT - So we have a vacancy there.

Mr FINCH - So it is only one person?

Mr BARTLETT - It was up until last Friday.

Mr FINCH - What would \$320 000 per year be used for if there is only one person involved in that section?

Mr DEAN - A healthy salary.

Mr BARTLETT - I don't think he earns that much.

Mr FINCH - What would that money be used -

Mr BARTLETT - I will ask the deputy secretary to talk about services.

Mr STEVENS - There is a range of non-salary items such as travel, various subscriptions, a car and a few other things - a whole range of support mechanisms which are not provided directly by that person but which are, if you like, costed to that output that result at the end of the day with advice being provided to the Premier, or the Minister for Industrial Relations as it was then, on a range of private sector awards. With WorkChoices and the move to Forward with Fairness, a significant amount of work through consultancies and whatever has been done to work out -

Mr BARTLETT - Forward with Fairness is the Federal Government's new 'not WorkChoices'.

Mr STEVENS - But just to point out, if it is of use to the Committee, that WorkChoices basically used the corporations power to cover all private sector employees. If you could use the word, it was a 'hostile' takeover of awards by the previous Federal Government, and there was an amount of court cases involved in trying to establish the State rights on that, which I have to say were not successful. With the new Federal Government coming to power, one of the things that they ran with was that they would keep the national private sector system but they would seek to implement it through a cooperative approach with all States and Territories, which is why we have all the meetings now and they would continue to cover all private sector employees who are covered by the corporations power. But they are also seeking to refer the power to cover those unincorporated either partnerships or sole traders so that the private sector would be covered by

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the Federal system. There is a significant amount of money in researching how we actually do that.

Mr FINCH - So how much of that \$322 000 would be on the salary for the person involved?

Mr STEVENS - About half, I would say. I can find out exactly, if you wish, but off the top of my head it is about half.

Mr FINCH - And would it be advertised at that rate?

Mr BARTLETT - It would be true to say that the retirement gives us an opportunity to rethink how the department provides these services. Essentially, it is providing a service to me of advice on national and local IR issues. It would be true to say - wouldn't it, deputy secretary? - there is some rethinking going on about whether we need one high level person there or whether it can be taken up in another function within the department and that money distributed elsewhere or whatever the case may be.

Mr STEVENS - That is exactly right, and in essence the final wash-up of the Federal scene will determine the best way that we could deploy our resources.

Mr BARTLETT - But whatever jobs are determined are needed in that would be subject to the normal State service recruitment process.

Mr FINCH - Thanks, Premier.

Mr DEAN - I did have a question on these services. So obviously that service requires a lot of travel, is that right?

Mr STEVENS - Quite a bit. There are a lot of high-level meetings. The officers meetings are sorting out what the national advocacy system is going to look like. Every State and Territory has an officer that is negotiating for the whole of government.

Mr DEAN - If we are talking about travel, what about interstate travel? Does the office require that one person to travel around this State?

Mr STEVENS - Not as much, no, because the actual output provides advice to the Minister for Industrial Relations who in this instance is the Premier, but we don't actually provide advice to the private sector.

Mr DEAN - So the work is done either in the office and/or travel to the mainland and what have you?

Mr STEVENS - On the whole, yes.

Mr DEAN - My next query is then: Why does a car go with this position when the office is here?

Mr BARTLETT - Can I take the question - can you ask the questions through me? I am happy to distribute questions where they need to go but I would prefer to answer the questions, where I can, myself. The State service award would determine whether or not any individual at

particular levels gets a car or not. My understanding at the moment is that an SES1 position is entitled to a privately plated vehicle as part of a salary package that is available to those people; an SES2 is entitled to a different level of car; and an SES3 a different level of car again. There is a suite of cars that they can choose from.

Madam CHAIR - Most of us are aspiring to a 4, by the way.

Mr BARTLETT - Yes, it would be nice. Whereas a level 12, so non-SES, might have access to a G-plated car for work-related things if they are required to travel around the State or there might be a pool car within the department that different people can use. But the gentleman who has just retired from this position was an SES -

Mr STEVENS - He was a level 12, but it was an SES position in part of the restructure, so a car was attached to the position which he used for official purposes.

Mr BARTLETT - As we are going through the process of determining what is the right way to deliver this advice in the future, the department would size the job or jobs to determine what level - and that would be done through a process - a position like this might be advertised at to attract the right sort of skill level to it. Whether that is a level 12, or an SES1 or a level 10 will determine what is attached to that, whether it is a car or not.

Mr DEAN - Thank you, I won't take it any further.

Output group 11 Workplace standards and compliance

11.1 Safety standards and compliance -

Mrs JAMIESON - Looking at work safety standards and compliance, I notice there has been a decrease in the safety standards and compliance output which reflects the completion of funding for Beaconsfield. But how many examples of permit approvals and registrations associated with major projects and infrastructure have there been? Surely we need to maintain our money even though we have resolved Beaconsfield, we have more compliance and more awareness needed?

Mr BARTLETT - Yes, and that is why there is \$1.2 million of new money from Treasury in this Budget over the forward Estimates. You are absolutely correct that the Beaconsfield money is tapering off. While there is a lot of work around the commission of inquiry and the coronial inquest following an event like that, obviously that doesn't go on forever so that is funded as a sort of one-off. But in this year's Budget the major new money coming into these portfolios is the \$1.2 million for workplace safety and compliance. As I have said, there will be a number of priorities for that money but one of my priorities will be in mine safety. One of my most pressing priorities is for that money to be used to recruit mines inspectors and so on. However, as Mr Ormerod will tell you in great detail, we have recently recruited one principal mines inspector. In a booming mining industry the sorts of engineering skills and qualifications required for positions like this are much sought after, highly expensive and very hard to get. It has taken some six months or -

Mr ORMEROD - Three years.

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Mr BARTLETT - Three years - there you go - to recruit one. The reason why the money is in the Budget with a bit of flexibility around it is that, while this is our highest priority, we accept it is a difficult task to achieve. There are other priorities we can use the money for if we are unable to achieve it.

Mrs JAMIESON - Looking at enforcement and compliance with infringement notices, do you have on-the-spot inspections as well as planned inspections? Can you give me an indication of how many on-the-spot inspections we have had versus the number of planned ones and the response you get from management and from the workers with on-the-spot ones? I will put you on the spot.

Mr ORMEROD - It is on-the-spot inspections as opposed to infringement notices. To be quite honest, we have not been as proactive as we would like to have been because we have been responding to a lot of accidents and big high-profile issues around some workplace deaths. But we are planning a pilot in Burnie where we are running a program of unannounced visits to workplaces in Burnie. We will apply that across the whole of the State, so that we have a high profile in the workplaces. On top of that we have what we call our 'causation visits'. These are where there has been a major accident and the workplace inspector investigates the accident and goes back some six to 12 months later to see whether the practices that occurred in the workplace have been changed to ensure the possibility of the accident occurring again had been significantly reduced. That is the sort of work they do.

[10.15 a.m.]

Mr BARTLETT - There are some numbers here in terms of activity. In the 10 months ending 1 May 2008, the following activity of the workplace inspectorate was recorded: site visits, 4 289; notices issues, 245; calls to the helpline requiring further action, 2 114; and accident investigations, 98.

Mrs JAMIESON - Is it of concern that, despite the improved education and awareness that we have through all our industries now, we are still getting such a high number of accidents and incidents? Is it the attitude?

Mr ORMEROD - The accident numbers are actually coming down. There are figures here that show a reduction in accidents occurring -

Mrs JAMIESON - Is that serious accidents or all accidents?

Mr ORMEROD - All accidents.

Mr BARTLETT - I can give you some numbers around that: this comes from the Workplace Relations Ministerial Council releasing a report on OH&S across the schemes in Australia and New Zealand. The report reveals that Tasmania recorded the highest frequency rate of claims for serious injury of all workers compensation schemes covered in the report. In Tasmania there were 11.5 claims per million hours worked for 2005-06. Serious claims included all fatalities, all permanent incapacity injuries and temporary claims that involved more than one week lost time from work. The average for Australia was 9.4, so we were above that. I am pleased to say that the actual number of serious injuries for 2006-07 declined to around 3 390 from the 2005-06 figure of 3 430. That is a mild improvement. WorkCover Tasmania's own figures show that Tasmania has made good progress in reducing the number of reported workplace injuries. The overall number of injuries has dropped 26.6 per cent in the last decade.

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The national comparative performance monitoring also shows that in terms of more severe injuries - that is, injuries causing more than 12 weeks' lost time - Tasmania has improved in each of the past four years. In 2005-06 Tasmania's performance for these claims was 2.1 claims per million hours worked. Only three States showed a better result - Victoria, Western Australia and New South Wales - so we are about mid-table there. This shows that Tasmania is performing reasonably well but obviously there is room to further lift our safety performance.

Mrs JAMIESON - Is there any way of knowing the number of breaches of workplace regulations? In how many instances have breaches been brought to the attention of authorities and then, after a later check it is found that the regulations still haven't been complied with?

Mr BARTLETT - I can tell you about the infringement notices. As at 12 May this year, 29 OH&S infringement notices have been issued since the new provisions commenced in September 2007. Fourteen of the notices have been issued to individuals and 15 to companies. Fines issued overall totalled \$19 750 with individual fines ranging between \$250 and \$3 000. The introduction of infringement notices allows immediate enforcement action to be taken to quickly highlight unacceptable behaviour and encourage offenders to comply with safety and legal requirements, and also brings Tasmania into line with other States. Previously offenders had to be charged and taken to court for breaches of the Workplace Health and Safety Act 1995. This is obviously a more effective system.

Mrs JAMIESON - Thank you. Just looking at last year's comments, I notice that we had an injury management model for Tasmanian workers compensation scheme. Twelve months later are we satisfied that the model is working, both for the individual and the stakeholders?

Mr ORMEROD - That project is being sponsored by the WorkCover board, but it has not yet been implemented.

CHAIR - When is it likely to be?

Mr BARTLETT - The Clayton review into workers compensation, which I would be happy to touch on -

Mr WING - That is the name of the person doing the review, is it?

Laughter.

Mr BARTLETT - It is. It is not the review you have when you are not having a review! That was completed by Mr Alan Clayton, a Victorian-based consultant, and was released for consultation in January this year. In undertaking the review Mr Clayton consulted extensively - the stakeholders, unions, individual workers, insurers, medical practitioners and so on. Obviously there has been some contention around the workers compensation scheme in Tasmania. The report looked at the structure and level of scheme benefits and also the opportunities to improve the return to work process for workers. The report proposed 19 recommendations which are out publicly and the Government has invited stakeholder comments on each of them. The WorkCover board is currently getting actuarial advice on each of the recommendations in terms of the cost. Obviously, from a policy-setting point of view, these things are a balancing act between fairer outcomes for workers and costs of employment to employers, effectively. I understand that the WorkCover board, through the secretary, will be providing advice to me on

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each of those recommendations - packages and costs thereof - in the coming few weeks. Obviously I will be following that up by taking something to Cabinet.

Mrs JAMIESON - Why has there been a delay? Obviously last year it was intended that the injury management model be up and running by now.

Mr BARTLETT - The injury management model requires some legislative change and my advice is that I should do those legislative changes along with the Clayton's review legislative changes that will be required. We will be doing them all as a single bundle.

Mrs JAMIESON - Have we any indication of the cost of setting this up?

Mr BARTLETT - I would think the WorkCover board could provide that information.

Mrs JAMIESON - Okay; we will find out next year.

Mr BARTLETT - You could put that on notice and we will find out for you.

Mrs JAMIESON - Thank you. How many workplaces, including mines, were visited in the last 12 months?

Mr BARTLETT - There were 4 289 site visits. I would doubt they were all unique sites - there could have been two or three visits to one site.

Mr JAMIESON - Thank you. That is keeping somebody busy! Do you have a record of all the loss-to-injury time?

Mr BARTLETT - It is in that national report that I referred to. We may be able to dig that number out for you. Apparently it is on the Internet

CHAIR - I have a question from one of my colleagues. Why do we only refer to the mining industry with loss-to-injury time in the budget papers? Why don't we look at other high-risk areas, including forestry, agriculture and construction?

Mr ORMEROD - They are all recorded in -

CHAIR - But not in the budget papers.

Mr BARTLETT - Well, we may well be having an innovation in the budget papers next year because I think it is worthwhile.

CHAIR - I think it would be useful to not particularly target the mining industry.

Mr BARTLETT - None of those numbers you are referring to are secret in that they are all published nationally in the report to which I referred. I think you make a pretty good argument for having other major risky industries reported in the budget papers so that we can at least have some comparisons. We will look at that for next year. On the other hand, there is a balance as to how far you go into that national detail in a report this thick.

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Mrs JAMIESON - Police and health areas are also becoming very risky with the behaviour of people - that is causing quite a lot of angst out there. In referring back to last year, I notice that you, Mr Ormerod, said:

'I don't know why we do not produce the information in an annual report, but we do keep statistics on all black spot areas.'

Mr ORMEROD - That was the report that was mentioned a while ago. The WorkCover board produced some reportage on black spot areas.

CHAIR - Black spot areas are probably getting a run in another place as well.

Mr DEAN - Does the tragic accident that occurred in Queensland on Friday cause you to go back and review the safety standards in relation to building sites? What will you do as a result of that?

Mr ORMEROD - Any commercial building or construction site in Tasmania with a value greater than \$200 000 is required to provide us with a construction safety management plan. From that we need to be satisfied that all the protection is in place to ensure that workplace injuries are minimised. In relation to the accident in Queensland, there was a problem with the counterweights on the kind of device used by window cleaners. Those counterweights, which were supposed to be on top of the building, came over the same side as the cradle itself and the whole lot went down. Those sorts of accident should simply never happen. There was obviously a major foul-up there. There is a national meeting arranged through the ASCC - the Australian Safety and Compensation Council, which sets national codes - and they are looking at that accident to see what action is needed to change those standards and codes to ensure such a disaster does not happen again.

Mr DEAN - The other question I want to raise that comes up here, and I raise this because it is close to my local government area. There has been an approach from people who have lost sons, brothers, sisters and what have you on working sites for a monument to be set up in memory of people who have lost their lives in the workplace. Has there been an approach to you for this to become a State issue? Are you interested in looking at it?

Mr ORMEROD - I am aware that the family of the 16-year-old boy who lost his life in the forklift accident have been pushing for a monument, and they have actually showed me plans that they have had approved to build a monument in Launceston. They are talking about fund-raising. There has not actually been a request to the Government -

Mr DEAN - There has been a request to local government but it really is a State issue in my view - it is not a local government matter.

Mr ORMEROD - There has not been a formal request made to me. I am aware of plans and I am aware of his fund-raising activities, but he has not actually sought help -

Mr BARTLETT - If you are in contact with him, feel free to tell him to contact me.

Mr DEAN - I will do that because I see it as a State issue. Local government may well come in and support it - I do not know - but I think it is a State issue to follow it through. The other question I had was in relation to workers compensation and an issue that has been raised many

times - that is in relation to Tasmania Police being treated in isolation in regard to workers comp because of the opportunity for police to be injured in the workplace. Should there be a revision of the workers compensation laws to cover police. The step-down process of workers comp is not acceptable.

[10.30 a.m.]

Mr BARTLETT - The Clayton review is looking at all of those settings of the workers compensation system and there is a range of recommendations that are actuarially based. I understand your call and I cannot say I have done much thinking about it so I might ask Roy whether he has any comment to make about whether police should have a separate set of criteria because it is inherently risky work - so is mining, I suppose.

Mr DEAN - Not only is it busy, it is dangerous. Minister, I raise this specifically because - I will use the example of the Les Cooper case, of which we are all aware. He incurred horrific injuries when he was shot in the line of duty and now has suffered the ignominy of having to be satisfied with a reduced salary over time. That to me is just not acceptable. You do not disagree?

Mr BARTLETT - I do not disagree that that is a very difficult position for that gentleman to be in. I would need to understand more detail and I do not know if there has been any thinking done here about changing the parameters for one set of workers regarding workers compensation but it is difficult.

Mr ORMEROD - The Clayton review is looking at the whole issue of those sorts of claims.

Mr DEAN - Right. I hope some change is going to come.

Mr WING - In recent years I think there have been two crane accidents in Hobart; one fell off the Tasman Bridge and capsized and the other fell over on or near the Commonwealth Government building. I was wondering what action had been taken since then to avoid future occurrences.

Mr ORMEROD - There were actually three crane accidents - there was one at Elwick racecourse too.

Mr DEAN - Yes, that crashed through the building, didn't it?

Mr ORMEROD - Yes. Each of those was closely examined. We were wondering whether there was a common link but there was not, thank goodness. It was one of those aberrations that can happen. Actually, there were four incidents.

Mr BARTLETT - What was the fourth one?

Mr ORMEROD - It was at the Royal Hobart Hospital. We fully investigated them all to determine whether there had been a breach of safety standards in any of the accidents - any overloading by the crane operators and those sorts of things - and from that there are lessons learned by the operator, obviously. We have a plant inspection process where each of these cranes has to be inspected every year by a qualified plant inspector. We are satisfied that the plant used was compliant and there was no need for any changes to the standards, which we expected. So really I think these accidents were just an unfortunate chain of events with no common thread.

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Mr WING - What training is required for operators of cranes in Tasmania?

Mr BARTLETT - They're talking behind my back.

Laughter.

CHAIR - I would be nervous!

Mr WING - Yes - seems a bit fishy, I think.

Mr ORMEROD - Crane operators have to be licensed and we have gone through a review of the qualifications for these licences. Previously they were issued for life but the five-yearly renewal has commenced which means that every five years they have to demonstrate their competence to operate what we call high-risk equipment.

Mr WING - How did those four accidents compare on a per capita basis with crane accidents in other parts of Australia?

Mr ORMEROD - I cannot answer that, I am sorry.

Mr BARTLETT - You would think mathematically it would have to be pretty significant, wouldn't you?

Mr WING - Yes, I would have thought so.

Mr BARTLETT - But given that Roy has mentioned that none of them are linked in terms of the reasons, I do not know whether you can draw any conclusion other than that it is a statistical aberration.

Mr WING - I wonder if our standards of licensing are sufficient?

Mr ORMEROD - We are actually the only State that licenses plant inspectors, so our standards for inspection in this area are better than in other jurisdictions.

Mr WING - I was wondering more about the standard of the operators.

Mr ORMEROD - The operators come under a national licensing scheme so the standards set for licensed operators are constant across Australia. These qualifications are transferable so they work from State to State.

Mr WING - Do you have any feelings, such as the Premier deduced from the number of accidents in recent years, that we may be higher than the national average for some reason?

Mr BARTLETT - Specifically around cranes?

Mr WING - Yes.

Mr ORMEROD - There were five and there have been none since of significance, so I think it was just one of those periods when we had a run of them.

Mr WING - Do you know why?

Mr ORMEROD - No, because, as I say, there was no common link. For instance, the one at the multistorey Commonwealth building, that was not actually a crane collapse in the end. The crane actually started to twist slightly and the operator was sensitive to the fact that that might have caused a problem so he ceased operation immediately. Now it might have been that if he had continued with the load it would not have been a problem and the crane might not have collapsed, but he was a smart operator who thought, 'There's a bit of a flexing in the tower there; I had better stop operating this', and then they called extra equipment in to ease the load and bring it down. So that was actually an event but not an accident.

11.2 Employer and employee services -

Mr DEAN - I do not think these questions were answered in the last output group. This is to do with awards and so on for people in the workplace. What is the number of non-compliances with awards? Do you have that figure?

Mr BARTLETT - Non-compliance with awards might come under the tribunal, which is fine; if I can find the answer I am happy to tell you.

Mr DEAN - The budget paper says:

'This Output focuses on improving the level of compliance with awards under the Australian Government's Workplace Relations Act 1996, awards and agreements of the Tasmanian Industrial Commission and long service leave legislation.'

Mr BARTLETT - Going back to the Industrial Commission, I can say that in terms of enterprise agreements over 2004-05, 2005-06, and 2006-07 there were 44, 41 and 4 agreements lodged; 47, 38 and 6 agreements approved; 2, 1 and 1 agreements withdrawn; 0, 0 and 0 agreements refused; and 7, 2 and 0 agreements awaiting approval. I do not know whether that answers your question.

Mr DEAN - Not specifically. I think I am interpreting this right and this does come under this area. This section deals with the level of compliance with these awards so I would have thought that you would need to know how many breaches there had been, or reported breaches, and what the results have been.

Mr ORMEROD - We can provide some stats on that. We take matters to the Industrial Commission for breaches of awards so we could probably find out those numbers and get back to you.

Mr DEAN - I suspect there would be more complaints made to you than those that are taken to the tribunals, and you may well have satisfied some; I do not know.

Mr ORMEROD - Some go to the tribunal via us and some go as a private matter between individuals. We can give you information relating to activity in breaches of awards.

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Mr DEAN - I would like that information if I can get that. I think it is fairly significant. The other area was about the Tasmanian Industrial Commission and long-service leave legislation. I did not pick up any problems there. I did some research on it but there is a lack of information.

Mr BARTLETT - I can tell you that regarding disputes over long-service leave there were 19, 11 and 13 over the last three financial years.

Mr DEAN - Are you able to tell me what the disputes have been about?

Mr BARTLETT - Not from the information I have here.

Mr STEVENS - I think you will find they will be about entitlements. There is a provision that if you are there for between 10 and 15 years it is discretionary depending on a range of circumstances as to whether you get pro rata long-service leave, so I suspect most of those cases would be about interpretation of the facts.

Mr DEAN - Are those details available?

Mr STEVENS - I am not sure but I will certainly investigate.

Mrs JAMIESON - Premier, we have mutual recognition of occupational licences so presumably that means we have a set standard across Australia for electricians and other tradespeople. Do we have a way of actually tracking the movement of people interstate, as in locum or relief workers? Further to that -

Mr BARTLETT - I do not imagine we would through licensing. Through the ABS and those sorts of mechanisms those things might be tracked but not through us.

Mr ORMEROD - Each State has its own database and if you want to move from one State to another we often need to get information to clarify someone's qualifications - that can happen.

Mrs JAMIESON - Okay, fine. You mentioned that licences were going to be reviewed every five years. Who pays for that? If you make it mandatory I have my licence for life (???)

Mr ORMEROD - All they need to do is make a statement to declare that they remain competent, so if they make that statement that is sufficient for us.

Mrs JAMIESON - That's a self-assessment?

Mr ORMEROD - Yes.

CHAIR - Just to finish off this area with electricity industrial relations I just have a couple of quick questions. Premier, electricians are as scarce as hen's teeth. How many new licences have been issued in the last 12 months, and when there are new regulations, how are they distributed to contractors and industry players?

Mr BARTLETT - I will ask Roy to answer the detail of this but I will say that it obviously relates very closely to another part of my portfolio which is Education and Skills. Having visited TAFE recently and looking at what we are going to do with the polytechnic and also the new training enterprise part of the post-year 10 reforms, we believe there is capacity to grow skills and

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create more throughput across trades in these areas, but certainly the facilities we have around the State in terms of electrotechnology are second to none and really quality facilities. The challenge of course in times of demographic change is to get the young people into traditional trades like this; we need to get more of them leaving grade 10 into a trade like this. That is from a schools point of view.

CHAIR - Do you have some numbers there, Roy?

Mr ORMEROD - I am sorry, I haven't but I can get them for you later.

CHAIR - That would be fine; I am happy to put it on notice.

Mr DEAN - I am just looking at the number of electrical audits undertaken. There has been a significant increase in the number of audits for 2007-08 compared to 2006-07, from 30 to 60. What is the explanation for that?

Mr ORMEROD - It is because we have some extra staff on.

Mr DEAN - How many extra staff are there in this area?

Mr ORMEROD - We had difficulty - the usual problem - filling a vacancy in the south which we now have. This is for major, large installations. But of course Aurora provides most of our audit activity for us under contract.

Mr DEAN - So are you telling this committee that you did not have sufficient numbers in this area to carry out the audits that should have been done previously in an area where we know is dangerous?

Mr BARTLETT - We have always had funded positions; it is about filling them, like in mines. In electrical trades they are all earning something like \$160 an hour or whatever -

Laughter.

Mr BARTLETT - There is potential to earn a lot of money in the electrical trades, the same as in mines, so therefore recruiting them to a more inspectorate-type role is becoming more and more challenging.

Mr DEAN - This is a potentially very dangerous field.

Mr BARTLETT - And we are very pleased, therefore, that we have been able to recruit them and significantly increase the number of audits.

The committee suspended from 10.45 a.m. to 11.01 a.m.

**Output group 10
Resource planning**

10.1 Land use planning -

Mr DEAN - Whereabouts are we exactly with regard to the regional planning initiative that commenced back in 2007-08? What stage are we at? When can we expect to have a position coming to us - I suppose it has to get into the Parliament - with the changes? What is the process?

Mr BARTLETT - I am not heading down at this stage a legislative approach, if you like.

Mr DEAN - I thought that you were.

Mr BARTLETT - I will talk about the regional planning approach in general before we get into that. I firmly believe we have too many planning schemes - 39 - across Tasmania.

Mr DEAN - And too many councils - but anyway keep going.

Mr BARTLETT - I make no comment there, Mr Dean.

CHAIR - Leave that one for Thursday, thank you, Mr Dean.

Mr DEAN - I will.

Mr BARTLETT - We know that that is not acceptable when it comes to developing sustainable communities and ensuring that we use our resources properly and that we do our planning properly. We need to get away from those days where every town needs its own airport, hospital, et cetera, its own big box development, its own retail therapy spots and what have you and do more regional planning.

We all recognise there are significant benefits and I believe councils have recognised there are significant benefits to it, but of course it's never an easy task to get nine councils and a State Government to agree in the right direction. We have \$1.5 million for this initiative that started in 2007-08. An MOU was signed with the Cradle Coast councils, the nine north-west coast councils, and progress has also been made in the northern and the southern regions. My understanding is that an MOU will be signed with the northern councils in the coming weeks. It's a matter of weeks before that MOU is signed.

The northern working group has now prepared a draft MOU which encompasses some other documentation necessary to underpin the agreement. The associated documents are included as appendices to the MOU and comprise a project plan, a communications plan and an outline of what is expected from the regional land use strategy. The draft MOU has been endorsed by the planning committee of Northern Tasmania Development, and now the eight councils of the region have been asked to formally consider the draft and their commitment to work in partnership with the State Government on regional planning initiatives. The MOUs set out the responsibilities of both levels of Government in this initiative, but more importantly they will identify a process that leads to the introduction of consistent, contemporary planning schemes.

I accept also there will be teething problems but having a common template, a common set of language, a common understanding across all planning schemes will be, I think, embraced. We will also be working on a sub east coast project of regional planning because of the particular nature of the issues that the east coast faces. I suspect the northern councils will be the next to sign off and then hopefully the southern and east coast soon after that.

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Mr DEAN - Will there be a State section in planning sitting alongside the local Government planning? Is that the way it is going to operate?

Mr BARTLETT - There are two major things going on in this part of the portfolio: One is the regional planning approach which we have just talked a bit about; and the other is the review of the planning machinery, if you like, so the review of planning in general for which submissions closed yesterday. We have been out publicly for four or six weeks or so, and I think 60 submissions have been received. That review is about the Land Use Planning Branch, which Peter is the head of, where the RPDC, RMPAT and the other machinery around the way planning operates in Tasmania - the powers of a minister and those sorts of things - are up for discussion and debate. Michael Stevens is the chair of the steering committee that is leading that review, and that review will report back to me towards the end of this year where legislative change may well be required following that review.

Mr DEAN - I don't want to cross over into another area that other members have, but my question is: Will that review you are currently doing look at things that may need legislative change in relation to the RPDC and all of those areas which make the whole process messy, long and expensive? Will the review look at all of that?

Mr BARTLETT - Absolutely. My personal view is that I want to see our planning system as an enabling system that enables good, sustainable development, the right sort of development for Tasmania; that sustains our communities locally; and that drives growth, wealth, social connection and good outcomes for local communities. While others see the planning system in Tasmania as a series of road blocks to put up hurdles to stop things happening; I want to see our planning system as enabling good things happening. That is the fundamental philosophy that I will be taking to this review and making sure that we look at all those machinery items you have talked about and get them right and get them working well.

Mr DEAN - In amongst all of that, you would be well aware of the select committee inquiry which occurred last year with the report handed in late last year, and coming out of that select committee inquiry in this area were a number of sound recommendations. I think I am right in saying that when this was discussed in the House there was good support given to it by the Government or Government representatives.

CHAIR - They supported it wholeheartedly.

Mr DEAN - That is right. Therefore my question is: What emphasis are you placing on that select committee inquiry in relation to the review you are doing, because some of those members involved in that committee, and I think the Chair was also involved, are of the view that they have absolutely wasted their time? Where does that fit into the review?

Mr BARTLETT - Not at all. In fact, the terms of reference for this planning review clearly include incorporating the recommendations from the Legislative Council's Select Committee on Planning Schemes and also the relevant options that came out of the better planning outcomes project. They are two of the major inputs to this review. I would class the Legislative Council's select committee as a major bit of work that will be one of the most significant submissions effectively to this review.

Let me tell you a bit more about the scope of the review itself which is set up to:

'1. Identify and make recommendations on:

'(a) streamlining planning system decision making by reviewing the allocation of roles and functions in the planning system between State Ministers and agencies, including the new Environmental Protection Agency, the RPDC and RMPAT;

increasing efficiency through statutory timelines, case management or other means;

mechanisms to give greater weight to State policy priorities' -

For example, the prime agricultural land policy, the coastal policy and those sorts of things -

'reviewing the process for making and reviewing State Policies;
reviewing the process for approving Projects of State Significance;
wider use of mediation, including mandatory mediation; and
reviewing the process of third party appeals' -

which are often I believe in the Tasmanian context used simply as road blocks and as interference to good development happening -

'(b) the viability of amalgamating the RPDC and RMPAT;
(c) the structure of the RPDC; ...
(e) assessment of projects of regional significance by expert panels.'

The review introduces the concept of projects of regional significance effectively. One of the cases in point might be Crescent Bay at the moment, for example, where no matter what decision the local council made, it was always going to be appealed by one party or another at RMPAT. Those are the sorts of projects that could be handled through a project of regional significance sort of process.

- '2. Manage consultation on the reform options
3. Prepare legislative amendments to implement these options,
4. Implement the changes following the passage through Parliament.

The review should have regard to relevant options from the Better Planning Outcomes project and recommendations from the Legislative Council's Select Committee on Planning Schemes.'

So that is the scope of the review.

Mr DEAN - That is in *Hansard*. It would be nice if that document were tabled now.

Mr BARTLETT - I would be very happy to table that document.

Mr DEAN - You have raised another question I was going to ask, and once again I do not want to cross over into other areas but it seems like I am doing exactly that -

CHAIR - I think it is too late; you have done it.

Mr DEAN - You are right, because it covers the whole spectrum unfortunately and it concerns the regional significance. I think it was during the discussion on Ralphs Bay that there was a lot of discussion about whether it was a project of State significance or it was a project that a local government could deal with. A lot of the positional view was that no, it fell in the middle there somewhere, so a project of regional significance. It is good to hear you make that statement that you are considering having the three categories there. I think it makes sense with the regional bodies that we currently have around the State now as well.

Mr BARTLETT - That reflects into that regional planning approach that we are taking as well.

Mr DEAN - It does, so I commend you on that for involving that in there.

Mr WING - I am very pleased that the policy for the protection of agricultural land is being reviewed. I have not had an opportunity to study that but I assume that, unlike the policy that passed through both Houses of Parliament in about 2000 or 2001, it will not exclude forest plantations from the operation of the new policy. Would that be so?

Mr BARTLETT - Sorry, could you repeat that?

Mr WING - It will not exclude forest plantations from the impact of the new policy. The original one that passed through both Houses in 2000 or 2001 for the protection of prime agricultural land in brackets expressly excluded forest plantations from its operation. I hope and trust that the new policy will not.

Mr BARTLETT - I think we might be talking at cross purposes there. In the 2000 policy agricultural uses was deemed to mean animal and crop production and includes intensive tree farming and plantation forestry. What the new PAL policy does is remove as of right a landowner's ability to put tree plantations on prime agricultural land class 1, 2, and 3. That is what this policy does now, the new one that I have released as minister.

Mr WING - Yes, and I am delighted with that, because the other one gave the right -

Mr BARTLETT - That is right. So this removes as of right. However, landowners are able to submit a whole-of-farm that would allow for up to 15 per cent of their land effectively to be used as tree plantation, but that might be in windrows or other different aspects of managing a whole-of-farm approach. But broadscale tree plantations as of right on prime agricultural land class 1, 2 and 3 are now not allowed -

CHAIR - To be debated, Premier.

Mr BARTLETT - Sorry, it has gone through the lower House, but with respect it has not gone through the other place.

[11.15 a.m.]

Mr WING - I trust that it will be supported in our House because I thought it was a farce to exclude forest plantations from the operations of the previous one. I mean, how can you protect

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prime agricultural land if you allow it to be smothered with tree plantations? As I recall, I was the only member of our House to speak and vote against that, so I welcome that.

Mr BARTLETT - Well, we are in unison there, Mr Wing.

CHAIR - It looks like we will be having a debate on the Floor of the Legislative Council.

Mr BARTLETT - I am sure you will and I would not want to reflect on a debate that has not happened yet but clearly this was something that I support wholeheartedly.

Mr WING - Yes, and I am delighted to know that. Thank you.

Mr DEAN - Minister, I am aware that you went through this yesterday and I think we have all read the papers this morning in relation to the new office of the State Architect. Will local government be able to tap into that office? What are the benefits to local government? How many people will be involved in that office and where will it be situated? I would hope it will be situated in Launceston or somewhere like that - there is no reason why it cannot be. The School of Architecture is there and that is the reason I referred to that. Minister, can you touch on that?

Mr BARTLETT - It is an initiative that is close to my heart because I believe Tasmania has significant built heritage assets that we need to understand and protect in terms of their design value when you renew and restore and reuse buildings and so on. Also, going forward I would like us to be remembered in history as having a period of great design that added to Tasmania's built heritage in 100 years' time that was worthy as well. I think the media relayed my comments about travel writer Bill Bryson who wrote that until he got to Hobart and saw the Hotel Grand Chancellor he thought the ugliest buildings in the world were in post-war Dresden.

Laughter.

Mr BARTLETT - I am quoting him, not reflecting my own opinion.

Ms FORREST - Was he run out of town, Premier?

Mr BARTLETT - Well, it is a pretty ugly building, you've got to admit. He raises a good example. We do not want to make mistakes about our precious built environment and I genuinely believe - and I know this sounds a bit touchy-feely - that a built environment relates directly to levels of happiness and lifestyle and how we live our lives. Working and learning in great buildings is an inspiring thing to do, and being sick in a hospital that is a great buildings is restorative. So these are the sorts of things that we as Tasmanians need to value highly and the position of State Architect places great value in those things and will advice government going forward about design principles. I accept that design is often a matter of taste, and I will use education as an example here. The Education department used to employ its own architects. Now of course we have fantastic architects in the commercial world that we use and I think they do a great job. Some of the designs coming out for Kingston - and no doubt will at Bridgewater and Brighton - are stunning. What is important about the development of new and the restoration of old educational facilities in Tasmania is that they reflect our desire to be a creative, knowledge-based economy and by way of their space develop people who are creative and develop good learning environments and so on.

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So I would see the State Architect in that case and across the board being the chief adviser to government on design principles for new public buildings and the restoration of old public buildings, not doing all the architecture work - that would still be done in the private sector of course - but creating design principles and alternative advice. We have a design panel on the waterfront here that informs the steering committee of the waterfront, but the State Architect could sometimes provide counter-advice to that or reaffirm their advice. As to his or her engagement with local government, I believe this position will need to be very much linked with local government, peak professional bodies, the Heritage Council, the University of Tasmania, particularly the School of Architecture, the Royal Australian Institute of Architects, and the Tasmanian climate change council. This position will be both a clearinghouse and a developer of principles of good design for our built heritage and local government obviously plays a key part in that, being the owners of many of the public assets we are talking about here.

Mr WING - I take it that when Bill Bryson was here Zero Davey had not been built.

Laughter.

Mr BARTLETT - No, you are absolutely right, Mr Wing; that was before Zero Davey.

Mr DEAN - Just expanding on local government's ability to come to the State Architect, I will put this position to you. Currently there is quite a large building planned for development in Paterson Street on the old RSL site and there has been some community concern about that building. Would local government or a member of the public be able to go to the State Architect and say, 'We are opposed to this building because it doesn't meet the required planning scheme'?

Mr BARTLETT - This is not a statutory position so it is not going to be part of that planning machinery you would appeal to. It has been allocated \$1 million over two years so it is not an enormous budget and therefore I do not see any enormous bureaucracy coming along with it to process these things. So there will not be an enormous capacity to refer everything to the State Architect, but I would see it working through our regional planning initiatives and partnership agreements with local government, which I spoke about at the LGAT conference on Friday and said that we want to see them raised to a more regional level as well. Through those sorts of mechanisms we might engage the State Architect to give him or her references to provide opinion or advice on particular aspects of development.

If there was a development that the Launceston City Council and the State Government were working on together, for example, that had public elements to it and was a public space and so on, we would of course then engage the State Architect to provide design principle advice and so on.

Mr DEAN - That sounds quite interesting. I notice that the increase in the Budget is for that office plus the carrying on of the regional plan in the forward Estimates, so I am reasonably satisfied with that.

Mr BARTLETT - Because this position is located in the Department of Justice it would be supported by the corporate services there so there is no need to build a big office. This is really a thinking position that provides intellectual capital to government about what it is doing. It does not need to be a big bureaucratic piece of machinery.

Mr DEAN - There will be no requirement for that office to be here in Hobart. The School of Architecture seems to me to be the obvious place for that position to be domiciled.

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Mr BARTLETT - I am open to the right person getting the job. It will be advertised and if that person is based in Launceston I would not have a problem with that at all.

Mr DEAN - As long as the position is not advertised as Hobart -based.

Mr BARTLETT - Okay, I will make that commitment to you now.

Mr DEAN - Thank you for that.

Mr BARTLETT - The position could be located in any part of the State.

CHAIR - We could be parochial and say 'the beautiful coast' but we won't go there.

Mr BARTLETT - Well, it would be nice if it were located, say, at the Bay of Fires because then I would come and visit regularly to take advice.

Laughter.

CHAIR - I am sure inspiration would be amazing. Premier, regarding the regional settlement and investment strategy, am I to take it that has about \$250 000 allocated to it, given what you indicated was the cost of the State Architect?

Mr BARTLETT - It is \$750 000 across two years - \$250 000 in the first year and \$500 000 in the second. Strategies will guide development investment decisions and encourage a pattern of infrastructure and settlement provisions that are relevant to the future needs, capabilities and potentials of the State's three main regions. The east coast subregion is under particular development pressure, as you would understand, because of the fantastic coastal assets I was talking about.

CHAIR - And not enough water to support it.

Mr BARTLETT - That's right.

CHAIR - That leads me into my next question. What has the department done to identify crown land that could be used for housing purposes to date, given the affordable housing shortage?

Mr BARTLETT - That question does not actually fall within this area. The minister for crown land is David Llewellyn. I am happy to provide whatever information we have - we do not have any - but it is actually David Llewellyn's part of the portfolio.

CHAIR - I would have thought, given that land use planning is in this area, that there would be opportunity to identify areas of land that are zoned a particular way that would need to be rezoned potentially to provide some space to accommodate housing.

Mr BARTLETT - The money in the Budget for housing - \$60 million-plus - for the housing innovations office project or whatever it is called is looking at all crown land and departmental agency-owned land, but the ministers who have carriage of that are David Llewellyn from the

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point of view of owning the crown land and Lara Giddings from the point of view of the project itself.

CHAIR - But there would be a role, surely, for this particular area through the process.

Mr BARTLETT - I understand we are involved in identifying the criteria for what is suitable land for the process.

Mr FISCHER - The idea of affordable housing involves not just the cost of land but the cost of development and what services are around it, so what we are looking at is a set of criteria that a piece of land would have to fulfil to be classified reasonable for affordable housing. Of course that goes to public transport, social infrastructure and hard infrastructure as well. We are involved in that and have come up with a number of criteria that address that issue.

CHAIR - I am sure you have read the housing affordability report which exactly identified those issues, but I just thought this was an appropriate area to ask about the role this department is playing in the process.

Mr BARTLETT - I would also say that pretty much every agency will have a role in the process of identifying their own assets.

Mrs JAMIESON - While we are on that subject, the President the other day was lamenting the fact that we had such a huge number of regulations and hindrances before we can start expending the \$60 million - local governments and all the regulations that we have to go through. What, as a whole-of-government approach, can be done about freeing up or reducing the amount of regulation, particularly as we seem to have a bit of a crisis on our hands with building. We have the builders and the money available and it is just bureaucracy that is holding us up. What can we do?

Mr BARTLETT - I am not entirely sure that that is exactly the case. I know that Stuart Clues from the HIA was on the telly the other night saying, 'We're ready to build \$60 million worth of houses', but with the skills shortage in the building industry I am not entirely convinced that that is the case. I will be sitting down with him in the next few weeks to talk about that.

Mrs JAMIESON - But it's the regulations - we are so over-regulated.

Mr BARTLETT - I agree. Part of the regional planning approach which I have been talking about will be to identify areas and assets for affordable housing and that approach and the review of the planning machinery should enable better, more rapid outcomes from our planning system as a whole and that is really our strategic approach for addressing that. The only alternative is to introduce special legislation that cuts through -

[11.30 a.m.]

CHAIR - The Queensland model, Premier, cuts straight to the chase.

Mr BARTLETT - Exactly. I will countenance this view because I think it is worth having a discussion about, if nothing else, special legislation that cuts through the planning system.

Mrs JAMIESON - Why not?

Mr BARTLETT - We have done it before as a Parliament, dare I say.

Mrs JAMIESON - This issue has been around for years and we know we can have legislation brought in overnight. It has happened on pulp and a couple of other issues too.

Mr BARTLETT - Indeed.

Mrs JAMIESON - So if we have a crisis on our hands -

Mr BARTLETT - It is worth having a discussion about. I am not going to announce that here today but it is worth having a discussion about, I agree.

Mrs JAMIESON - I just thought I would bring it up.

Mr WING - There has to be a limit to the number of Bjelke-Petersen-type operations in the Parliament.

Mr BARTLETT - It is not really my style -

Mr WING - I know.

CHAIR - Thank you, committee. It is certainly an area for further debate, I expect.

Mrs JAMIESON - We will bring it up wherever we can.

10.2 Resource Planning and Development Commission -

Mr WING - Could you tell me what the actual expenditure was last year for this item? There seems to be a fairly consistent only moderate increase projected for future years, but I am wondering what it was last year.

Mr BARTLETT - I might ask Brian to dig that number out, if it is possible.

Mr SMITH - Is it 2006-07 that you want? The 2007-08 figure is \$2 million.

Mr WING - The 2006-07 figure is what I want.

Mr SMITH - I would need to get that information.

Mr WING - Was it significantly less?

Mr SMITH - I don't think so, no. It's an output which is ongoing. It just gets indexation. There are no initiatives that go into it because it's a tribunal. I would say on a guess it would be around \$1.99 million.

Mr WING - So last year 2007-08 it is \$2 100 000 and next year just a moderate increase. Was there any significant saving last year as a result of the Parliament acting as a planning authority for the pulp mill rather than the RPDC? Did that involve any significant saving to the RPDC?

Mr BARTLETT - The RPDC have effectively done their work on it, I suppose. While meeting from time to time and place to place might incur costs, they are expected to manage within their own global budget the pressures that come on them or don't come on them. Hence I wouldn't expect necessarily to see a massive variation in their funding. Part of the argument around the pulp mill was the capacity of the RPDC to deliver a result in the time frame that the proponent seemed to want it - that time frame seems to have disappeared off the face of the earth now, doesn't it, Mr Wing?

Mr WING - Yes it does indeed.

Mr BARTLETT - As I have been pointing out on regular occasions.

Mr WING - I have welcomed the thrust of all your comments on this subject.

Mr BARTLETT - But there are a whole range of other activities that the RPDC keep going on. For example, they have statutory responsibility through the commissioner to assess and approve new planning schemes, so they are working on planning schemes and planning scheme amendments all the time. They prepare the Tasmanian State of the Environment Report to assess projects of State significance, to assess draft State policies, to conduct inquiries on the use of public land, to review draft water management plans, to consider the draft development plan of things like the Sullivans Cove Waterfront Authority, and so on. They have a bulk of work. Like any organisation they will manage their own priorities and, as priorities come up, other things will slow down, other things will speed up, and so on - but within a global budget.

Mr WING - So engaging people with particular expertise to deal appropriately with a particular project, I suppose if that were not required for the pulp mill others could be engaged for other projects so it would even out?

Mr BARTLETT - I would have thought so. One of the things we have been discussing is the planning system as a bottleneck to good development. No shortage of work for them would be my assessment of reading and understanding what they do on a daily basis. It is simply about prioritising that work and getting as much of it done as possible.

Mr WING - You wouldn't be proposing any plan for Parliament to usurp their functions on any sort of regular basis in the future?

Mr BARTLETT - I have already been on the record ruling out bringing the Lauderdale Quays Ralphs Bay development - I am going to accept the umpire's decision on that and others. There is a review of the planning machinery in Tasmania going on which incorporates the RPDC. I don't want to see that review linked with any past events. I believe as Tasmanians that we need to get our planning system right and the machinery in that planning system. It is not related to past events, past activities or anything like that; it is about getting it right for the future.

Mr WING - Could you give an outline of the structure of the RPDC?

Mr BARTLETT - I don't know that I have a structure here. I can certainly give you a view of the work they have been doing in terms of throughput and those sorts of things -

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Mr WING - I am just thinking of the numbers. There is the chair of it and I don't know how many permanent officers, but I would like some brief details.

Mr FISCHER - It is headed up by an executive commissioner, and that is Peter Alomes at the moment, and the commission itself has five other members.

Mr WING - Permanent?

Mr FISCHER - They are permanent and part time and they come on board when work has to be done, when the commission has to make decisions and so forth.

Mr WING - So they are all permanent part time, are they?

Mr FISCHER - Not in the sense of -

Mr BARTLETT - They are like board members essentially.

Mr FISCHER - Like a board, and then they have permanent staff. They have a manager of the commission's business who looks after the administrative matters as well as the work of the commission. Then they have senior planning consultants that do the bulk of the planning hearings. They have planning staff to assist those officers as well as admin staff to look after the general running of the commission. Don't quote me on the figure but I think it is around 15 in total staff numbers.

Mr WING - The commission deals with appeals from council decisions on planning; is that correct?

Mr BARTLETT - No, that is RMPAT, the Resource Management and Planning Appeal Tribunal which deals with those.

Mr WING - Yes, all right.

Mr BARTLETT - The review - in the terms of reference that I read to Mr Dean - looks at the roles and functions of both of those bodies, whether they should be one body or not or whatever the case may be.

Mr WING - Good, thank you. I have no further questions.

CHAIR - I have one question on the Resource Management and Planning Appeal Tribunal. It says that this output provides for the hearings of appeals regarding heritage, planning, marine and environmental decisions. Could I get a breakdown of where each of those appeals lie, in what area - how many heritage appeals, how many environment appeals, and so on. I am happy to take that on notice.

Mr BARTLETT - We might have to take that one on notice. I can tell you that from the years 2001-02 through to this year, 2007-08, the appeals lodged were 288, 327, 477, 478, 376, 431 and 461. You could probably draw a trend line through that as increasing slightly over time. But I don't have the breakdown of -

CHAIR - The actual areas.

Mr BARTLETT - of actual areas but I am sure we could get that for you.

CHAIR - I was interested to know whether heritage issues, seeing that it has been quite topical in many locations around the State, has delivered more appeals in that process. I also noted in the performance measures table that it has gone from 62.2 per cent in 2005-06 to 74.6 per cent in 2006-07, so certainly a percentage of those decisions were resolved through mediation.

Mr BARTLETT - And 76.95 per cent in this year, so we have improved again.

CHAIR - So it is generally getting better at the mediation process. Does the tribunal assist people in advising whether mediation is the way to go or do they just wait and see whether people can resolve their issues outside of the tribunal process?

Mr FISCHER - Mediation is compulsory with the tribunal. Once you have lodged your appeal there is perhaps a directions hearing and then you go on to mediation or vice versa. Mediation becomes part of the first real step in terms of trying to mediate the appeal prior to going to a full hearing. So it is compulsory that you undertake that and, as you can see from the stats, a large percentage are resolved at that time.

CHAIR - Are they still predominantly held in local government buildings? I am aware that that is where a number of them take place. Is that usually where they are held?

Mr FISCHER - I am not 100 per cent sure on that. I think the appeals in the north-west coast are held in the north-west coast and appeals in Launceston are held in Launceston. So if it involves a council outside of Hobart, they generally go to areas outside of Hobart.

Mrs JAMIESON - I was just wondering what we have learned from the central coast's experiences with RMPAT and the heritage and planning issues we had in Penguin, for example, that we can learn from and go from. Do we have the resources to expedite some of these prolonged hearings?

Mr BARTLETT - I will ask Peter to respond to that.

Mr FISCHER - One of the issues when it comes to appeals goes back to the planning schemes. The Central Coast planning scheme was an old scheme, which is now about to be replaced with a new scheme. A lot of the appeals become complicated when the planning scheme is not clear. What we want to do as part of the regional approach is to get consistency in planning schemes, which should reduce the number of appeals and the capacity of them, because there are interpretation issues. If you have consistency across the State, if one provision that applies to all planning schemes across the State is interpreted once, then that's it. You don't have to go back and re-interpret that.

Mrs JAMIESON - That has certainly been one of the problems.

Mr FISCHER - I think longer term we will resolve that issue as much as we possibly can. There are still going to be disputes of course and there will still be appeals but, in terms of trying to get something up under an old scheme, we will certainly improve that with the regional approach.

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Mrs JAMIESON - So decisions that are in the process now, will they be maintained when we get a new process? What happens when people are in the middle of a process and then we have our new planning scheme up and running? Will they have to then go back and start again?

Mr FISCHER - It doesn't happen very often because planning schemes don't get renewed very often.

Mrs JAMIESON - With the review that is going on.

Mr FISCHER - The tribunal has to consider the planning scheme that is in place. There is a provision under LUPAA now that requires the tribunal to consider the planning scheme that was in place when the council considered that application. The tribunal is under the same obligations as the council. So if the council were required under the act to consider the new scheme, the tribunal would need to do that also. But there is a provision under the act - say, for example, an amendment to a planning scheme comes in, you already have an application in, and council has already considered it, the tribunal can consider the planning scheme prior to that amendment.

Mrs JAMIESON - What happens in the case where there has been a decision made and everybody is happy about it, then we get our climate change where we have our rise in sea level, for example, and a house may be threatened by the sea level. What recourse are people going to have when it has been decided by the council and RMPAT to accept this application and now we have a threatened situation that is nobody's fault? I am thinking of several places along the coast that are built very close to sea level.

Mr FISCHER - It's a very difficult answer to give. It depends very much on the circumstances and it depends on the courts at the end of the day. It goes to what information was available when the decision was made.

Mrs JAMIESON - There is lots of information about sea level rises.

[11.45 a.m.]

CHAIR - Mrs Jamieson, you will probably be interested in what comes out of the select committee into coastal erosion.

Mrs JAMIESON - Indeed I shall.

Mr WING - Premier, I was surprised recently to find that when an appeal is lodge against a council planning decision that there was no requirement for the respondent to be advised that the appeal had been lodged other than through a newspaper advertisement. Perhaps I can give you the example that caused me to have this brought to my notice. A property owner made application to construct a building very close to a neighbour's fence. The neighbour objected, the Launceston City Council rejected the application unanimously and then the neighbour had to look out in the newspaper every Saturday morning from then on to see whether an appeal had been lodged. If that were the case in the Supreme Court, there is of course a requirement that the respondent be notified of an appeal being lodged and not have to look through newspapers.

Mr BARTLETT - If that is the case it definitely does not sound right to me but I am just getting some advice.

Mr WING - It is the case and I would hope that it could be corrected.

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Mr FISCHER - I would be happy to supply some detailed information on that. We amended the act and it came into play in August last year to cover this, I think, but I will need to check on that. When a council refuses an application generally it is the applicant who knows about it -

CHAIR - They are usually sitting at the meeting, Peter.

Mr FISCHER - That is right.

Mr WING - In this case both parties knew about the decision.

Mr FISCHER - Without knowing if anyone made representation the tribunal cannot notify those people. I would like to clarify this and give you detailed advice, but my understanding is that the act now requires the tribunal to write to the council to ask them to notify the appellant because they are the ones who hold the information, not the tribunal.

Mr WING - I see. Well, that did not happen in this case and I assumed it was the planning authority's responsibility to notify that an appeal had been received by the authority. I think that is the way it should be, rather than the council having to do that.

Mr BARTLETT - The amendments commenced in August last year.

Mr WING - This occurred earlier this year.

Mr BARTLETT - I think you raise a legitimate area of concern and we will check the act and see if that is the case. If it is not I would want to do something about rectifying that.

Mr WING - Thank you very much.

Mrs JAMIESON - Further to that, it is also the language that is used when you see applications in the paper. They say 'public use' but there is no explanation as to what 'public use' means, and when you go back to the council and ask them it does not raise any alarm bells. We had a situation recently with the Centrelink building, which is quite different from an office block in effect; it might only have two or three people working in it, but there was no explanation because the people were not really given an opportunity to put in their objections, and there were quite a number of objections going in for various reasons. So if there is going to be a review maybe that sort of use of language needs to be clarified too.

Mr FISCHER - It is always difficult to describe a development. It could have a number of different areas that it covers, so it could go from a warehouse to an office to a shop to a restaurant in the same development, and you would be taking up a whole page to describe it. Generally what planning authorities do is refer back to the use within the planning scheme and that is generally how it is advertised. Unfortunately it is not a failsafe system, like the example you gave, but it does relate back to what the application use is for under the planning scheme and that is why it is described that way. That does mean that you would have to go to the council to determine the full extent of that but you can do that via a phone call.

Mrs JAMIESON - Yes, but many individuals feel a bit threatened and intimidated by bureaucracy.

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CHAIR - Premier, that is all we have in that area but with your indulgence, I have had a request from one of our committee members to go back to output group 11 - Workplace Standards - and I believe there is the information available to answer the question.

Mr BARTLETT - That is fine. We will give it our best shot and if we cannot answer it we will take it on notice because the adviser for this area has left.

CHAIR - I know; I believe I sent him back to work at the time.

Mr DEAN - My questions relate to the TCC. Who were the government officers negotiating the \$143 000 deal with John White of the Tasmanian Compliance Corporation in order for the Government to take over the accreditation of building practitioners? I ask this question because this has not yet been scrutinised with the Government because of the Supreme Court decision and position, so I want to raise a number of issues now.

Mr BARTLETT - I have no knowledge of that but I will seek advice. I am advised that it was the former Secretary of Justice - the one prior to Ms Hutton, Peter Hoult - and the Solicitor-General Bill Bale. That now rings a bell and I believe that is already on the public record from when the former Premier announced it. I seem to remember hearing it in the Parliament myself, that is all, although I have had no engagement or involvement with it.

Mr DEAN - Okay. My next question is about an issue that has concerned a lot of people. How was the amount calculated? Can we presume the negotiators made some assessment that all it would take to run the accreditation process for eight months, from 1 November 2006 to 30 June 2007, was the very minor and paltry sum of \$143 000?

Mr BARTLETT - Again, I have had no involvement, engagement or advice on this, but I also recall that the former Premier outlined to Parliament a methodology and the people who were engaged in doing this, and I would be very happy to dig that out for you from the *Hansard* and have it provided to you.

Mr DEAN - Thank you very much. Do you believe that the \$143 000 was adequate in order for the department to fulfil its role? How many employees are now, and were during the above period, engaging in the accreditation of building practitioners? Departmental officers have said publicly that the amount was grossly deficient.

Mr BARTLETT - Have they?

Mr DEAN - According to my information and advice they have.

Mr BARTLETT - I reckon I would know about it if departmental officers had said it was grossly deficient, but who were they and where did they say it?

Mr DEAN - I will get further information on the details.

Mr BARTLETT - Okay. I am not going to reflect upon decisions made by people a fair bit back in the past. I am getting on with the future but I will tell you about the builder practitioner accreditation and the now approved scheme. I can take it on notice and get you the information because the officer is no longer here in terms of the detail of how that scheme will be staffed and

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so on. I am happy to do that but I am not providing you with an opinion about whether it was right amount of money or not.

Mr DEAN - What amount currently sits in the building levy account and what amounts have been collected each year? What has the levy been spent on since it was introduced some years ago? I am seeking a fairly detailed breakdown on that.

Mr BARTLETT - I can give you the information I have around expenses and what is in the account and so on. The Building Act is designed to protect Tasmanian building owners and buyers and to keep this up to date there needs to be an investment in a system of continuous improvement. This is why the act provides for the collection of a building permit levy. The levy is paid in the Building Administration fund which can be used for the administration of the act and any other purpose related to building and plumbing matters as the minister determines. The prescribed amount for the building permit levy is calculated at the rate of 0.1 per cent of the estimated cost of building work that requires a building permit.

The level of the levy was last reviewed by the Building Regulations Advisory Committee in May 2008 and agreed that it should be maintained at 0.1 per cent. It will be reviewed again before the end of the 2008-09 financial year. For the last financial year - 2006-07 - the revenue from the building permit levy paid into the fund totalled \$1 060 955 and expenditure was \$1 202 000 - so \$140 000 more - over receipts. The Building Administration Fund account balance at 30 April 2008 was \$1 249 152 and the balance will be used to fund further implementation and enforcement programs including additional audit and compliance staff as well as further training and communication opportunities. An auditor has recently been engaged to audit the fund. The levy collection and accounting processes are to consider any improvements that may be made to the system.

Costs associated with administering the act include administration, including permit authority levy collection fees; staff; information technology; the Building Regulations Advisory Committee; the Building Appeals Board; development and implementation of standards and regulations including the Australian Building Codes Board; the national plumbing regulators' forum; plumbing products accreditation committee; builder licensing Australasia; building research; regulatory training and publications; an audit of building practitioners; private certification; permit authorities; and council performance.

Recently an amount of \$400 000 was transferred from the fund to the Office of Consumer Affairs and Fair Trading to cover the cost of providing two conciliation officers for two years to conciliate domestic building work disputes and the development of new legislation to mandate a building work dispute resolution process. The threshold limit for collection of the building permit levy was raised from \$5 000 to \$12 000 in March 2005 in accord with the training levy threshold.

Mr DEAN - What did you say was still standing in the account?

Mr BARTLETT - \$1.2 million.

Mr DEAN - That brings me to my last question, then.

CHAIR - Good, because that is your last question.

Mr DEAN - I have another five to go.

CHAIR - Not this time you haven't.

Mr DEAN - Do you accept that the building levy is, in the currently slowing building sector, an unnecessary impost on the community, and will you now consider its removal given the substantial amount you have just referred to which remains in that account?

Mr BARTLETT - No. This year we have expended more than was collected - and there is an auditor coming in to tell us if that is the case - so it would be prudent to keep some money in there for expenditure and it seems to me that the activities it is used for are very useful. I can also speak for the training levy which I have carriage of under another portfolio, which has been extremely useful in growing the industry and the skills within it and ensuring that the industry is on an even footing. I think both funds create that and that is a good thing.

Mr DEAN - That is interesting because the regulatory impact statement that was produced to justify the introduction I think indicated from memory that all that was necessary to run that was \$200 000 per annum, as I understand the situation. That is an area I will continue to follow up on.

CHAIR - Premier, is it all right with you to do the Governor next, if we go straight to Division 4? They have been waiting very patiently. I thank the Justice advisers.

[12.00 p.m.]

DIVISION 4

(Office of the Governor)

Output group 1

The Office of the Governor

1.1 Support of the Governor -

CHAIR - Welcome again to Committee B's Estimates hearing for this year. We will go straight to division 4 so that we can relieve Mr Chilcott of sitting through any more of the process. Premier, if Mr Chilcott would be good enough to bring this Committee up to date on any continued maintenance programs that are happening at Government House and also any significant functions that might be coming up on the calendar. For example, the success of the open day would be something that all Tasmanians would be interested to hear about.

Mr BARTLETT - I will hand over to Mr Chilcott.

Mr CHILCOTT - With regard to maintenance, we have a strategic asset management plan, a maintenance plan and a conservation plan, but the main plan we have been working on is our catch-up and cyclical maintenance plan which is running from 2003 to 2010. So we are getting pretty close to finishing all the outstanding works. The main items this year were interior painting, stonework, replacement of a fairly big water main that was starting to rust through, the usual rising damp, fencing, some repairs to the main gates, new floor coverings and we have also carried out some furniture restoration and a fairly thorough upgrading of our security equipment.

With regard to major events, there is nothing exceptional that I am aware of at the moment, although these things can change fairly quickly. We will have our usual program of visiting ambassadors, apart from the normal receptions, dinners and major events.

With regard to open day, it is still very popular but the numbers have probably stabilised, because I think we have reached the stage where a large number of people who really want to come to open day have already been. We do get some repeat visitors but not too many. Last year we had 4500 visitors, which was down about 500 on the year before. I think it will probably stay at about that but it is still very popular. I do not think we can continue to expect increases in numbers.

CHAIR - Have you thought about changing the time of the year that that happens to perhaps pick up on other people that may be either visiting the State or that type of time?

Mr CHILCOTT - This year we had it in February and sometimes we have had it in January. Some thought has been given to trying a spring one because, whilst the weather is not perfect, the garden is at its best. That is the thought. The Governor will make the decision, but that is a thought we have had up to now.

CHAIR - Speaking of the Governor, purely as an observation here, he and his lovely wife appear to be settling in beautifully to the role.

Mr CHILCOTT - I think he was fairly experienced in the role having been Lieutenant-Governor, so it was a pretty seamless transition, I think. From their point of view it was not difficult.

CHAIR - I have had the pleasure of being out there to visit a couple of times in recent weeks. It is certainly a very beautiful place to visit. Would you like to add anything to what you have already said about what you see as planned or unplanned?

Mr CHILCOTT - Our program is pretty much steady as she goes. New governors always have their own stamp and their own particular emphases, and no doubt that will happen during the Governor's term of office. But generally speaking it is business as usual.

CHAIR - What about the IT projects? It was touched on last year but there was nothing envisaged in a major upgrade. With the new Governor, does he have a new IT requirement?

Mr CHILCOTT - We are probably like a lot of other agencies waiting to see what happens with the Government's planned information technology delivery program. The Premier may be able to tell us more about that.

CHAIR - I know he has an interest in IT, Mr Chilcott, that is for sure.

Mr BARTLETT - I can talk for long time about that.

Mr WING - I am interested to see that there is a program of conserving energy under way. I am very impressed with that. I am very keen on the subject. I am very pleased to see the Premier is doing the same thing in the education department. In encouraging staff to keep energy consumption to a minimum, would you be able to give us some details about what is happening in that regard?

Mr CHILCOTT - Obviously our capacity to make a huge impact is limited, but we have installed energy efficient globes throughout the building in nearly all cases. We try to educate the

staff to keep energy consumption to a minimum through simple but obvious methods like turning off lights when rooms are not being used and not using a heating system in rooms that are not being used. Also I think in the beginning of July there are new Government conservation guidelines in other areas such as the source of purchases we make, the use of packaging and so forth. We will take into consideration all those things. I think they are called the Treasury guidelines on climate change.

Then with regard to outside, we are always looking at ways of reducing our water consumption, which is a difficult thing to do because we have had such a dry season. But it is certainly something we are conscious of.

Mr WING - All the beautiful gardens to take care of.

Mr CHILCOTT - They are the main areas.

Mr WING - Thank you, I am really impressed that that is happening. I hope we will be doing the same here in this building in a similar way before long. The goal of strengthening Aboriginal culture and identity, is there anything in particular happening in that respect?

Mr CHILCOTT - I do not think we have any particular projects in that area, no.

Mr WING - And the promotion of the State's exports and its tourism industry?

Mr CHILCOTT - There is nothing planned at the moment, but that is the sort of thing I would expect the Governor would raise with the Premier from time to time as to a role that he could perhaps play.

Mr WING - I suppose in entertaining people when they are here for the Antarctic fisheries conference.

Mr CHILCOTT - Certainly and with the visiting ambassador program and so forth.

Mr WING - That is an important part of promoting Tasmania for tourism and entertaining visitors who come here for various conferences and functions.

Mr CHILCOTT - That is correct.

Mr WING - You are probably doing it without actually realising it.

Mr CHILCOTT - Yes, I was thinking you had in mind some initiative -

Mr WING - I did not know whether there was anything like that.

Mr BARTLETT - I would add to that that I think the Governor does that almost on a daily basis. He fulfils that role with visiting dignitaries, ambassadors and a whole range of work on a daily basis. While we have had non-specific conversations about this in the short time I have been Premier, I am sure we will have some more conversations about roles for the Governor to play in that area and I know he is keen to do so.

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Mr WING - Yes, that is good. I think everything is running very smoothly and with great dignity.

Mrs JAMIESON - I was just wondering about furniture restoration, chandeliers and things like that. That restoration is a fairly expert area. Do we have the experts in Tasmania or do we have to look inter-State?

Mr CHILCOTT - Usually we find that the Tasmanian Museum and Art Gallery have all the expertise we need for these areas and we do rely heavily on them. They are very helpful.

Mrs JAMIESON - I would be very interested to see energy saving globes in the chandelier.

Mr CHILCOTT - That is one area we have not been able to do - I did say most areas.

Mrs JAMIESON - You did indeed. I was just wondering what they looked like. You were talking about the garden. Do you have a budget to look at water conserving products that are available on the market now that could be actually dug into garden beds?

Mr CHILCOTT - We have put in quite a lot of drip systems.

Mrs JAMIESON - There are urea-based products you can buy these days that you dig into the garden bed and it helps to keep the moisture in.

Mr CHILCOTT - I am not too sure. One thing we have considered was using grey water, but both we and the Botanical Gardens are very uncertain as to whether that is actually safe from the point of view of trees. It is very saline. There is no research that we can find that indicates that it is safe.

Mrs JAMIESON - So the armillaria they have had down at the Botanical Gardens has not struck up your way?

Mr CHILCOTT - No, not yet. I am certainly happy to have a look at it.

Mrs JAMIESON - Thank you.

CHAIR - Premier, there is a gardening lesson going on here.

Mr FINCH - I am still in the garden because I am curious about the bowling green.

Mr BARTLETT - I am glad someone was going to ask that. I was sitting here thinking, 'I cannot ask any questions.'

Mr FINCH - And if you could, you would ask about the bowling green. It was re-established some time ago by Governor William Cox. I know that the parliamentary bowls team - I believe he is the patron of the parliamentary bowls team - had an opportunity to go and use the green. Is it still being maintained?

Mr CHILCOTT - It certainly is, and the Governor has made it quite clear that he is quite happy for the parliamentary bowls club to use it at any time.

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Mr FINCH - Is he a bowler himself?

Mr CHILCOTT - Not that I am aware of.

Mr FINCH - He might have to be replaced by - not that I have offered him the job - but on that day that the parliamentary bowls team goes there, the Premier might care to join us.

Mr BARTLETT - I would love to come along. It would be terrific.

Mrs JAMIESON - Further to that, chair, we are due to have the parliamentary bowls being held here in Tasmania next year, so maybe we could come up -

Mr BARTLETT - A function at Government House, I can see now.

CHAIR - No inter-State trip coming up?

Mrs JAMIESON - No, we are going to stay at home.

CHAIR - I am not sure they will get enough to go.

Mr CHILCOTT - I am well placed to advise the Governor on bowls, having been for eight or 10 years the secretary/treasurer of the parliamentary bowls club.

CHAIR - Do you get to travel as well, Mr Chilcott, to the events that happen inter-State?

Mr CHILCOTT - To the bowls?

CHAIR - Yes.

Mr CHILCOTT - I did in those days.

Mr FINCH - The member for Launceston mentioned about the ambassadors and you alluded to it as well. They are now back being accommodated?

Mr CHILCOTT - Indeed they are, yes. Usually they stay for two or three nights. There is an official dinner, and the Governor and his wife usually have an informal dinner as well.

Mr FINCH - It was interesting before when that operation ceased and they were accommodated in the city itself, because I would imagine that the people who come to visit as ambassadors and stay at Government House must be really impressed with the way we host them.

Mr CHILCOTT - We are certainly the only State where as a matter of course they stay at Government House. It is certainly very popular with the ambassadors.

Mr FINCH - How many ambassadors will you be expecting in the near future?

Mr CHILCOTT - It is the Department of Premier and Cabinet who officially organises their itineraries and invites them -

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Mr BARTLETT - I can tell you that for 2006-07 there were nine ambassadorial visits and 2007-08 there were 13. So I imagine you could extrapolate out to next year.

Mr FINCH - Yes. So it is quite an active program; isn't it?

Mr CHILCOTT - It is, yes.

Mr FINCH - Thanks very much.

Mr DEAN - I want to raise the issue of security. There have been no security issues or matters of any concern?

Mr CHILCOTT - None at all. We have a fairly good security system but we cannot secure the perimeter; it is just too big short of having cyclone wire and barbed wire. But the building itself has a very good system of cameras and alarms. During the day we do not have a security officer on, because it is fully staffed and there are people coming and going all the time. On weekends and at night we have permanent security officer there who monitors screens. It is a pretty well developed system.

Mr DEAN - Thanks.

[12.15 p.m.]

CHAIR - Thank you, Mr Chilcott. If there are no other questions from the Committee, I thank you for your attendance today and look forward to seeing you again some time soon.

Mr WING - I must say our House in particular appreciates the cooperation and assistance that Mr Chilcott and his officers are always very happy to provide. We do appreciate that.

CHAIR - You are always very welcome. It is appreciated.

DIVISION 10 -
(Department of Premier and Cabinet)

CHAIR - Welcome, Rhys. We congratulate you on the public record on your new position and we hope that you enjoy it.

Mr EDWARDS - Thank you.

Mr BARTLETT - He will be too busy working hard. If I might open with an overview. It is relevant because there has been some shift in outputs that members probably need to understand. It explains why some chunks of money have moved to different places before we get stuck in. There have been some structural adjustments arising from the administrative arrangements to reflect the new ministry and some new initiatives for the coming year.

Two new outputs, 1.2 and 1.3, have been created in Output Group 1, Executive Decision Making. These reflect the Government's commitment to developing and implementing well-considered strategies in relation to climate change and social inclusion, which are two of the most critical policy issues that the Government has to deal with.

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In 2007-08 a new output, output 2.6, Support for the Stolen Generations Assessor, was created for the purpose of providing assistance and support to the Stolen Generations Assessor. This output is not required now that the work of the assessor is complete.

The department's community development related outputs, which are consolidated under one output group, Community Development, and which includes Women Tasmania, the Disability Bureau, the Seniors Bureau, Aboriginal Affairs, Multicultural Tasmania, and Children and Youth Affairs, have been brought back under the Premier's portfolio. Last year you would have been questioning Minister O'Byrne as Minister for Community Development about those outputs.

Output Group 7, Development of Local Government, remains the responsibility of the Minister for Local Government, and those Estimates will be dealt with by Minister Cox.

Apart from general indexation and provisions for negotiated salary increases, the main changes in budgets for the various output groups are as follows. In addition to funding the work of the Tasmanian Climate Change Office and the Social Inclusion Unit that I have just mentioned, the funding for Output Group 1, Support for Executive Decision Making, has also increased due to expenses associated with the Council for the Australian Federation - that is the group that is 'COAG minus the Feds' as well as the funding of the Office of Chief Scientist, which is an initiative in this year's Budget. I am very happy to expand on that as we work through the outputs. And funding of a four-year program that will focus on the health and well-being of Tasmanian public sector employees. I am very happy to expand on that as we go through.

There are several funding changes affecting Output Group 2. Net additional funding of \$136 000 has been provided to the Management of Executive Government Processes, output 2.1, in 2008-09 and out years to financially support community and cultural activities through a sundry grants program. There is also a decrease in funding in Management of Executive Government Processes for 2008-09 reflecting the transfer of funding for family assistance to Output 1.3, Social Inclusion. Increased funding has been provided to the Principal and Subordinate Legislation Output to reflect the transfer to the Department of Premier and Cabinet of funding related to the contracts for printing the *Tasmanian Government Gazette* and printing of legislation. The contracts will be managed by the Office of Parliamentary Counsel.

A decrease in funding for Representation in Canberra, Output 2.5, in 2008-09 reflects the reduction in funding for the operation of the Tasmanian Government office in Canberra. As you would have read in the media today, I announced yesterday that I have asked for a review to be conducted into the operations of that office and I am happy to go through the detail of that as well when we get to that output. As I mentioned, there is no requirement for Output 2.6 now.

Changes to Output Group 3, Electronic Services for Government Agencies, are due to funding of an IT transformation project that Mr Chilcott referred to improve the way Government delivers IT services - I can talk about that - and funding a grant to the Tasmanian Electronic Commerce Centre.

The increase in Output 3.3, Management of TASINET and Networking Tasmania, primarily reflects increased mobile phone expenditure and a growth in the number of services managed by TASINET. This is effectively a post box output; the money comes in from agencies and gets paid out to the providers, generally Telstra. And overall funding for Output Group 4, State Service Management, remains the same.

The decrease in funding for Output Group 5, Support for Tasmania Together Progress Board, reflecting the cessation of some one-off funds provided last year to the board, which was used primarily to pay for the development and implementation of an online benchmarking reporting system, which I had demonstrated to me just the other day, and the running of the Tasmania Together youth challenge.

A small increase in the annual appropriation across the outputs in Output Group 6 reflects an increase in the funding for the directorate of the community development division. These costs are attributed to all the outputs. The directorate provides overall strategic management to the division and helps ensure that the work of the various units that make up the division are well coordinated and integrated. That is by way of introduction.

CHAIR - Thank you, that was very informative.

Output group 1
Support for executive decision making

1.1 Strategic policy and advice -

Mr FINCH - In this area of strategic policy and advice we have a healthy increase of over \$1 million in this budget and then an increase year to year, but then there is a drop in 2011-12 by some \$202 000. I suppose it is not a hiccup; it is just an adjustment; or what is going to happen there?

Mr BARTLETT - The increase in Output 1.1, Strategic policy and advice, reflects the establishment and operation of the Office of the Chief Scientist - I am happy to talk more about that - the additional funding for the public sector health and wellbeing program and a contribution to support the activities of the Council for the Australian Federation. This body is essentially Premiers and Chief Ministers without the Prime Minister. It was set up -

Mr FINCH - The former one or the current one?

Mr BARTLETT - Well, both. Neither of them was welcome there apparently. I have not actually been to one of these meetings yet, but it was set up under the previous Federal Government while the previous flavour of Federal Government was in office. One of the driving forces for it was around the former Government's refusal to create a mandatory renewable energy scheme, carbon trading schemes and those sorts of things that the States thought they could get together on and do something without the Commonwealth. But there is also an ongoing need for it in terms of constructively coming to a shared States' position on the Federal agenda and so on.

Mr FINCH - And moving towards federation, is that part -

Mr BARTLETT - Abolishing States, is that what you are calling for? No.

Mr FINCH - How much money is expended towards that activity?

Mr BARTLETT - I can flesh out the other two, which is the Office of Chief Scientist is \$1 million over four years and the health and wellbeing program for the 25 000 public servants is \$3.3 million over four years. I am advised that CAF, the Council for the Australian Federation, is around \$160 000 a year.

Mr FINCH - That is the increase?

Mr BARTLETT - That is the increase this year. I can tell you a bit about the work that is going on there. The development and implementation of an emissions trading scheme, as I mentioned, that will have impact on Australia's States and Territories. In fact, it has the potential to have a really significant impact on Tasmania, both negative and positive, depending on how the negotiations go for it and therefore this is a high risk bit of national public policy that is emerging for Tasmania. Essentially the risk lies in that Tasmania has been at the forefront of renewable energies. In fact, some 75 per cent of all of Australia's renewable energies come from Tasmania. Therefore, it would be a perverse outcome, in my view, if we were not rewarded under an emissions trading scheme for the investment we have made over decades in renewable energies. But there is some argument by larger States, who want incentives to lessen the impact of coal-fired power stations, to ignore everything that has gone before and just effectively reward through an emissions trading scheme investment in renewable energies from starting the clock now effectively, which would not benefit Tasmania at all because we do not have a massive investment in coal-fired power stations that we could reduce and then gain from it. It is a key bit of public policy that is emerging through COAG and being debated through CAF as well that Tasmania stands to gain or not from.

Mr FINCH - And other areas?

Mr BARTLETT - Other areas include a project investigating the interaction of Commonwealth and State land use in land use planning processes. We have just been through that, and that is related to questions around affordable housing. More work on federalism focussing on what models of best practice federalism would look like as a follow-up to the earlier work of the Twomey and Withers previously commissioned and published by CAF as Federalist Paper 1 about constructive federalism and how federalism should work into the new century. Other research projects will be commissioned during the year by council members from the balance of any research funds remaining, so we effectively make our contribution to a fund - the percentage of we provide, our 2 per cent or whatever the case may be - that funds this work.

Mr FINCH - From your understanding when does CAF meet - when you go to COAG? Will it be around that same time?

Mr BARTLETT - It certainly has been in the past around the same time where CAF has met the day before or the night before COAG. There is a COAG meeting planned for 3 July. That is my next thing to attend to post Estimates. I am not sure whether there is a CAF - yes, there is a CAF also planned for that time.

Mr FINCH - That allocation to COAG -

Mr BARTLETT - To CAF -

Mr FINCH - No, to COAG itself that is in this item too. I believe that there is money allocated to COAG from this item.

Mr BARTLETT - No, just to the Council of Australian Federation, which is COAG minus the Prime Minister effectively. There is money in here within the policy branch of DPAC and many of those people are engaged in, amongst other things, providing policy advice to

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government. I know they are very busy at the moment when I did my walk-around in the first week or two of meeting people in the department there were massive amounts of flowcharts and papers and whiteboards and things trying to get all the enormous amount of work that goes into COAG distilled down to a form I could understand and deliver at COAG. But there is no specific new money in that; these are generalist policy positions that work on policy across government in a whole range of ways, intergovernmental being one of their areas.

[12.30 p.m.]

Mr FINCH - Okay. Regarding the establishment of the Office of Chief Scientist, I think you said yesterday that that is well under way.

Mr BARTLETT - I would not say well under way; the thinking around it is well under way. We would be advertising and selecting a person to fill this role but I am very happy to talk about what I see for the role. It is a bit like the State Architect position - I kept saying State Archivist yesterday for some reason -

CHAIR - You were more nervous yesterday.

Laughter.

Mr BARTLETT - That's right; I am very relaxed here, Madam Chair. I see, starting from the fundamental position, that science and research is a key part of growing gross State product in this State. It is a key part of our economy. There is an old saying, which I believe to be true, that per capita there are more scientists living in Hobart than any other city in Australia, and across the State science and our research capacity is not only important for the public good in research about climate change, the southern oceans, Antarctica and other areas of expertise that we have in the State, but also it is a significant contributor to our economy. Research dollars attract well-paid scientists which therefore have flow-on effects into the community and it is a significant part of an ongoing vibrant economy in Tasmania as well as a public-good thing to do on a global scale which I think is deeply related to our brand. Of course these scientists are globally connected and provide data and research to global efforts around climate change, oceanography, mining and minerals through the centre at the university, and forestry through research into forestry technologies and innovations. So there is a whole range of capacity in science and I am committed in my time as Premier to grow that capacity in Tasmania so that it in turn grows its impact on our gross State product and economy.

The Office of the Chief Scientist will effectively have two major streams of work that I will want it to engage in. One is advising the Government on how best to grow the science and research capacity in Tasmania for those good reasons I have expanded upon; how best to bring together things like the CSIRO, our cooperative research centres, TIAR and TAFI; the Antarctic Division, the university and all the science capacity we have here, to strategically bring those things together in a plan that, through strategic investments, would allow that to grow in Tasmania, and for projects that come before government - for example, the establishment of a new cooperative research centre based on the institutions we have here - to assess and provide government advice on the science behind that. Is this science important? Do we have the capacity to do that? They are scientific questions that we need advice on.

The Office of the Chief Scientist would be responsible for advising government and bringing together other areas of government such as the innovations, science and technology unit within the Department of Economic Development to advise government on where we should best place

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our investment to grow scientific endeavour in Tasmania. Another stream of activity for the Office of the Chief Scientist is to advise government on the big scientific questions and to provide advice. For example, the permit for the pulp mill going through the Parliament was raised yesterday, and although I do not anticipate any future activities of that nature -

Mr WING - Good.

Laughter.

Mr BARTLETT - I do anticipate that from time to time we will want independent scientific advice and I have said very clearly that I want the Cabinet to be led and informed by the best data and evidence it has available to it to make informed decisions that affect the future lives of Tasmanians. So where there is a scientific question we need answered I would be able to refer it to the Office of the Chief Scientist who would not necessarily have the knowledge themselves but would certainly have the credibility in the scientific community to put the question and gather the research and inform government of the answer, and indeed the Parliament as well.

Like the Office of the State Architect, I do not see this as a statutory position with an enormous amount of bureaucracy that goes with it but as a chief adviser to government sort of position working with other bodies and instrumentalities to refer to the office particular questions of a scientific nature that would inform debate and decision-making in Tasmanian government and in the Parliament as well.

Mr FINCH - Yes, it is quite a role and a very special person is going to be required to fill it.

Mr BARTLETT - Absolutely.

Mr FINCH - Are you casting your net wide?

Mr BARTLETT - Certainly. We will be advertising and looking widely.

CHAIR - In the north of the State, Premier?

Laughter.

Mr BARTLETT - You could use Mr Dean's argument that the School of Architecture is in the north and therefore the State Architect should be there. You could also make the argument that a large chunk of the CSIRO and the Antarctic Division and the university's research efforts and the cooperative research centres and TAFI and TIAR could also be moved to the north or, alternatively, the Office of the Chief Scientist could be in the south.

Laughter.

Mr BARTLETT - My mind is open on these things.

CHAIR - I apologise for starting that.

Mr BARTLETT - Of course this is \$1 million over four years. Some of the set-up costs are front-ended in the first year, so it is not a huge budget, essentially around \$250 000 per year. But I would anticipate with a job like this that it might not be a full-time position; it might suit a

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retired expert in their field - and we have many of them here in Tasmania - who has retired as a former professor of what-have-you and might fill the job for two-and -a-half days a week, cutting some of the salary costs and enabling some of that money to be used on particular consultancies or research work. There are a number of ways we could structure this and we will do it in a way that fits the right person for the job.

Mrs JAMIESON - So it is envisaged that the position will be reviewed in four years' time?

Mr BARTLETT - I would see this as an ongoing position but governments these days as a matter of accounting tend to put in the forward estimates funding for four years and announce them as \$1 million rather than \$250 000.

Mr FINCH - I recall from a conversation yesterday that the office is going to be established at the university. Has that decision been made yet?

Mr BARTLETT - As to where the office is physically I do not know; I have not done much thinking about that, but I would see this person being supported by DPAC in terms of HR and paying the bills and providing an office and computers and all that sort of thing, so none of this money would be used for those corporate services but would be used in the Office of the Chief Scientist. I would imagine we would find an office for this person somewhere within our own buildings. Whether that is in Launceston or Hobart, who can tell?

Laughter.

Mr FINCH - I read that the Public Sector Health and Wellbeing Program which is part of this area was highlighting the public sector as a work opportunity. Is that for people who are in the public sector just to reinforce their attitudes towards their jobs or is it for people maybe aspiring to work in the public sector?

Mr BARTLETT - There are two main themes to what I see coming out of this program. I want a highly productive, efficient and effective public sector. I know myself that when I go for a 45-minute bike ride at lunch I operate much better for the rest of the day and am healthier, sleeping better and exercising more. There is a beautiful quote from Roy Fagan, a former Attorney-General of Tasmania, in a letter to his son about staying fit because that is when you make the best decisions, and I think that is true. Being fit and healthy is a key part of being a productive, efficient and effective work force. I know that the secretary is out looking for a bike so he can come out riding with me at lunchtime and advise me out on the bike track at all available opportunities.

Mrs JAMIESON - I can see you both out there with your headsets and iPods and things.

Laughter.

Mr BARTLETT - So that is one aspect of the program. The other aspect is that I do believe in a time of skills shortages and with the labour market effectively becoming more choosy about the careers young people go into that we want the best and brightest choosing a public sector career because I believe the public service is an honourable profession that we need the very best and brightest people in if we are going to create the best public policy. So part of this is to be an employer of choice and to be leading other employers in the State into aspects where we can

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improve the outlook for all workers and employees, and we are leading by example within our won house, if you like.

Mr FINCH - Do you have a focus on providing gymnasium facilities such as we have established here in Parliament House?

Mr BARTLETT - Which I trust we are all members of around the table, are we?

Mr FINCH - It has been a boon, particularly for northern members and the staff here at Parliament House. Is that aspect on the radar or has it been considered?

Mr BARTLETT - Let me tell you about the program itself and give you some detail. It is not so much about creating gyms and so on but there is money for capital in here, for example, and one of the things I know is a real deterrent to people running or riding to work is the availability of showers and changerooms at the office when they get there, so I would see an investment from government to ensure that those things are happening. Generally we are well provided for in government buildings for those things but they can always be improved.

The program is based on the Get Moving at Work program which stemmed from the Premier's Physical Activity Council that Royce Fairbrother chairs. The program will support all Tasmanian government agencies to implement evidence-based health and wellbeing programs for their staff that provide access to a voluntary online employee survey; individual face-to-face health and wellbeing checks for employees and supported follow-up; interventions for individuals of higher risk based on their initial assessments; web-based and hard copy information about intervention resources for employees; and resources and funding to address the impact of organisational factors on workplace health and wellbeing. The funds provided in the first year would include up to two staff to get the program up and running, an online web survey; web-based information plus other resources; and capital investment for workplace change, which relates to the showers and stuff I was talking about. It is a three-year program and we will also provide \$25 000 in 2009-10 to assess the program and inform us of how we might do better in the subsequent years. I think a lot of this stuff comes down to leadership and leading by example. That is why I want the State Public Service to lead by example as an employer of choice. I also think it is incumbent on me and other leaders - secretaries, deputy secretaries -

Laughter.

CHAIR - Chiefs of staff?

[12.45 p.m.]

Mr BARTLETT - Chiefs of staff - who have just walked into the room - media advisers and assorted other directors. That is why I was absolutely thrilled that I managed to get a snapshot on the front page of one of the newspapers recently of riding my bike, because of the message that sends about having a healthy workplace, engaging in a good work life balance - I am not saying that I actually achieve these things all the time in any way, shape or form - and getting the right access to exercise and so on. It is good for climate change; it is good for health and wellbeing; it is good for productivity; it is good for the demographic change elements that we are facing; it is good for the stresses and strains on our health services -

Mr FINCH - And good decision-making?

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Mr BARTLETT - And it implies good decision-making. All over this is good public policy, in my view.

Mr DEAN - It is good for getting more bikeways.

Mr BARTLETT - That is right. There is \$4 million also allocated in this Budget for cycleways, and of course I am hoping to ramp that up to \$8 million by working with local government dollar for dollar on creating city cycleways. As I have outlined in the House of Assembly, if we can take some 90-odd cars off the roads each year we will have achieved the equivalent of investing in \$20 million worth of solar energy in terms of reducing our emissions. I think we can do that with the right cycleway infrastructure, and that of course is related to this. As a keen cyclist, I probably should have declared an interest but I think it is in the interests of all Tasmanians that we invest in that sort of infrastructure.

Mrs JAMIESON - So we expect to see a reduction in government cars?

Mr BARTLETT - I would be very happy to see a reduction -

Mrs JAMIESON - In numbers, I mean.

Mr BARTLETT - I would prefer to see government cars parked in the car park and people riding home at night and running to work.

CHAIR - It is going to be difficult for some.

Mr BARTLETT - It is always difficult. We have to do these things at our own pace. I run to work in the morning because it is a 30-minute run from my place to here.

Mr WING - So it is down hill?

Mr BARTLETT - It is down hill, thank you for pointing that out, Mr Wing. It is all down hill and it takes 30 minutes. When I say 'run', it is more of a Cliff Young sort of shuffle than a run.

Mr WING - It is more difficult having the use of cycles to the maximum extent in hilly conditions, such as some parts of Hobart, Launceston and Burnie.

Mr BARTLETT - Certainly, but I have looked at the Launceston council's strategic bike plan. I would encourage Greater Launceston to get involved in what the Greater Hobart councils have done.

Mr DEAN - I am on the committee and we are doing it.

Mr BARTLETT - Terrific. I will have the money for you ready to roll when you have finished the work.

Mr DEAN - Thank you. I will make a note of that. It is on the *Hansard*.

Mr BARTLETT - I refer to the five councils of Greater Hobart from Brighton to Kingborough have developed an intercity cycle plan. The plan is a fantastic one. It is available

online. It talks about bike lanes in particular strategic places and links up the bikeways that are already in existence with more arterial routes out into the suburbs and so on. I have committed to going dollar for dollar with them on what will be a fantastic asset and make Greater Hobart - and I have committed the same for Greater Launceston and the same for the two north-west coast cities - far more cycle friendly places than they have ever been before.

Mr WING - So with the bike lanes on the city streets, are they on the outside of the cars or between the cars and the footpath?

Mr BARTLETT - These are elements for local government to determine in general. They need to do the planning for this sort of work. I am prepared to fund the work when it happens. My personal feeling as a cyclist is that they need to be not just a narrow strip that is somewhere between the parked cars and the raging traffic; and they need to be safe. One of the reasons I run to work and do not ride to work is that I have to negotiate Macquarie Street and Davey Street. You are taking your life in your hands as a cyclist when you do that.

Mr WING - I mentioned yesterday that I saw in Budapest in Hungary a few weeks ago cycle tracks between the kerb and parked cars rather than on the outside of the parked cars.

Mr BARTLETT - That would be a much better way of going, in my view.

Mr WING - Much safer. So I mention that for consideration.

Mr BARTLETT - Again if you talk about Hobart with Macquarie Street and Davey Street which we all know are the complete bottlenecks between the south and the north. They affect every single traffic movement through the city. I would like to take up a whole lane with a bike lane, frankly, and I would have to review what the Greater Hobart Council plan actually is on those two roads. But if you provided the right infrastructure there, you would have less cars trying to use those roads. I think we should make provision in favour of clean, energy efficient, healthy ways of travelling.

Mr FINCH - Take a leaf out of the book of Ho Chi Minh City where most of the population is on bikes. You were talking about leadership before, and the example was the former Prime Minister. He must have done wonders for people's psyche in respect of thinking that walking is a good thing to do.

Mr BARTLETT - Absolutely. He was out there all the time.

Mr FINCH - He got terrific publicity for it too.

Mr BARTLETT - Yes. I do not particularly want the same press pack following my Cliff Young shuffle to work in the morning. I wear my cap and my dark glasses so that no-one recognises me.

Mr WING - You look much more athletic than he did.

Mr BARTLETT - I am not sure actually.

Mr FINCH - Just a final question in respect of what you have been saying, Premier: That survey that you are going to conduct amongst the public sector, what are you aiming to achieve and what will be the thrust of the questions?

Mr BARTLETT - I do not know that detail, to be honest, but I am happy to share that detail as it builds when we have appointed a position and people will start working on that sort of detail. I would be able to provide you with the Premier's Physical Activity Council Get Moving Program which it will be based on and would have many of the materials in there as well. It would obviously be private and confidential; it would be voluntary; and in my view it would be based around the individual about what it is that you need to improve about your lifestyle, or life and work environment that can improve your health and wellbeing outcomes.

Mr FINCH - Okay, and you are prepared to act on the advice that might come through from the public sector?

Mr BARTLETT - Sure.

Mr FINCH - Thank you.

Mr DEAN - I wanted to raise another question in relation to the Chief Scientist. It concerns me that you embark on the chief scientist position and you also embark on an identified budget for the position but you really do not know at this stage how it is going to operate. I would have thought with the greatest of respect that a lot of work would have been done to determine what you want in that office; how long the office would operate for, whether it be two or three days a week; and the amount of work that will be there. I would have thought that would have been a fundamental and basic principle of setting a budget for the new position.

Mr BARTLETT - With respect, I have to disagree with you. I have outlined pretty clear thinking about what I want the office to do. My view is that is a 'how long is a bit of string' question and about prioritising money in government. I am absolutely confident that I could keep an office of a chief scientist probably with 10 staff in it busy all year around. But it is how much are we able to invest in this and who is the right person for the job? Getting the right person working two or three days might actually be far more productive than getting a lesser person working five days on the sorts of issues that we want them to work on.

This is a strategic job. I see it therefore as very long term affecting Tasmania's participation in the science community world wide and growing our own science and research. The right person in this job, within those broad contexts that I have outlined, will be able to shape the job to meet those objectives. What I am about is setting the objectives of the role, which I think I have clearly articulated. A very senior person like this would be highly capable of mapping out how they are going to within the constraints of a budget - a constrained budget is always going to be existent; no matter whether it was \$10 million or \$1 million it would be still be constrained - to be able to meet those needs.

I would add that where particular scientific questions emerge that we need advice on or more to the point where a Government investment of say \$125 000 that might tip over a research body into locating here, like we do with industry development, we would also find money in the budget that would be over and above this \$1 million to facilitate those sorts of projects and outcomes happening - if it was right for Tasmania.

UNCORRECTED PROOF ISSUE

Mr DEAN - The only other question I had, and you have already answered it, is that I think you said that all Public Service positions will be merit based -

Mr BARTLETT - Correct.

Mr DEAN - I am very pleased to hear you say that in view of some of our previous experiences.

Mrs JAMIESON - I am not trying to be frivolous here but I am just wondering what happens if people become injured while they are complying with the rules and regulations in the new policy of getting people -

Mr BARTLETT - There are strict rules around workers' compensation in terms of when you are covered and when you are not covered if you are travelling to work or leaving work and those sorts of things, so they would naturally apply. While we can all fall off the bike or trip over while we are running, I genuinely believe that a healthier work force is less likely to access a workers' compensation scheme overall than a non-healthy one.

Mrs JAMIESON - I would agree with that. I was just thinking of the process of complying with the new policy -

Mr BARTLETT - It is not mandatory. I am not going to force everybody out to come riding with me at lunch. No-one is going to be forced into an exercise regime of which they are not capable or anything like that. I do not think that is culturally acceptable in Australia or in Tasmania. This is about leadership and changing people's behaviour through that.

Mrs JAMIESON - It can happen when you are in the gym or anywhere too.

Mr WING - In light of the discussion now, it is quite surprising that we had a battle for two years to get the gymnasium here against the opposition of the Speaker who did everything possible to avoid it. But you might be able to get him on a bike -

Mr BARTLETT - I would quite like to put him on a bike sometimes.

CHAIR - In the light of our talking about physical activity and it being lunch time, and given that you have indicated to the committee that you need 45 minutes for a bike ride plus your lunch -

Mr BARTLETT - I ran in this morning so I will not be riding at lunch. I am in your hands as to when we come back.

CHAIR - I would suggest that we return at 2.15 p.m. That will allow everyone to have some exercise, if required, or to have a decent lunch. Thank you very much.

The committee suspended from 12.57 p.m. to 2.15 pm.