

Wednesday 22 August 2018

The President, **Mr Wilkinson**, took the Chair at 11 a.m. and read Prayers.

ANZAC DAY OBSERVANCE AMENDMENT BILL 2018 (No. 23)

First Reading

Bill received from the House of Assembly and read the first time.

SELECT COMMITTEE INQUIRY INTO FIREARMS LAW REFORMS
Member for Windermere - Statement

[11.04 a.m.]

Mr DEAN (Windermere) (by leave) - Mr President, my statement today relates to the proposed firearms law reform inquiry. The Legislative Council Select Committee inquiring into proposed firearms law reforms, having been placed in its current position by the Government's decision not to progress the previously announced firearms law proposals, has determined to provide a report to the parliament setting out the circumstances in reaching this stage. The report will include a copy of the 110 submissions received by the committee, and these submissions will be available to the Government when and should it review the firearms legislation. Those submissions will also be available to any other person wanting to view them. The time to put them together has not been wasted and it will inform the Government in any review of the firearms legislation.

The media report that will be released shortly after this statement reads -

Inquiry into Firearms Law Reforms

The Select Committee inquiring into the Government's proposed firearm laws notes the announcement of 17 August 2018 that the Government would not be progressing the firearms law reforms as previously announced. As the Inquiry Terms of Reference were specifically drafted to address the Government's proposed reforms, the Committee has been placed in the unenviable position of being without valid Terms of Reference. The Committee is therefore unable to progress with the work of the Inquiry.

The Committee intends to table a report to this effect and will publish all public submissions as part of this, with the exception of those submissions indicated as confidential.

The Committee acknowledges the considerable thought and effort that went into the submissions and expresses its gratitude to all individuals and organisations that contributed to the Inquiry. The submissions will be available to assist the Government in the event that it reviews firearms policy in the future.

Members of the Committee are:

Hon Robert Armstrong MLC (Inquiry Deputy Chair)

Hon Ivan Dean MLC (Inquiry Chair)
Hon Mike Gaffney MLC
Hon Leonie Hiscutt MLC
Hon Tanya Rattray MLC
Hon Jo Seijka MLC

That is the way the media statement reads. I take this opportunity to thank all of the members of the committee for the hard work they have put into the committee thus far. The committee further agreed unanimously to making this statement to the House prior to any public release, because the Legislative Council voted to support the inquiry in the first instance.

The work undertaken to date will not have been in vain. The 110 submissions the committee received will be available to inform any future review of this legislation. The committee will conclude following the submission of the report previously referred to.

METRO TASMANIA AMENDMENT BILL 2018 (No. 14)

Second Reading

[11.07 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council - 2R) -
Mr President, I move -

That the bill be now read the second time.

The Metro Tasmania Amendment Bill 2018 makes a number of important changes to the Metro Tasmania Act 1997 in order to best position Metro Tasmania to respond to a changing public transport environment. It also removes outdated elements of the act in relation to the setting of fares and introduces important governance changes to Metro Tasmania and other state-owned companies that promote greater consistency and transparency.

Amendments to enable Metro Tasmania to operate non-road transport services

The Government has confirmed its commitment to the development of a ferry service between Hobart and Bellerive, to be operated by Metro Tasmania. As part of the commitment, the Government has identified the need to provide Metro Tasmania with the powers, under its legislation, to provide a ferry service as part of an integrated passenger transport system.

In its current form, the Metro Tasmania Act 1997 permits only Metro Tasmania to operate road passenger transport services. This restriction is a reflection of the historic responsibilities of the Metropolitan Transport Trust, from which Metro Tasmania was created. The concentration on specific transport modes to the exclusion of other potentially more viable options is anachronistic in an era where the efficiency of how people travel around the city has become of paramount importance.

The community, the Government, local government and industry have shown ongoing interest in a passenger ferry service on the Derwent River.

There is a long history of the operation of ferry services on the Derwent River. Regular ferry services between Hobart and Bellerive ceased in 1963, only to reach new peaks of demand following the Lake Illawarra disaster. In the order of 25,000 people a day crossed the Derwent River by ferry in 1975.

Following the reopening of the Tasman Bridge, ferry services were continued by a range of operators with limited patronage until relatively recently.

In 2013, a report on the options for an integrated sustainable public transport system in southern Tasmania recommended the government trial a passenger service integrated with Metro Tasmania with the provision of appropriate waterside infrastructure.

Hobart, and its economy, is rapidly transforming. New developments in close proximity to the river, including residential, commercial, recreational and tourism ventures will strongly influence future travel patterns. The time is right to develop and expand on Hobart's public transport options and to take advantage of the opportunities provided by the Derwent River.

Eighty-three per cent of all journeys to work in Hobart are taken by car. This is the highest proportion of any Australian capital city. Over 75 per cent of vehicles used to travel to the CBD each morning remain parked in the CBD during the day. Unsurprisingly, demand for road space in Hobart is heavily concentrated in morning and afternoon peak periods.

As our population continues to increase, our capacity to efficiently accommodate additional vehicles on our road infrastructure will become more constrained. Ongoing expansion of the road network to meet peak demand will be increasingly expensive and will provide diminishing returns in terms of travel time savings for commuters.

The Government has released its Greater Hobart Traffic Solution policy which provides a much needed blueprint to futureproof our growing city. This policy adopted Infrastructure Tasmania's publication, *Hobart Transport Vision*, which set out a vision for a number of ways to facilitate movement in an ever-expanding city for our community and visitors.

Flexible and convenient public transport services have an important role to play in providing alternatives for commuters, as Hobart residents are increasingly affected by demand for road space during peak periods. Measures that provide greater incentives for commuters to leave their cars are an important and effective means of reducing reliance on private cars during peak periods. Increasing the transport choices available to commuters is one such obvious measure.

Hobart's lineal growth along the Derwent Estuary provides a natural transport thoroughfare through the city. The development of a ferry service between Hobart and Bellerive is a first step towards better utilisation of this asset.

A successful ferry service will be expected to draw patronage from existing car drivers and passengers, thereby reducing pressure on the Tasman Bridge in peak periods.

This bill removes any restrictions on Metro Tasmania on the type of passenger transport service it can operate, thereby enabling Metro Tasmania to lead development of a ferry service.

The Government's intention is for a future ferry service to be operated by Metro Tasmania, in order to best support development of an integrated transport service. The amendments to the Metro

act provided by this bill enable this to occur. However, the bill does not exclude other options or models, should these be required in the future to meet the Government's expectations with regard to integration of services.

To progress the operation of a Derwent River ferry service, Metro will be undertaking a preliminary demand analysis to inform the specifications and necessary supporting infrastructure to ensure the service aligns with transport needs.

Work to develop the ferry service will also be incorporated into the Hobart City Deal, which will provide a coordinated approach to transport, land use planning and urban renewal, involving the three tiers of government.

There are two additional amendments we are seeking to make to enhance the act in this bill. One is to improve efficiency and remove duplication in setting fares, the other enhances governance of Metro Tasmania in line with other state-owned companies.

Rescission of Part 3A - Fares Order

The Government believes it is important to remove red tape and duplication in regulation. Part 3A of the Metro act is one example of a layer of unnecessary bureaucracy that can be easily removed.

The Metro Tasmania Fares Order specifies the maximum prices that may be charged by Metro in respect of full fare adult travel on urban bus services. The actual fares, within the maximum, are set by Metro.

Metro urban fares for concession passengers, Metro non-urban fares and the fares for all passenger categories travelling on services provided by other operators are set administratively through each of the operator's contracts with the Department of State Growth.

The separate fare-setting systems have meant historical disparities in fare levels between the urban and non-urban areas have continued to be embedded, resulting in a significant 'step up' in price for people travelling beyond the urban boundary.

The current Public Transport Bus Services Procurement review (Project 2018) is considering options to resolve the inconsistency in fare levels. A transparent process for preparing the fare schedule, annual indexation provisions and fare review mechanisms will be the subject of a future submission to Cabinet before the contracts commence.

The Passenger Transport Services Act 2011 gives the Secretary of the Department of State Growth the power to enter into contracts with a passenger transport service operator for the operation of a regular passenger service. The new contracting arrangements will give the secretary the power to set fares under the fare structure, which will replace the powers currently in Part 3A of the Metro Tasmania Act. Removal of Part 3A will not prevent the Government requiring a review of Metro's pricing, which could follow similar parameters to the work previously done by the Tasmanian Economic Regulator.

Governance consistency

The Government business portfolio comprises state-owned companies (such as Metro) and government business enterprises. State-owned companies are established under corporations law

through their respective portfolio legislation. Government business enterprises are established under the Government Business Enterprises Act 1995 through their respective portfolio act.

Government businesses provide substantial returns to the state and provide essential services to the Tasmanian community. Given their significance to the state, a sound commercial and accountability framework must exist for all government businesses.

Although government businesses are established under two different governance frameworks, there is a common objective that the governance and accountability framework is clear and appropriate.

The use of a statement of expectations has been an important part of the governance framework for state-owned companies for at least 10 years. Recognition of its importance was legislated in 2009 for the two state-owned companies created that year. The statement of expectations provides the respective state-owned company with a clear understanding of the government's policy expectations for the company and the context under which the board is to operate and make decisions.

While not a legislative requirement a statement of expectations has been issued to all state-owned companies and includes the requirement that it be tabled in parliament to ensure transparency.

The amendments included in this bill will provide consistency and transparency in relation to the statement of expectations for all state-owned companies and create a legislative requirement it be tabled in parliament, similar to the requirement for ministerial charters provided to government business enterprises under the Government Business Enterprises Act 1995.

The Government Business Enterprises Act 1995 allows the Treasurer to issue Treasurer's Instructions in respect of guidelines, principles, practices and procedures that must be followed by the businesses. The portfolio acts of the state-owned companies extend the requirement to follow certain Treasurer's Instructions to all state-owned companies. However, the specific Treasurer's Instructions that are applicable are not consistent across the state-owned companies.

All government businesses also follow a common set of guidelines and for government business enterprises these guidelines are linked to Treasurer's Instructions. However, for state-owned companies if the government wants to ensure compliance with the guidelines, a direction must be issued to the board by the members. The use of a direction is not considered to be a most transparent and clear mechanism to be used for the implementation of general policies applicable to all government businesses.

The bill inserts a new section, 'Members' statement of expectations', in the Metro act, with provisions similar to section 24 of the Irrigation Company Act 2011, to formalise the requirement for a statement of expectations. The new section is similar to section 36(7) of the Government Business Enterprises Act 1995 and will require the portfolio minister to table the statement of expectations in parliament within 10 sitting days of it being provided to the board of Metro.

The amendments in the bill also require Metro Tasmania to follow all relevant Treasurer's Instructions issued under the Government Business Enterprises Act 1995. In the interests of promoting uniformity and consistency in the governance frameworks for all state-owned

companies, the bill also amends the portfolio act of each state-owned company to all have the same provisions.

These amendments will improve clarity to the boards of the state-owned companies and improve the consistency of the governance arrangements across the portfolio of government businesses. The businesses are supportive of the amendments and welcome the additional clarity.

I commend this bill to the House.

[11.21 a.m.]

Ms RATTRAY (McIntyre) - Mr President, I had a trip down memory lane when I saw this piece of legislation. So, as you do, I referred to the recommendations made in the committee report.

Mrs Hiscutt - Excuse me, honourable member, but I forgot to move that we suspend for a briefing.

Ms RATTRAY - Mr President, I was ready to go but it appears I am not quite ready. I move -

That the debate stand adjourned.

Debate adjourned.

SUSPENSION OF SITTING

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That the sitting be suspended until the ringing of the division bells.

This is for a departmental briefing on the Metro Tasmania Amendment Bill 2018 (No. 14)

Motion agreed to.

Sitting suspended from 11.21 a.m. to 12.43 p.m.

METRO TASMANIA AMENDMENT BILL 2018 (No. 14)

Second Reading

Resumed from above.

[12.43 p.m.]

Ms RATTRAY (McIntyre) - Mr President, I appreciate the briefing the Leader provided on the Metro Tasmania Amendment Bill. I was ready to congratulate the Government on picking up recommendations made by the Government Administration Committee B on Integrated Transport Options in its 2013 report even though it has taken the Government five years to get to it.

Mr Valentine - Who would have thought?

Ms Forrest - They still have not taken up the recommendations, have they?

Ms RATTRAY - I looked and I could find only two. Now I am not certain one of them is going to do the job that the committee was looking for.

Recommendation 2 was that -

The public transport operating model be broadened through legislative amendment to include multi-mode passenger services rather than Metro's sole focus on road transport services ...

That is a tick.

Ms Forrest - Was that recommendation 1?

Ms RATTRAY - That was recommendation 2, but recommendation 6 was that -

... all public passenger transport services be subject to a competitive tendering process.

What I heard this morning is that Metro is going to be 'unshackled' and get into other transport modes, whether it be ferries, trams or trains. One of my concerns is the policy that Metro would be operating these services. From being part of that transport inquiry, I know ferry operators were already working in the River Derwent space who possibly needed to expand their opportunities.

Mr Valentine - Some are not now working in that space.

Ms RATTRAY - That is the nature of business; we understand that. However, that message clearly came through to the committee: we had ferry operators on the River Derwent. Having an affordable and regular service to allow commuters in and out of the eastern shore was a real key plank of the submissions and evidence we received.

With the Government's announcement that Metro will be operating these services, I am somewhat disappointed there will be a review on what services will be introduced and how they might be operated. I know five years is quite some time. I understand there will need to be discussions, but a review? How long is a review going to take? It could still be another three or four years before we have the opportunity, and in that time you would have to wonder how many more ferry operators will actually still be working in that space.

Are we then going to turn around as a government-subsidised business, Metro, and buy ferries to put on the water? I do not see that is a responsible approach. I do not see that as a responsible approach at all. I envisaged it would happen much faster and perhaps we would not lose the operators that are already in that space on the river. I also envisaged they would have an opportunity to provide some of these services, even if it was under a subsidised model.

It is not cheap going backwards and forwards across the water, but it would have helped the traffic congestion in Hobart city. Getting people out of their cars and onto a ferry and across to work would have helped ease the congestion, even if it was only three days a week. Sometimes

you need to bring your vehicle if you want to get the groceries or if you need to go to an appointment. It may not have been a five-day-a-week exercise for people living on the eastern shore, but they could have used it at various times. That is what I envisaged as a member of that committee.

I am not entirely sure the Government's policy approach really supports that. The time delay while we have another review and decide this, that and the other when there are already operators in that space that they could go out and work with tomorrow and say - sorry Leader, I missed that.

Mrs Hiscutt - Are there any current at the moment?

Ms RATTRAY - There are still operators with ferries.

Mr Valentine - I do not think they are commuter ferries.

Ms RATTRAY - They are not commuter ferries because it is not economical to provide them.

Mr Valentine - They are transferring people to MONA and other places.

Ms RATTRAY - They could take other opportunities if they were working with Metro, not Metro working in isolation. That was the intent of the transport inquiry. I know the member for Derwent will contribute to this discussion shortly, as will the member for Hobart. We do not have the former member for Pembroke with us to provide input, and the then member for Elwick who chaired the inquiry -

Mr Willie - I have the report in my office still.

Ms RATTRAY - but she is not here to share her thoughts, but I clearly recall the intention was to work with what we already had. We talked about modes of transport on the Derwent River, trams and the like. It was to utilise what we had, not go out and start again and be working in that space and have a competitive advantage because you are subsidised. That does not achieve what we set out to do, and I am somewhat disappointed. If this is the Government's policy right now, I would like to see two policy reversals in two weeks - not one, two - because we are reinventing the wheel.

Mr Valentine - It does not stop subcontracting.

Ms RATTRAY - No, it does not stop subcontracting, but the way the policy was articulated -

Mrs Hiscutt - I will get clarity for my summing up. I do not think what you are saying is the intent of the policy, but I will get clarity in my summary.

Ms RATTRAY - It came across quite clearly; others may have heard it differently than I did in the briefing -

Mr Valentine - It says in the second reading speech 'to be operated by Metro' so it might mean subcontracting.

Ms RATTRAY - It might be subcontracting, but my concern is that we are going out and reviewing the whole thing all over again. Probably the population on the eastern shore has grown.

I do not know. The southern part of Hobart is growing. That is why I am no longer the member for Apsley. That is clear.

Mr Dean - Still have a way to go to catch up with Tamar River, which has had about 40 different reviews.

Ms RATTRAY - The silt in the Tamar is a big issue.

Mr Finch - The dust on the shelves is the big issue. The dust on all those reports.

Ms RATTRAY - Report after report after report. How much reporting do you need when you have an initiative and people offering solutions? Now we possibly have Metro unshackled to be able to facilitate some of that. The joint ticketing was something we heard a lot about. People would use public transport more if they could move from one to the other - if they could buy a public transport ticket that was transferrable right across the different modes.

Mr Dean - What could they move it on to for public transport?

Ms RATTRAY - From a bus -

Mr Dean - Bus to bus?

Ms RATTRAY - That is right. If there was an arrangement with a current ferry operator, they could come across from the eastern shore at Bellerive to the wharf area and they could then, if they need to, get a bus to Glenorchy.

Mr Dean - If there were a Metro or a public one, yes, that would be no problem, but they could not interchange it with private.

Ms RATTRAY - That is where you are wrong, they can. They do it everywhere else. They do it in Brisbane. They do it in New Zealand -

Mr Dean - Some places they don't.

Ms RATTRAY - Well, they could. We could in Tasmania. I am absolutely certain they could. I am so glad the member for Derwent is back.

That is my concern, and if I have it wrong, I would be happy to say, 'Mr President, I've got it wrong' if that is not the Government's intention. If it is the Government's intention to work quickly, in haste, with any operator left with a ferry that can transfer people to and from the eastern shore and work out a ticketing system - and there probably will have to be some sort of subsidy. Hullo? Tasmanian transport is all about subsidy - it is. We have a subsidy to get our product from this state to the big island - that is our road - and that would work exactly the same on the River Derwent to take away some of that traffic. I cringe, Mr President, when I think about having to leave this place between five and six o'clock of a night. I think, 'Oh my goodness! I am going to be stuck in that traffic' and sometimes it takes me an hour to get from Parliament House out to Brighton - an hour.

Mr Dean - If it were Melbourne, it would take three hours.

Ms RATTRAY - I appreciate that living in big cities, you have other opportunities. I do not call this a big city. This is a city but it is not a big, big city. It is not. Removing some of those vehicles from some of that traffic congestion has to be applauded.

I was really excited when we finished that committee. We made a number of recommendations we thought would give any government a really good heads-up on where we were going. We did the work - and we were happy to do that work so that people, particularly those in government, could understand that this was something that was achievable. It was not pie in the sky stuff. That was the interesting part. It all seemed very achievable. You only have to go to Brisbane and see how its service operates. I know Brisbane has a greater population. We know all those things, but the base is there. We could really use it.

If I am wrong, Leader, I will be happy to say I am sorry and then, with great enthusiasm, I would be happy to support this. It is five years since the report was handed down and the recommendation was made to allow this new world of transport for Tasmania to unfold.

It was pretty exciting but it has taken five years to get the legislation up - by the time we review it, then talk about the review and review the review, I am not very encouraged, I am not. We will then have a look for a ferry - how long will that take? We have operators waiting. We have operators who know how to do the job. Let us use them.

Oh, yes, 'to assist in common ticket practice' - those were the words I was looking for, Mr President; I wrote them down on another piece of paper.

I found the briefing quite interesting. Another fairly substantial part of the proposed bill was the reference to the fare orders - I know the member for Murchison will talk about this as well -and having that fare order revoked and a new process put in place where the secretary will be given the powers to set fees under the fare structure. I hope there will be some further clarification around how that whole process will work because it is important for people who use public transport to have reasonable transport options at a reasonable price. They may not own vehicles and public transport is their mode of transport.

I do not have any Metro services in my electorate. I was promised one when Mr McKim was minister for transport. He was going to get a Metro transport route from the east coast back into Campbell Town to do a connection, particularly for people on the east coast who were trying to get to Launceston. It did not happen and so I am still waiting for that one. I will pass that on to the member for Prosser who is going to look after that part of the east coast. That will be one to continue to work on. They are pretty resilient on the east coast; they will find ways and means of getting to where they need to be, but it was something that Mr McKim was dead set on doing - it just never eventuated.

My other comment relates to the amendments to the government business enterprise Treasurer's Instructions that sit alongside state-owned companies and government business enterprises. It appears putting it in legislation was to make sure that all those corporations work under the same expectations when it comes to Treasurer's Instructions. I noted that on the end of our second reading speech -

Sitting suspended from 1.00 p.m. to 2.30 p.m.

RECOGNITION OF VISITORS
Rosny College Legal Studies Students

[2.30 p.m.]

Mr PRESIDENT - Honourable members, I welcome grade 11 and 12 legal studies students from Rosny College. It is great to see you here. I do not know in what capacity we will see you in years to come, either as member or alternatively with a wig and gown, but all the best in legal studies. Welcome.

Members - Hear, hear.

QUESTIONS

Tasmanian Property Sales - Foreign Investors

Mr VALENTINE question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.32 p.m.]

Given the general public concern raised over the sale of Tasmanian property to foreign interests and the impact it is likely to have through rising property values, as experienced in the New Zealand real estate market, effectively reducing the opportunity for many Tasmanians to enter the property market at their desired level, and given that the purchase of Tasmanian property by foreign buyers over five quarters has amounted to approximately 73 properties, as indicated in Real Estate Institute of Tasmania reports from December 2016 to March 2018, can the Government -

- (1) Provide the actual numbers for all properties types for those quarters and the total value, type and location of those properties by region?
- (2) Indicate the amount of revenue collected, if any, through the Foreign Investor Duty Surcharge since 1 July 2018, including the number, value and type of properties represented?
- (3) Outline any further government policy or initiative intended to be implemented or pursued with respect to property sale to foreign interests to help Tasmanians realise their dream of home or business ownership at a reasonable price?

ANSWER

Mr President, I thank the member for Hobart for his question.

- (1) The State Revenue Office has only been collecting data on foreign individuals purchasing property since 1 July 2017. It is a state issue. No data is available prior to that date. The property type and region breakdown are not easily available and would require considerable data processing to generate.

From 1 July 2017 to 30 June 2018, there have been 854 property transactions that included a foreigner as a party of the transaction. These transactions totalled in excess of \$329 million in dutiable value.

The dutiable value figure for 2017-18 does not reflect the amount of foreign investor duty that would have been generated for the period as the transactions include a proportion that do not meet the definition of 'foreign person' under the Duties Act 2001. These are foreign natural persons who are holders of a permanent visa or who are New Zealand citizens. In addition a proportion of the transactions may constitute concessionary dutiable transactions that do not attract the Foreign Investor Duty Surcharge.

- (2) The Government has not collected any revenue from the Foreign Investor Duty Surcharge since 1 July 2018 as the liability to pay duty does not arise until three months after the dutiable transaction occurs. Hence, property settlements in July are not due until October 2018.
- (3) The Government continues to monitor and review its policy with respect to property sales to foreign interests since implementation of the Foreign Investor Duty Surcharge on the 1 July 2018 and its impact on the Tasmanian property market.

Mandatory Penalty - Supreme Court of Tasmania

**Mr DEAN question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL,
Mrs HISCUTT**

[2.36 p.m.]

This question was asked during the Estimates committees and the answers could not be provided at the time.

As foreshadowed during the Committee stage of the appropriation bills, only one matter where a mandatory penalty applied went before the Supreme Court of Tasmania during the financial year 2017-18. Will the Leader please advise -

- (1) At what stage was the plea of guilty entered?
- (2) Were 'exceptional circumstances' cited as mitigation of penalties?

ANSWER

Mr President, I thank the member for Windermere for his question and also his patience during the Estimates period.

- (1) The accused pleaded guilty to one count of 'Assault a police officer' contrary to the Criminal Code section 114(1) on 1 November 2017, having been committed for trial in the Supreme Court on 8 December 2016. There was no trial. He was sentenced by Acting Justice Slicer on 3 November 2018 to 12 months imprisonment with a six-month non-parole period. His Honour also activated an eight-month term of imprisonment that had previously been suspended.

Section 16A of the Sentencing Act 1997 provides for a minimum and mandatory sentence of not less than six months for causing serious bodily harm to a police officer, unless there are exceptional circumstances.

- (2) The judge's sentencing comments refer to the question of exceptional circumstances. However, in the circumstances of this particular case, the judge clearly did not rely upon any exceptional circumstances because he did not impose a sentence less than that otherwise required by section 16A.

A copy of the full sentencing comments of Acting Justice Slicer, which are publicly available, will be provided to the member.

Housing Tasmania - Northbourne Avenue Unit Complex

Ms RATTRAY question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.39 p.m.]

Following a residence issue in June at a retirement village where Housing Tasmania has five units in the village complex, with two of these units currently let to young men, the minister provided a response at the end of July - which was appreciated when it finally arrived - that indicated that retirement villages are used for younger people because Housing Tasmania would not be able to discriminate on the basis of age and in this case the units were outside the village complex. This is not the case as the units are located among the retirement village units.

- (1) Is it common practice for Housing Tasmania to have units available to young people in retirement villages across the state?
- (2) If so, is there any consideration given to the type of complex and to those already residing in the complex when allocating a unit in a retirement village to, in this case, young people?

ANSWER

Mr President, I thank the member for McIntyre for her question.

- (1) The five Housing Tasmania units are part of the Northbourne Avenue Unit Complex. They are not part of the retirement village.
- (2) Current policy requires the department to allocate homes to applicants at the top of the Housing Register because it would be discriminatory to allocate on the basis of age. While some applicants at the top of the Housing Register will be aged over 55 years, the majority are younger, which is why tenants in these properties are likely to be younger.

Pain Management Services - North and North-West Tasmania

Ms ARMITAGE question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.40 p.m.]

On 11 July 2018 in answer to a question without notice, I was advised the Government has a six-year, \$275 million health plan that includes pain management. I appreciate the Tasmanian Health Service continues to progress planning for improved pain services in the north and the north-west as soon as possible.

Honourable Leader, with respect, 'as soon as possible' is not a satisfactory answer. I again ask: can the Leader please advise the actual time frame for the Musculoskeletal Clinical Advisory Group steering committee to finalise its work and a statewide pain service to be provided?

ANSWER

Mr President, I thank the member for Launceston for her question.

The Musculoskeletal Clinical Advisory Group steering committee has finalised its work. The Tasmanian Health Service executive has requested this work to be implemented through a staged approach with the priorities for progression as per three points -

- pain and rheumatology on the north and north-west
- spinal conditions across the state
- joints in the north

Work has commenced to identify interim options to deliver pain management services in the north and north-west and it is the Government's intention that these services will be operational within six months, subject to recruitment.

Board Membership - Answer to Question

Ms ARMITAGE question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.41 p.m.]

On 10 July 2018 I put a question on the Notice Paper with regard to board membership. I would have thought that by now - 22 August 2018 - perhaps there might have been a response. It is not that difficult a question.

When am I likely to get a response to my question on the Notice Paper from 10 July 2018 with regard to board membership?

ANSWER

Mr President, I thank the member for Launceston for her question.

We received an answer we were not happy with because it did not answer all the member's questions so we sent it back to have it readdressed.

Ms Forrest - That is a good move.

Mrs HISCUTT - Thank you.

METRO TASMANIA AMENDMENT BILL 2018 (No. 14)

Second Reading

Resumed from above.

[2.42 p.m.]

Ms RATTRAY (McIntyre) - Mr President, I feel as if I have been up here most of the day. In closing my contribution to this particular bill, I commented about Metro being in the integrated transport space. I look forward to the responses the Leader will provide in her reply to the debate.

Regarding the changes for government business enterprises under the 1995 act that allow the Treasurer's Instructions in respect of the guidelines, principles, practices and procedures to be followed by the business referred to in the second reading speech, I asked a question in the briefing session about Tasmanian Irrigation. I am aware a number of local management schemes are looking to take back management of their local irrigation schemes. I was interested to know whether these changes were going to impact in any way on local management groups in the future when taking back management of their schemes.

I was informed that was not the case and it strictly related to TI and its requirements around the Treasurer's Instructions. I am satisfied with that response, but I also look forward to the responses around Metro and those related issues so I will listen to other members' contributions to see where I go.

[2.45 p.m.]

Ms FORREST (Murchison) - Mr President, overall this bill is a sensible way forward. There are a few areas I would like to drill down into, but we hope that governments of any colour can focus on long-term infrastructure planning. The Minister for Infrastructure seems to have taken up a suggestion I made last year - which the Government then voted against - to look at a long-term infrastructure plan. Anyway, we seem to be working on that now. I commend the Minister for Infrastructure for doing that. I have said that publicly and I have said that to him personally. To me, this fits into that sort of framework - we want our public transport to be as efficient, effective and future-thinking as it can be.

The population in the south of the state is growing much more than in other parts, hence the boundary redistribution and other things that are going on. It is really important to plan for this growth and to enable the smooth passage of people around the state. You only have to go to some of our other capital cities in Australia to see how it can be quite disruptive.

When I was in Melbourne recently a lot of work was going on with their railway crossings and changing tram and train routes, and it was a bit chaotic at times. Melbourne's population is growing very quickly and is projected to continue to grow. Unless they do something about it, it is going to be an absolute nightmare. It is pretty nightmarish at the moment for many people. I do not think Tasmania is at great risk of getting to that stage quickly. I hope it is not, in many respects.

To enable Metro to be involved in other modes of transport beside buses is an appropriate and sensible move. Some people say Metro does not run a particularly efficient bus service, so why give it boats and trains as well, potentially? I think we have to have more faith in our GBE than that. It is up to us to hold Metro to account.

It is difficult. We have a small population and we subsidise Metro a lot to provide that service. There is a Metro service between Burnie and Wynyard. One of my constituents, Mr Gordon Sutton - I am sure the Leader knows him; every Liberal member would know Mr Sutton because he is a very strong campaigner and one of my great supporters as well, having backed me in my last election campaign on the west coast - lobbied very hard for a bus service to enable people to travel by public transport from Queenstown to Burnie, particularly for people to access the hospital. That is still a work in progress.

Mrs Hiscutt - The same as the one from Sheffield.

Ms FORREST - Yes. He is getting on in years now. I am not sure how old Gordon is, but he works really hard for the community of the west coast.

Mrs Hiscutt - He is passionate.

Ms FORREST - He is very passionate, yes. He always has something good to offer and works very hard for the betterment of the community. The former minister for infrastructure put in place a trial Metro bus service from Queenstown to Burnie. I have a photograph on my phone of the bus sitting outside the railway station in Queenstown. The number of the bus is 747. The 747 has landed in Queenstown. Unfortunately, it takes a bit longer than a 747 would, if it were a plane, to get from Queenstown to Burnie.

The member for McIntyre talked about how a former minister promised to deliver a Metro bus service from the east coast to Launceston, and that has not happened. Maybe she needs to get someone like Gordon on her team. I give credit to Gordon for never giving up on that. I believe it is now a permanent fixture. The trial was considered to be a success, as far as I am aware.

Mrs Hiscutt - I have not heard any different yet.

Ms FORREST - It has been a positive thing. Although, I am sure, they have relatively low numbers on the bus at most times, a full-size bus is still used. That is probably why it is called the 747.

This is a sensible move to open up the options, not just to expand Metro services in terms of road transport but also to look at other options where there are opportunities for water transport.

I was in Sydney just recently and catching the ferries from one side of the harbour to the other is just so easy. They have one card that does the lot. You get your Opal card and it does the lot. In other cities around the world you get one card that does the lot - your myki card in Melbourne - except for the SkyBus, but you can buy a SkyBus pass now. It makes it much more efficient and you only have to tap on and not tap off, which is sensible in terms of the myki cards in Melbourne. If you are in the free trams, you do not have to tap on, or off, at all.

You can streamline the movement of people in many ways and those sorts of things are where bottlenecks are created and slow things down. I understand this is also to try to facilitate a single ticketing system, which is a really positive thing. I know there have been many barriers to that, and that part of that process is getting rid of the current system with the fares order which applies to certain Metro customers.

There was some discussion on this in the briefing, as members would be aware. I assumed the fares order would not be a disallowable instrument, but when I looked at the legislation website page, I found it is treated as a regulation. Although only a small number of Metro fares fit under what this bill will get rid of - the fares order process - it was disallowable.

The Leader made a commitment in the briefing - and I am sure she will make it again in her reply - that the Government has no intention of raising fares above the consumer price index. The member for Elwick mentioned during the briefing that because the full fare-paying customers basically subsidise concession customers, it would be counterproductive to raise them higher than CPI, for example.

I understand the practicality of all that, but I am interested in seeing an open and transparent fare schedule development so people have the opportunity to be aware of how decisions are made, by whom and who has been consulted. One of the biggest problems with governments past and present is that consultation may not been as wide as it should be.

All we have in the second reading speech about the fares order is that the new contracting arrangements will give the secretary of the department the power to set fares under the fare structure which will replace the powers currently in part 3A of the Metro Tasmania Act. That is all we have in the second reading speech, and there is nothing in the bill at all. In my view that creates a bit of a void. Removal of Part 3A will not prevent the Government requiring a review of Metro's pricing, which could follow similar parameters to the work previously done by the Tasmanian Economic Regulator.

While the intention to have a single or consistent framework for setting of fares is right and good, all we know is that the secretary has the power to set the fares. The power does not seem to be in the act. I am not really sure where it is and while there may be reviews, particularly when contracts are up for renewal, to me there needs to be more transparency and more accountability around this.

Yes, the fare schedule will be published so people know what they are paying to go on a bus or other form of transport potentially, but there needs to be some sort of oversight of this decision-making. I will be interested to see what the Leader has come up with in talking to her advisers about that. Even though it was only a narrow part of the fare setting process, it was open to scrutiny. We are talking about the full fare-paying customers under the order, and they are the ones who carry the can for the others and pay. They support the passage of concession or subsidised passengers.

Mrs Hiscutt - We do not want to be driving them away, do we?

Ms FORREST - They need to be confident there is a proper process around this and that they are not being done over.

I seek some more clarity around that. The title of the bill talks only about Metro, but we know there are other things in the bill. Overall that intention of expanding Metro's capacity to deliver other forms of transport is sensible.

I was a little bit concerned about not competing directly in the private sector. This was mentioned by the member for McIntyre and other members may also mention it. Where there are passenger numbers that would warrant a ferry service, for example. Even a light rail service or something like. It may be there are other operators who would wish to provide this.

If a ferry service, for example, were to be subsidised by the Government, and Metro is running it to facilitate low-cost passage for passengers who would be eligible for concessions, is that going to be a disincentive for private operators to get involved? Would Metro services only target routes not being contested? The committee report talked about having an open tender process to establish appropriate or possible services. I think the Leader may provide a bit more advice.

Mrs Hiscutt - That is similar to a question asked by the member for McIntyre.

Ms FORREST - The other point I raised in the briefing was in regard to the extra section added. It has to do that because Metro is a state-owned company which is subject to the provisions

of the Corporations Act. That includes, as the Government did with the last state-owned company, Tasmanian Irrigation, requiring the business to operate according to the Treasurer's Instructions and for shareholder members to provide a statement of expectations. It is appropriate these measures are put in place, so all GBEs and state-owned companies operate under a consistent framework.

I remember that when Michael Aird was treasurer in a former government, he implemented a position paper looking at converting all GBEs to state-owned companies to provide a consistent approach. That did not go anywhere. I never understood entirely why, but that would have provided some consistency, because state-owned companies and GBSs are different in the way their obligations are enshrined in legislation.

This brings all state-owned companies in line with the requirements the GBEs have in their acts. Several of the older state-owned companies did not have this provision, and now they will. It makes sense.

In the briefing I asked about any conflict with the responsibilities of these state-owned companies under the Corporations Act. Each section has its own application and the Corporations Act enables it to deal with that. State legislation will prevail where there may be a conflict. It is important to recognise and understand this and that it is a sensible thing to do. Interestingly, it was put into this bill without any mention of it in the title of the bill - it is something the member for Launceston might have mentioned.

Ms Armitage - In 'miscellaneous'.

Ms FORREST - Yes, something like that. They do not amend the Metro Tasmania Act.

Ms Armitage - It should be 'Metro and miscellaneous'.

Ms FORREST - Probably.

It makes sense. Whether it should be done does not really matter, it just means there will be another bill, which would have been quite small.

I support the bill, with those questions I have asked regarding how the fare-setting schedules will work.

[2.59 p.m.]

Mr VALENTINE (Hobart) - Mr President, in principle I support this bill. Some might say it has been a long time coming. Those who sat on the integrated transport inquiry committee know there is interest in seeing transport integrated. That includes ferries and, some say, light rail. We recently had an interesting presentation on trackless trams.

Ms Forrest - I thought they were buses.

Mr VALENTINE - No, they are trackless trams. They are like super large articulated buses, but they run off sensors in the road and will end up becoming autonomous, which reduces the number of drivers required to move a certain amount of people and the cost of running services. We know that people do not use public transport because it is simply not convenient. A young family with two or three kids - one going to school and another couple going to a childcare centre -

needs to be able to move from home to the nodes. One would expect those nodes would build up services like childcare facilities so it encourages people out of their cars.

We have often heard this debate. It is difficult to get a person out of their car if the purpose for their journey is fragmented or diverse, so there needs to be considerable thought. Providing Metro with the opportunity to conduct ferry services as well as its bus services is only one part of the equation. Councils need to be brought on board to work together to make sure the services needed are placed at the nodes, where it will be convenient for people to access and use public transport. It also includes important elements such as where you actually end up at the terminal position. For instance, with a ferry service coming from Blackmans Bay and Kingston, you would actually then be able to transfer those people to their workplace.

Not all of them are right in the centre of the city. They might be north of the city, or whatever. So we need distribution services from the wharf out to wherever people might work, and then the opportunity for them to come back to the ferry at the end of the day when they need it.

Ms Rattray - Recommendation 7.

Mr Valentine - I was going to point to that. There are 29 important recommendations from the integrated transport inquiry. The member for McIntyre has touched on a couple. In particular, recommendations 2, 5 and 6, but the others are also important.

Ms Rattray - I wanted to leave something for others.

Mr Valentine - Of course, you did. You are most kind. Given there has never been a review of the state-owned corporation model for Metro's operations, as a priority it is important it should be reviewed to assess whether it is the most cost-competitive model for operating public transport services. People also have to realise it is always considered Metro is subsidised, when in actual fact it is providing a public service, and it is not so much a subsidy -

Ms Forrest - It is a community service obligation.

Mr Valentine - Is it a community service obligation? Because there are some parts of our state that, because of the operational expenses, no private enterprise bus services want to touch. Clearly, some of those other services currently under contract in more regional areas are very important in being able to deliver that service. It is probably under contract, and probably cheaper for them to deliver that to the government than it is for Metro to provide the same service.

What is happening here is the opportunity for Metro to at least try to provide more integrated services. There is the price setting, which is really important. Each operator, whether private or Metro, needs to know what the pricing is, so they can do their best to deliver the services required by the community. We have to make sure the community gets value for dollar, and that is what you are talking about in respect to being subsidised - that they have a competitive edge - but I do not quite see it that way. It is a community service obligation. They are provided with money to provide those services that no-one else will touch.

I am well aware of the problems and issues. I worked for Metro for four years and ran their computing section. I know the sort of problems it has -

Mr Gaffney - That you created.

Mr VALENTINE - I did not create the problems. You do not get to create problems in the ICT space, you get to solve them.

Looking at recommendation 11 of the integrated transport inquiry -

The Committee supports the focus on high-frequency public transport corridors for commuters but believes there needs to be an extension of services that link to the hubs ...

That gets back to the concept of the hub and spoke model, and it is no different for ferry services. Now, Metro will be able to look more holistically at how public transport is delivered. There are real opportunities within that space. It talks about Hobart in particular, but you have to look statewide and think to yourself that it could be on the Mersey or the Tamar. Hobart and the Derwent are not the only places where ferry services might be provided.

Ms Armitage - We have been promised a bridge across the Tamar so hopefully we will not need a ferry.

Mr VALENTINE - Is that right? This is over and above the Batman?

Mr Dean - It is being considered.

Mr VALENTINE - Closer to Launceston? That is something for you to pursue.

You can provide all the services you like, but if they are not convenient enough, the public simply will not use them.

I suggest a ferry service from Blackmans Bay and the Kingston area would be very beneficial, providing you can have car parking available at those nodes. If you have car parking at the nodes, people will drive there, park, get on a ferry and come into town. They are not paying their parking fees for a week in the middle of a city like this and that must be some saving. There might be some nominal fee for parking at the terminals, for sure.

Mr Dean - There should not be. I have always said that. If you look at Melbourne and areas like Bacchus Marsh and all those outlying areas, parking is free at the stations. You come in, park, jump on a train and away you go.

Mr VALENTINE - The important thing is this is not something Metro can solve on its own. More particularly Metro and the Government need to consult with the councils where those workers reside. They cannot do it without that. It needs to be a well-coordinated system.

In the second reading speech we heard about what is happening with respect to the study the Government has done and the strategies it is putting in place. Maybe the Leader can apprise me of the amount of consultation undertaken with the Hobart City Council about this Greater Hobart Traffic Solution which has been talked about. I am pretty sure there has been some consultation, but I would like clarification about how much consultation there has been with the Hobart City Council about that particular Greater Hobart Traffic Solution. Without the councils, you may well be solving a problem that might not exist or find that it does not go far enough. Local councils are important with these sorts of things.

The second reading speech stated -

A successful ferry service will be expected to draw passengers from existing car drivers and passengers, thereby reducing pressure on the Tasman Bridge in peak periods.

It is not just the Tasman Bridge, it is the Southern Outlet. Why stop at a service that comes from Bellerive to Hobart? More people may desire to use such a service from down south.

The important thing is to take the opportunities with some of the services that already exist. If Metro is expected to run this, maybe it is something that it might oversee and coordinate because it could be coordinating the likes of Navigators, who provide the MONA ferry, a tourism service. That ferry service could be doing commuter services either side of the main tourism time frame - from 7 a.m. until 10 a.m. it does a commuter service, then goes on to do the MONA trip and then, say, from 4 p.m. to 7 p.m., it does a commuter service again. These are the opportunities. While it says in the second reading speech 'to be operated by Metro', it is important that it is something Metro coordinates and it might do that through a subcontractor - whether that is as accurate as it is meant to be, 'to be operated by Metro', is another thing.

Mrs Hiscutt - I believe that is one of the questions the member for McIntyre was asking about, too, and I believe we have an answer to that.

Mr VALENTINE - Thank you. It is important to be able to use rivers like the Derwent because, as I have often said, it is the highway that does not wear out. You do not have a maintenance problem with the Derwent, or with water generally. You might have more of a maintenance issue with the vessels that travel on it but it is the highway that does not wear out. Congratulations to the Government for looking at expanding the operations of Metro. I applaud them on that score.

The second reading speech also says -

Work to develop the ferry service will also be incorporated into the Hobart City Deal, which will provide a coordinated approach to transport, land use planning, and urban renewal, involving the three tiers of government.

That consultation is essential, not forgetting there is a statutory document called the Southern Tasmania Regional Land Use Strategy around which planning revolves. When you are looking at putting in place public transport offerings, it is essential to look at that and carefully check it. A lot of work went into that strategy - I know because I chaired the group. Some professional planners were involved in delivering that project. Of course these things take a long time and there is not much point in reinventing the wheel, but they are there. They are statutory documents. There are ones for the north and north-west as well. It is important, if Metro is providing these services, albeit it is intimated here that it is only from Bellerive to Hobart, that they look at other opportunities as there are some good opportunities to be had.

The statement of expectations in the bill is important. It brings Metro onto a consistent footing with other GBEs. I can understand why the Government wants to do that.

The issue of price setting has already been discussed. To be able to review the ticketing regime and the price of fares is important. I look forward to any statement the Leader might make in regard

to how that is effective and what process the Government is using. The Leader mentioned that a statement in her closing remarks might deal with that process. It is important to understand how the Government intends to review that structure because the people end up paying the fares, and as the House of Review we need the opportunity to review it properly rather than having to fight to review it.

That probably covers most of what I wanted to go through. Of the other recommendations from the integrated transport study, under 'Ferry Services' recommendation 22 is -

The Government trial a passenger ferry service for a minimum of 12 months to major points on the River Derwent

The Government would have to get a tick on this, if this bill is intended to give Metro the opportunity to work in the ferry space. At least it means there must be intent by the Government to put a service in place and that means having a trial first. I urge the Government not only to think about Bellerive to Hobart. This could work further south, providing the wharfing facilities are able to cater for it and take pressure off the Southern Outlet.

Recommendation 25 is -

Any trial ferry service include integrated ticketing and timetabling with Metro and additional incentives to encourage the increased use of public transport;

This bill will provide the opportunity for integrated ticketing to happen. The inquiry observed a couple of locations - Brisbane and Wellington - where it is working well with different operators.

The member for Murchison said a myki card is a great system and best way to operate. A single pricing structure is more convenient because the public has a greater certainty of yearly travel costs. I congratulate the Government for doing this, but I want more about the review component.

[3.17 p.m.]

Mr FARRELL (Derwent) - Mr President, the member for Windermere is still finishing off his contribution. My colleague and I will be supporting this bill as it was supported in the other place and take on board the member for Murchison's comments for the long-term planning required particularly in infrastructure and certainly in public transport. When you look back over the history of public transport in Tasmania, it is a pretty sad story because over the years we have taken a trip backwards.

Back in the 1970s you could hop on trams, buses, trains - the whole lot. The Transport Commission was responsible for making sure that not only freight and produce, but also people moved freely around the state.

In 1978, the trains were stopped and that was it. At the time there was no will to continue and they let the service run down to the point to where people did not want to get on rattly, dirty, old trains. Other places, particularly Melbourne, held on to old fashioned tram transport while everyone else ripped up the tramlines all over the place. Some places have now put them back.

Here in Tasmania, we were keen to get rid of them. We have probably all been to Melbourne and it is hard to contemplate how the city would even move without having its tram system. Now it seems to be growing and growing. I suppose years and years ago Metro, or the MTT, was tasked

with the job of moving people around on roads because there were other organisations to look after rail and river transport, and it has always stayed that way. Over time it became a topic of discussion, and that was why our committee was established. It was a really good committee. We learnt so much by going to other places. You are often told in Tasmania that you cannot have ferries because the Derwent is too rough. But if you go to Wellington and on its harbour -

Ms Forrest - It is pretty rough out there.

Mr FARRELL - We went out one day when the waves were blowing over the deck, and it was fairly exciting. We are told Tasmanians will not catch public transport. It is a chicken and egg argument. We do not really have it.

Mr Valentine - It could not get any rougher than Wellington Harbour.

Mr FARRELL - No. The key to good public transport is to plan from the person on the street, right up. There is a person - where do they want to get to and how do we make that work? Key to that is an integrated ticketed system. There are challenges with that. Labor worked around a policy of having one side of Metro run the bus company and another organisation run a transport corporation. Many private bus operators I talk to are concerned because they have certain information through their ticketing and numbers that they would not be comfortable letting another bus operator know about. The bus association seems to wish to have someone at arm's length from Metro managing that. A common ticketing system is certainly something key to an integrated transport system.

Recently I travelled to Brisbane - it is amazingly good in Brisbane, they have just pulled out all the stops. I know there are more people there, and it is not comparing apples with apples. You land at the airport, walk up a couple of flights of stairs, and there is the train; you hop on the train for a public transport price ticket - only a few dollars - and that takes you all the way into Brisbane city. You can then tap on and travel on the river with the ferry services. You can use it for the bus -

Mr Valentine - Buses on busways.

Mr FARRELL - Yes. There is no objection there; it is just easy. You have a piece of plastic, tap it and hop on. A lot of people are probably dissuaded from public transport because of issues like, 'Where will I get the card?', 'Where will the card get to?', and 'If I have this card, can I get to there and can I get to there?' It certainly seems to work a lot better in places that have a fully-integrated transport system. People get used to it.

People say that Tasmanians like their car because they need to go here and there, but it is the only thing we have. Wherever you travel in the world now, you can more or less do the same thing. It must be a challenge for people who come here on the cruise ships, hop off the ships and say, 'What do I do now, where do I go?' They see a railway line and think, 'There must be trains here', but there are no trains here. We use our Metro fleet as domestic public transport. It should be broadened.

In big cities you see tourists and locals travelling on the same mode of transport. You can plan your whole trip and move anywhere you want. That is part of the reason governments subsidise organisations like Metro, because you need to move people around, and there is a greater benefit. Not just transport benefits, but social and planning benefits. A well-integrated public transport system is the key to growth for Tasmania.

Even though Labor's plan was slightly different - to form an organisation to start it off there - what the Government is proposing is similar in some ways. It is just starting it off at a different point. It may morph into a bigger organisation because public transport now is not just government; there is a large private sector. I imagine that is the way it will continue in the future. To work, it will have to be able to integrate both government transport services and private transport services. You think Tasmania is small and that it is not going to work in a small place, but I recently undertook a study trip to Magnetic Island to see how it works on a small scale.

Ms Forrest - A study trip?

Mr FARRELL - Yes, it was a self-funded study trip. I went on a holiday. It was interesting to see how they had this very small-scale ferry service from Townsville to this tiny island which kept going across. There were many tourists. It is a numbers game, of course. They had just two or three buses that went around the island - around one way, then back the other way. People were hopping on and off, and it all seemed to work really well.

Mrs Hiscutt - They did that in Spain, too. There are buses that go around, and you get off and on as you go around the country.

Mr FARRELL - Yes, and this is all part of one system. You can just pick up your tickets.

Mr Valentine - A day ticket?

Mr FARRELL - Yes, you can get day tickets. You take your plastic chip thing in, and they fill it up however you want. The technology is here now to do that type of thing. It is something that has grown in great leaps and bounds in recent times. A few years ago it would have been quite difficult. Even with the myki system, when the Victorian government first put that in there were a number of issues with it. I suppose one of the good things about leaving your run a bit later is you can learn from everyone else's mistakes.

Ms Rattray - Don't want to leave it too long, though, to do your run.

Ms Forrest - Or you will miss the boat.

Mr FARRELL - Yes. I think now is the right time to look at this. As far as government organisations go, I suppose Metro is the only body the Government has that can work in this space. I do not think TT-Line, or any of the other government business enterprises, would be interested so it seems a fairly logical thing to get Metro to look at this. I hope, though, as it moves through and progresses, that there is involvement from all sectors - from the private operators as well. Many people are willing and want to be involved - people with expertise in different modes of transport. As this one relates to ferries in particular, many people in Hobart have experience in construction of ferries and have seen how other places operate the boats that the manufacturers here build for those operators.

It is a start to get things going. It was one of the recommendations from our committee report. I encourage the Government to read through that document again. I think most of it is still current and there are ways you could really make it work. As to the argument that Hobart does not have the right layout for passenger rail and ferries, you only need to look at how well it works in Wellington. One day there we took the ferry; we then caught the train, then a bus, and then

something else to go somewhere, and it was seamless - you hopped off one, hopped onto the other and off you went. All the systems seemed to work pretty well.

Mr Valentine - They catered for bike storage as well.

Mr FARRELL - Yes. They had the additional challenge of having the same one mode of transport conflicted. The trolley buses could only go as far as the wires would carry them and then you had to swap to another diesel bus, so there were challenges within one mode integration.

I take on board other members' concerns about fares. To make public transport work, we are always going to need to subsidise. It is how we subsidise and if certain modes of transport work better in some areas, that is probably where we should concentrate our efforts.

If we do utilise the water here and the railway line, this will enable Metro to better utilise its buses in other parts of the state where the road network copes better with that type of thing. Many solutions are probably already in existence in Tasmania. We will support the bill. I am not sure if any amendments have been proposed, but we will see what happens.

Mrs Hiscutt - No.

Mr FARRELL - I think the briefing was pretty good and comprehensive. This morning we found out much more than we probably should have. We will support the bill.

[3.31 p.m.]

Ms ARMITAGE (Launceston) - Mr President, I too thank the Leader for the briefing. It was very good and we found out quite a lot about Metro we did not know.

I support this bill in principle and accept that opening up the options for Metro to other services, including ferries and perhaps trains, in the future is sensible because long-term planning is critical. I note the bill removes the restriction on the type of passenger service Metro can provide.

I also accept Metro will establish a demand analysis. However, it is important we have a fair playing field for all operators. While I accept the plan is for Metro to operate a ferry from Bellerive to Hobart, I would be concerned if it then started to compete with private operators on existing routes, given its government assistance. I note that in 2016-17, the Metro loss after tax was \$2.12 million.

Mr Valentine - Not loss, cost. Sorry, that is one of my pet hates.

Ms ARMITAGE - That is quite all right. I have many pet hates and many of them are to do with Metro. Many of them come from my local council days and I have had many discussions with Metro about lack of routes and lack of services.

Ms Rattray - And the bus shelters and where they locate them. That was a big one.

Ms ARMITAGE - I have not heard that one.

Ms Rattray - Okay, you were not on the St John Street one.

Ms ARMITAGE - There is more to that, so I will not delve there. While I appreciate it is nothing to do with this bill and this is purely about allowing Metro to operate ferries, I would also like to see a tender process for a service such as Bellerive to Hobart or other services that might be proposed in the future. It is all about a fair playing field, particularly for private enterprise.

There are areas of the state where it is more about the need for transport rather than profitability. I have concerns when private enterprise is seriously disadvantaged by government or council organisations, and we have all seen such situations.

We accept traffic is getting to be a greater problem on our roads and good public transport can certainly assist with that. I have had many issues with Metro over a long time, particularly about the lack of services in some area of Launceston. It is hard to use something that does not exist.

I have been told on many occasions that the service would be increased if people used it more. As I pointed out, if the service is not there, people cannot use it. It is very hard to use a service more if it actually does not exist and that is the case in some areas.

Mr Valentine - Chicken and egg.

Ms ARMITAGE - Yes, it is a chicken and egg problem, and I am not sure how we go about fixing that.

As other members mentioned - and it might have been the member for Windermere from the sidelines - with regard to parking, it needs to be provided at a free or nominal cost. If people are going to use the ferry, they need to be able to park. They do not want a large parking fee and then their ferry cost and then something else. It makes it difficult. I certainly support this Metro Tasmania 'and miscellaneous' amendment bill. Perhaps the -

Mr Valentine - Move an amendment to change the title.

Ms ARMITAGE - I think the title of the bill is misleading because it is about more than Metro. We have had much discussion about this legislation and many issues have been covered. I certainly will support the bill. I am concerned that there will be a fair playing field and I certainly expect the Government will ensure that will be the case.

Having said that, one member mentioned that a ferry on the Tamar might be a cheaper option.

Mr Dean - A ferry on the Tamar could have legs; it could walk.

Ms ARMITAGE - Depending upon the time of the tide.

Mr Valentine - There are ferries on the Tamar now.

Ms ARMITAGE - There are, but not for transporting people. It might be a cheaper option for the Government, rather than proposing the bridge in a 10-year time frame, just to have a ferry going across to the other side of the Tamar. Maybe that is something they can think about.

I support the bill.

[3.36 p.m.]

Mr DEAN (Windermere) - Mr President, in fact, Tamar ferries runs a very good service up the Tamar River and right up to the Batman Bridge, and at times they go even further than that.

Ms Armitage - They do, but it is not a transport ferry.

Mr DEAN - A wonderful service.

Mr President, Metro branching into other areas of transport or, as the member for Derwent said, going back to where it was, has been talked about for a long time, well before the 2013 inquiry. It was talked about well before that.

This bill will provide the opportunity for this to happen, for Metro to go into ferry services.

Road transport, ferry transport and then into rail transport would be the ultimate. If you look at the previous times, they were great times. I am old enough to remember this. A lot of you are not. When I was going to New Town High - Hobart Technical High School as it was known then - my brother and I used to catch the railcar in Hobart and go to New Town. Catch the train at New Town High and back into Hobart - cheap, easy and reliable transport. Very good and well patronised back then. I am talking about the 1960s, so a long time ago. When I moved to Claremont, we used to catch the railcar from Claremont into New Town and back again. It was a great service.

Mrs Hiscutt - Is it not true that the parliament started at 2.30 p.m. on a Tuesday because of the northern train times? Parliament used to start at 2.30 p.m. on a Tuesday because of the train timetable from the north.

Mr DEAN - That was the Tasman Limited. It did not get in until a certain time and that is why parliament started later. That was what we were told; I am not sure if it is true or not.

Without doubt, Tasmania, Hobart and Launceston are the worst areas in the country for public transport. Some members mentioned Melbourne, for instance - I would say it has the best public transport system in the country, if not the world, with its tubes, buses, trams and trains. You mention it, they have it. It is really very easy. This is what we have to start to think about with Metro. Metro should not be a money-making concern. I have always said this: Metro should be providing a service to the people. It should be about getting people off the roads, leaving their vehicles at home and using that service to get to where they need to go.

The service needs to be constant and it needs to be on time, like Japan. If you go to Japan, and most members have been there, Japanese services, whether it be buses, trains or whatever, start spot-on time. There are people timing when they come in; people timing how long they are there for, and they move off very quickly, on time. And they get to bow at the same time.

Ms Forrest - In Germany they tell you where to stand on the platform.

Mr DEAN - In Japan it is exactly the same, they tell you exactly where to stand and what to do.

Ms Forrest - It moves people quickly.

Mr DEAN - It does. Until we get services such as this, we are always going to be struggling. Our bus services leave a lot to be desired, in my view. They are moving in the right direction with timing advices at all the bus stops. People need to know where the bus is - how long it will be - and it needs to be there on time. I know we struggle with our traffic problems, and that is why I have

always been an advocate of bus-only lanes. I think the Government has talked about that for areas such as from Kingston into Hobart.

Mr Valentine - That's right.

Mr DEAN - We need bus lanes because people will not catch buses unless they know it will be quicker and cheaper transportation than their cars, and reliable, safe and secure.

It is interesting that trams around the city area in Melbourne are all free. Just jump on a tram. It is not only the one tram that you used to be able to catch - the City Circle Tram - you can now jump on any tram in and around Melbourne, free.

Mr Valentine - Before that it cost them more in fare evasion, trying to get the fares.

Mr DEAN - I suspect it might have been so; I do not know the reasons for it. We should be looking at these things. Metro should never try to run a service with private enterprise. You cannot do that. When you come to advertising contracts, you cannot do that. Metro should have its services and that should be it; they ought not to have to run with other private organisations, and their services have to be cheap.

The congestion issue has been referred to with ferries. I have raised it here many times, and the members for Derwent and Hobart have mentioned today that if we are going to have ferry services, if we do not have parking next to or close to where the ferries operate from, they will not be successful. We are wasting our money. They have to be cheap. The cost of parking your car and catching a ferry across here and back is an economic issue for people. They will weigh that up against driving their own car into Hobart and parking it. If there is a cost for parking, why would you not? Of course you would.

Mr Valentine - All the spoke services are from the node, so you don't have to take your car at all. You can catch the bus that takes you to the terminal.

Mr DEAN - The member for Hobart or the member for Derwent mentioned that local government is a major player in this - in this case Clarence City Council, and down the other way, Kingborough. They are major players in this and have to be on board as well to ensure we have services that people will use. That is the important thing.

They need to be safe and that is why the parking area has to be close. I mentioned by way of interjection, and I keep referring to Melbourne, that you can catch a bus at Bacchus Marsh or any of those outlying areas and the parking is free. You park your vehicle close to the station, jump on the train and away you go. That is, if you can get a car parking space. They are taken quite early because they are well utilised. That is one of the reasons for it - quick, easy, reliable and very safe.

That is another thing about Japan, and probably Germany and other areas - they are meticulous. The cleanliness is such you could virtually eat off the floors of their trams. Do we have the same here? Not to that same level, no, we have not. When I use a bus - as I have every now and again - the first thing I look for is cleanliness. I try to look for a clean seat and a clean area to sit. We have a lot of progress to make in these areas. That is what people look for; my wife is the same. If she gets on a dirty bus, she does not feel secure, that is it. She talks about it for a long time afterwards.

The issue has been raised here about our buses being diesel guzzlers, spewing diesel fumes all over the place. I have often raised the question: why can we not have some smaller buses during the non-peak periods? I know there are arguments against that -

Mr Valentine - Cost of the drivers.

Mr DEAN - I understand. If you ask the local government and most of us have been in local government, the greatest damage to our streets are Metro buses turning sharp corners, screwing up the road and causing damage. There are good examples of this around Launceston. I can tell you where it is happening. We were always talking about this in council.

This is a move in the right direction. It will be interesting to see where it does go and if the infrastructure is in place for Metro to operate these other services. I would love to see them move back into railcars; the member for Derwent is a strong supporter of that. For Metro to run a railcar from close in to Hobart out to Claremont or wherever it can go to would be a brilliant, on-time service.

I support the bill, and look forward to seeing things happen. Well done for the briefings this morning. I only caught a part because I was engaged in another issue. I appreciate the briefing and the information. Well done and congratulations. Best to move forward.

[3.46 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I hope I have enough information here to allay any concerns raised during the briefings. I will work my way slowly through.

Most of the questions were along the theme the member for McIntyre asked in her contribution.

The development of a ferry service and private operators - the Government's intention is for a future ferry service to be operated by Metro Tasmania to best support development of an integrated transport service. The amendments to the Metro act provided by this bill will increase the available service delivery options. However, the bill does not exclude other options or models should these be proved capable of meeting the Government's expectations with regard to integrated services.

The bill is necessary to permit Metro Tasmania to operate a ferry service. The actual delivery of a ferry service, building ferries and running a service is yet to be determined. Further, the bill does not rule out private operators operating a ferry service on behalf of Metro. There are currently no privately run regular ferry services, as the member for Hobart noted, between Hobart and Bellerive, and, therefore, no private operators will be affected.

The ferry service is intended to be a commuter service to operate as part of the existing public transport network. There is currently no legal impediment to a private operator establishing a ferry service. The Government's preference is, however, that a ferry service is developed as part of an integrated public passenger transport system.

In the Government's view, Metro Tasmania is best placed to provide such a service. And as stated in the second reading speech, the bill does not exclude other options or models, should these be required in the future to meet government expectations with regard to the integration of services.

A Hobart to Bellerive service is a logical starting point for what will become a much broader network of ferry routes. If the concept attracts sufficient demand, it will obviously grow.

Previous analyses have consistently identified the Hobart to Bellerive route as having the greatest potential demand and offering a potential competitive advantage over existing transport options across the bridge. Other potential routes and destinations have been identified, including destinations to north, south and east of Hobart. In the case of Opossum Bay, a trial service has operated; however, outside of the core Hobart to Bellerive route, all other options have previously been identified to have a number of challenges including infrastructure requirements, limited patronage catchments and longer travelling time compared to private vehicles. Other routes will need to be looked at carefully in planning future service expansions to ensure the ferry provides the necessary competitive advantage to attract passengers from their private vehicles and is developed cognisant of existing commercial ferry services.

The question that was a common theme among members was: why do we need another review? The most recent analysis of the economics of the ferry service was undertaken in 2009, which identified the Hobart to Bellerive route as the most prospective route for a ferry service in Hobart. Hobart has significantly changed during that time, particularly with regard to developments close to the waterfront and the growth of the visitor economy. The Government believes that now is the right time to seriously pursue the establishment of the ferry service.

A critical part of service planning will be to properly understand the costs and the benefits to the community of a ferry service. The benefits are determined by the level of demand for the service and the sources of that demand. The Government has engaged Metro to undertake a demand study to better understand the role to be performed by the ferry services and to inform its development.

In turn, the costs of the service such as vehicle specifications and number of vehicles required for frequency of service will be strongly influenced by the level of demand the service is expected to cater for. Therefore, detailed costings have not yet been undertaken and need to be done as part of the service planning and design informed by current markets and conditions. In short, previous work has confirmed the importance of careful market analysis to ensure the service aligns with the needs of target patrons, that is commuters in particular.

The Government's preference for Metro Tasmania to operate the ferry service is to ensure integration of different public transport models so commuters can easily complete their journeys on public transport. A key element of this will be integrated ticketing which will allow seamless travel between modes of transport for commuters. Just talking about integrated ticketing: members might laugh at me, but when I was in Sydney recently I said to my son 'I have my myki ticket; that will get me through'. That is really integrated, is it not? I thought that was very integrated. The wrong city but that is an Australian city I was looking at. I thought the ticket would cover the lot.

There are a couple of pages on the most talked about subject: fares. Through Project 2018, the Government intends moving to an arrangement whereby fares are set consistently across all services, are common across providers and do not differ geographically. Under current fare setting arrangements, adult fares to travel on Metro urban services are set under the Metro Fares Order, which is subject to parliamentary scrutiny.

This represents about 4 per cent of all travellers on the Tasmanian public transport network. This is what happens currently. Concession fares for travel on Metro urban services are set under the Metro urban contract, student fares for travel on all bus services are set by government in line

with government policy. This represents more than 50 per cent of all travel on the Tasmanian public transport network. Adult fares for travel on non-urban services are set by the operator under the terms of the relevant contract in accordance with that particular operator's cost structure.

Ms Forrest - Does that include Metro services that are in non-urban areas? I thought Wynyard to Burnie was a non-urban area, or is that considered an urban area?

Ms HISCUTT - Concession fares for Metro urban services are set under the Metro urban contract. Adult concession fares for travel on non-urban services are set by the operator under the terms of a relevant contract in accordance with that particular operator's cost structure. They have submitted their cost structure.

Ms Forrest - I am talking about when the operator is Metro.

Mrs HISCUTT - The adult concession fares for travel on non-urban services are set by the operator under the terms of the relevant contract in accordance with the particular operator's cost structure - it does not matter if it is private or Metro, it is the same.

Adult fares and concession fares for travel in urban services provided by other operators are set under the terms of the relevant contract.

Where fares are set under contracts, these contracts were put in place nine years ago by negotiation between industry and the former Department of Infrastructure, Energy and Resources. When operators increase fares under their contracts, this is not a public process and not subject to consultation or parliamentary scrutiny. It can happen at any time and is not predictable.

When fares are set by way of government policy, fare increases tend to be modest and balanced in light of broader social concerns around cost of living and the need for a reasonable contribution to fares by passengers.

Experience shows that, particularly for needs-based categories, fare increases determined by government policy have rarely kept up with inflation, due to governments' overriding concerns about the need for access to essential services and education. All providers of contracted public transport bus services, whether private sector- or state-owned, receive substantial payments from government to support the delivery of those services at fares substantially below the cost of service delivery. That is what happens at the moment.

Future fare setting - under new contracts to be struck through Project 2018, operators will be required to charge fares in accordance with a fare schedule. The fare schedule will sit outside the contract and will be publicly available through State Growth's website. This schedule will have common application to all contracts. All fare categories across all government-funded operators will be part of a new fare schedule, unlike the current fares order that only specifies the maximum Metro full adult urban fare. The fare schedule will contain the initial fare amount in year one for each type of passenger based on the amount of travel they undertake. An increase mechanism to increase the initial fares will be probably based on an index. The probable interval for applying increases will be annual, and periodic pricing review provisions will be on a medium- to long-term cycle, such as five-yearly.

While not yet determined, a review would likely take account of the cost of providing public transport and the appropriate level of government subsidy and incorporate the opportunity for public consultation or submissions.

The Government has established the principal bus fare increases will be limited to no more than CPI. The fare schedule is expected to provide for concession fares proportional to the amount of the adult fare. Approved discounting provisions are to be provided for such that the secretary can authorise reduced fares on particular routes, in zones or regions at particular times and for particular classes of passengers where it is considered necessary to deliver other benefits where this can be met within available funding. For example, this could include free travel before a certain hour for some passengers during busy back-to-school periods in urban areas.

Establishing a publicly available fare schedule external to individual contracts for bus services would mean that each contract could reference the schedule so that fare levels would be set consistently across the state. This would avoid the potential for disparities to occur in the timing of fare increases and in the actual fare levels. Consistency in fares would be necessary to support any future development of a common ticketing system and deliver equitable outcomes for customers. In order to promote patronage, significant fare increases are counterproductive.

As the member for Hobart mentioned - and I did take a note of what he said, but basically, he did not say 'user-friendly'. I added that. Convenient, user-friendly and affordable, otherwise people just will not use them. In response to the member for Hobart's question with a consultation around the Hobart traffic solutions, it is outside the scope of the advisers I have for this bill but the Government is happy to take a question on notice, if he would like that. I just do not have the advisers for that here.

I hope that might allay some of the fears members have. This is a fairly good bill for consistency with our public transport and Metro. I commend the bill to the House.

Bill read the second time and taken through the Committee stage.

THREATENED SPECIES PROTECTION AMENDMENT BILL 2018 (No. 8)

Second Reading

[4.05 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council - 2R) - Mr President, I move -

That the bill be now read the second time.

The purpose of this bill is to amend the Threatened Species Protection Act 1995 to increase the penalties for taking threatened species in Tasmania.

The shooting of three threatened eagles since May last year has provoked community outrage and resulted in significant media attention on the penalties for taking these and other threatened species. The penalties relating to taking - or killing - threatened species are set out in sections 51 and 61 of the act. The current maximum fine is 100 penalty units, which currently equates to \$15 900, and there is no provision for a custodial sentence.

Monetary penalties for taking threatened species in other Australian jurisdictions range from \$10 000 in South Australia to \$500 000 in Western Australia. Custodial sentences - as well as, or instead of, fines - also apply in most other states and territories.

Recent changes to threatened species legislation in other Australian jurisdictions have consistently involved increasing penalties, with legislators pointing to growing community expectation that Australia's threatened plants and animals should be appropriately protected.

In Victoria, New South Wales and Queensland, the penalty for taking a threatened species can be a 24-month imprisonment term in addition to a substantial fine. In the Northern Territory, the penalty can include imprisonment for up to 10 years.

Increasing the penalties for unlawfully taking threatened species in Tasmania will make Tasmania's legislation comparable with those other Australian jurisdictions that have contemporary threatened species legislation.

The amendment bill I put before you today will increase the number of penalty units for unlawfully taking threatened species from 100 to 629 penalty units. This represents an increase in the maximum penalty from \$15 900 to more than \$100 000. The amendment also provides for a custodial sentence for up to 12 months imprisonment.

The current daily penalty that may apply for each day during which an offence continues after conviction will also increase from 20 to 126 penalty units; an increase from \$3180 to \$20 034.

The substantial increase in fines and the threat of a custodial sentence will send a clear message about the seriousness of unlawfully taking threatened species in Tasmania and will provide a significant deterrent, and enhanced protection of Tasmania's unique flora and fauna.

I commend this bill to the House.

[4.11 p.m.]

Mr GAFFNEY (Mersey) - Mr President, I commend this bill and support its passing. As stated by the Leader, the purpose of the bill is to amend the Threatened Species Protection Act 1995 to increase the penalties for taking threatened species in Tasmania.

This is one of those bills we will probably all agree with and possibly will pass quite quickly, but it is an opportunity to put a bit more on the table so that people are more aware of what this bill does and what it is seeking to do.

Over 600 species of plants and animals are currently listed on the threatened species list. Recent changes to threatened species legislation in other Australian jurisdictions have consistently involved increasing penalties, and this bill seeks to make Tasmania's legislation comparable with that in other Australian jurisdictions.

It is important that while the shooting of three threatened eagles created significant community outrage, there are other things in Tasmania that need to be protected. For example, where are the three other Tasmanian birds perched atop the list of Australia's most threatened birds as revealed by the researchers from Charles Darwin University and the University of Melbourne? The orange-bellied parrot tops the list, closely followed by two subspecies from King Island - the King Island

scrubtit and the brown thornbill. These are not so much threatened by shooters but by other man-made constructs with dire or indirect consequences.

In addition to the species from Tasmania, one surprising inclusion on the list of birds most threatened was the subspecies of painted button-quail which now inhabits only two small islands on the Houtman Abrolhos off the Western Australian coast. The button-quail population decline followed the introduction of another threatened species, a wallaby species, to the island, which dramatically reduced the amount of vegetation available for the button-quails. There is quite a bit of science that needs to go along with protection of birds, animals and plants.

Australia has the worst mammal extinction rate in the world. Experts warn that 20 native mammal species are facing imminent extinction unless we all do something to help. According to the CEO of the Foundation for National Parks and Wildlife, Ian Darbyshire, at least 30 native mammal species have become extinct since European settlement, 14 in just the past 50 years. That gives Australia the unwanted record of having the worst mammal extinction rate in the world. 'This decline in numbers,' he said, 'is due to a range of factors, including habitat loss, feral species and climate change.' He continued -

A lot of native species have lost or are losing their habitat because we clear land for farming and we build our cities and towns around the coast, and that's been a lot of the area many of these species have been in.

He goes on to say -

It's not just a government thing, this is an Australian dilemma ... everyone can play a part in helping the native flora and fauna in their local area flourish. Learning what the species around are you are, looking after them and planting native vegetation are just some of the small things you can do to help.

Eastern barred bandicoots and golden bandicoots, for example, are listed as endangered. If everybody in their native areas could create the correct understorey of vegetation and get the islands of bandicoots to connect between each other, they could move around, mix their genes, feed and survive. I will come back to the bandicoot story because I have had some experience with that.

For members' information, I have a list of about 20 other endangered species. See how many of these you recognise -

- eastern quoll
- pygmy possum
- mala or rufous hare-wallaby
- mahogany glider
- numbat
- northern hopping mouse
- Christmas Island fruit bat
- greater bilby
- black-footed rock wallaby
- eastern barred bandicoot
- western ringtail possum
- eastern bettong
- Ledbeater's possum

- antina or central rock rat
- golden bandicoot
- Kangaroo Island Dunnart
- brush-tailed rabbit rat
- Tasmanian devil.

In addition - I am sure the member for Windermere would be interested in this - invasive species such as the fox have thrived in Australia. According to Mr Darbyshire, the fox is almost entirely responsible for destroying the population of turtles on the lower Murray - 90 per cent of turtle eggs in the lower Murray are eaten by foxes, resulting in a serious population decline.

Mr Dean - But you should have added that they are not in Tasmania.

Mr GAFFNEY - No, and we do not have any of the turtles either.

Other introduced animals such as cats, cane toads, camels, pigs, goats and rabbits, along with introduced plants and weeds are a massive threat to our wildlife. Many other threats faced by native animals, including feral and stray cats, may be even more serious. Feral and stray cats threaten our native wildlife by preying on them and spreading the deadly disease toxoplasmosis. Toxoplasmosis costs sheep farmers in Tasmania millions of dollars in lost production. Feral and stray cats have the greatest impact on native species of birds that nest on the ground, including marine birds such as the little penguin and short-tailed shearwater and beach-nesting shore birds such as the threatened hooded plover and pied oystercatcher.

The endangered eastern barred bandicoot is also highly vulnerable to attack from cats and is perhaps the most vulnerable of all native animals to toxoplasmosis.

The state Government finalised a series of proposed amendments to the Cat Management Act in June 2017 - although I digress, it is important to understand what I am trying to do - and the proposed amendments are outlined in the Tasmanian Cat Management Plan which was finalised in June 2017. My relationship with the eastern barred bandicoot goes back to when I was teaching at Latrobe High School. A sizeable area of land was set aside by the local Lions Club in the 1970s to plant out a native forest. There was considerable blackberry growth and degradation, so we took a group of students from the high school who were the kids nobody wanted in their classroom. They found some killed and half-eaten eastern barred bandicoots. We researched what the eastern barred bandicoot was. Cats were escaping or going out of a night from local homes and killing eastern barred bandicoots. At that time, and being on the council, I thought we should catch these cats and get rid of them. There was nothing within the Local Government Act where you could do that. It was actually under the abandoned animal section. This meant if you caught a feral cat, it had to go to the pound and be there for two weeks before it could be destroyed, if it was not claimed.

Ms Forrest - And you had to make every effort to find the owner.

Mr GAFFNEY - From that small beginning, it started. We actually introduced a by-law in Latrobe to catch feral cats on council property and get rid of them in a humane way. One of the kid's dads was a brickie and told us the brickie pallets are perfect for eastern barred bandicoots. By laying the pallets down and growing blackberries over the top of the pallets, the eastern barred bandicoot could actually escape and get away from feral cats. Out of this, the school received a Banksia Award for the work the kids did - and all it was about was engaging kids with how to protect this species.

The eastern barred bandicoot, like the Tasmanian devil, has the gene pool with the DNA that makes it susceptible to facial tumours. Without an increase in the gene pool, without diversifying the DNA, that is where species can be threatened. While we think, 'What is he up there talking about this for?' It is not just increasing the fines for people who do the wrong thing - and we should be doing that - it is actually trying to educate our community on how we can save the species that we have.

We are expanding as a population, but how do we as a community ensure that in 5, 10, 15 and 20 years' time our children and our grandchildren will recognise an eastern barred bandicoot or know what a certain possum is about. They are disappearing and it is wrong of us as a community not to do all we can. Imposing fines is one thing, educating is another.

I know that when the Cat Management Act comes back there are other things that we should be doing to ensure that our native species are not subject to both feral and domestic cat abuse. Proposed amendments will include creating a penalty relating to having a cat that is not desexed and microchipped; placing a limit on the number of cats kept in a household; widening the definition of a primary producer so that all farmers and graziers have the right to dispatch a stray cat on their property; and removing a loophole in the existing act that allows undesexed cats to be sold.

At the moment undesexed cats can still be sold. The little kitten can come home and it has to be desexed at six months. It has been found that a cat can actually have a litter at four months of age. So we can readdress some of those issues.

These and other amendments will enable more people in the community to effectively undertake control of stray and feral cats, which will help to protect native wildlife and sheep flocks. It is about cat curfews; it is about being responsible pet owners. I hope that when that act comes back we have enough effort and enthusiasm in this place and downstairs to ensure we make that act as strong as it can be.

The Government is to be commended for proposing legislation to increase penalties for people convicted of deliberately killing or injuring threatened animals. If it passes, it is hoped the threat of higher penalties will convince those who commit these heinous crimes against threatened animals to stop doing so. As a community, there are other ways we need to look at our special species to figure out ways that we can stop them from becoming endangered and threatened and with continuing efforts, we can revitalise their populations. I support this bill.

[4.23 p.m.]

Ms SIEJKA (Pembroke) - Mr President, I can follow on with the member for Mersey's theme of educating children. The Labor Party supports amendments to the Threatened Species Protection Act. This is important legislation to protect our threatened flora and fauna in Tasmania. The proposed amendments will mean a significant increase in the penalties for those who commit offences under the act, including taking and disturbing flora and fauna.

These amendments will mean that the penalty units will increase and, perhaps more significantly, the legislation will also allow a custodial penalty.

The addition of a custodial penalty sends a clear and strong message to the community about the seriousness of these offences and brings Tasmania into line with other states and territories. It will also better reflect the community's expectations in regard to protecting our threatened species.

We have seen many wildlife advocates and community members outraged at incidents over the past couple of years where wedge-tailed eagles have been shot. This included an incident in 2017 where an eagle was found with an injury as a result of being shot on the east coast. Despite being taken to receive medical care, the eagle did not survive. It was highly publicised and an anonymous person put up \$12 000 of their own money for information relating to this incident which would help convict the shooter.

It was a tragic incident but it demonstrates how many in our community want to ensure our threatened species are protected. It was demonstrated again earlier this year when another wedge-tailed eagle was shot in northern Tasmania and did not survive its injuries. It is believed that both these birds had lived with their injuries for about one to two weeks prior to being found.

Many wildlife advocates, responsible shooters and community members have expressed their outrage at these instances. It is clear there is support for an increase in the penalties under the act to reflect the seriousness of these crimes.

Tasmania has more than 600 species of plants and animals currently listed on the schedule of the Threatened Species Protection Act. While these instances involving wedge-tailed eagles have attracted community outrage, all species under this act will benefit from this legislation. We need to ensure we are doing as much as possible to protect our threatened species so that they do not have the same fate as the Tasmanian tiger, and survive for our future generations.

I recently had the opportunity to visit grade 5 and 6 students at Bellerive Primary School and ask them about threatened species. I used this opportunity with these young people - I think they were aged 11 and 12 years - to consult with them about the importance of the threatened species bill, and I have brought some of their feedback with me today. I shared with them the recent example of how wedge-tailed eagles had been harmed, what it means for these birds to be listed as a threatened species and how the bill would increase the penalties for those who harm or threaten plants and animals.

They were very engaged in discussing this topic and sharing their thoughts. They had some very insightful contributions to make, so I hope you are all listening and not on your phones or reading papers because I will be showing them this footage. There will be feedback.

Mr Valentine - We're just checking what you are saying to see whether you're right.

Ms SIEJKA - One student shared with me that there are two wedge-tailed eagles close to where his family's shack is, and he thought it was very important people who harmed threatened species faced higher penalties because rare animals cannot be replaced.

Many of the other students were also concerned about the fate of the wedge-tailed eagle if penalties were not increased. They talked about how animals and plants are all part of a broader ecosystem and were concerned about the impact it would have if just one of our threatened species became extinct. Many students talked about the potential of animals becoming extinct, like the Tasmanian tiger, if not enough is done to protect them. I would like to share with you some of their comments about this -

If the penalties aren't high enough, that means more eagles can be harmed.

It's important to protect the environment so we can protect ourselves. Every animal has a purpose.

I would also like to share with you some of the words the students shared about why they think this legislation is important -

If we didn't put the law in place, animals could drop at alarming rates or become extinct.

Once these creatures are gone, they're gone.

If you keep harming animals, they will soon all be extinct.

If they die, it will give Tasmania a bad reputation.

For future generations to enjoy, we need to protect all our animals and plants.

I am assured the future of threatened species protection will be in great hands based on these conversations with students in my electorate. I valued their contributions and I believe it demonstrates why it is important for us to ensure our community values our threatened species both now and in the future.

I think members will all agree that the children had some very good insights and they presented some things to me that I had not considered yet. I found it a very worthwhile exercise and I encourage you all to do the same in your electorates. We had some great conversations.

Rosny Hill, in my electorate of Pembroke, is home to the leafy sun-orchid. This threatened species is found in only a few locations in southern and northern Tasmania, with very small populations at each location. This is something we also talked about. It is a beautiful flower, and I know there are constituents in my electorate who are very passionate about protecting it and other threatened species in Pembroke.

I am pleased that this legislation will ensure that it is not only species that are well known to many Tasmanians, such as the wedge-tailed eagle, but also the lesser known flora and fauna that exist in our environment. Whilst this legislation is a positive step forward, we must remain vigilant on other activities that protect our threatened species. We have positive examples of work currently being undertaken to protect our threatened species in Tasmania, such as the Save the Tasmanian Devil Program. However, there are many other species in Tasmania that are at real risk of becoming extinct that do not have the same investment.

A list of Australian bird species most likely to become extinct in the next 20 years if no measures are put in place identified the King Island brown thornbill and the King Island scrubtit in the top three of this list. To give you an idea of how at risk these populations are, the last thornbill was seen by volunteers in 2015.

The most recent monitoring numbers of the scrubtit estimate there are fewer than 50. These statistics are very concerning. It is compounded because in September 2017, the Threatened Species Unit in the Department of Primary Industries, Parks, Water and Environment was down to 2.8 full-time equivalent staff from 15. The Commonwealth Public Sector Union currently has a campaign about these funding cuts and the impact this will have on the Government's ability to continue to protect our threatened species.

It is disturbing that while we have two threatened species needing urgent intervention to ensure they do not become extinct, funding for this unit has been reduced. These birds do not have

species-specific recovery plans, although the Australian Government's King Island Biodiversity Management Plan mentions them.

Given we are six years into this plan, and these two bird species are still very threatened, it makes a strong case for further investment needed in this area. I do not doubt these are very difficult challenges, but as a Bellerive Primary School student said, 'Once these creatures are gone, they are gone.' Today I am very pleased we are making a step forward in protecting our threatened species by increasing the penalties for those who take our flora and fauna.

These amendments will bring Tasmania into line with other jurisdictions and show the Tasmanian community these crimes are serious. However, there is more work to be done, and we will continue to work with the CPSU to build the Threatened Species Unit and to ensure it is adequately resourced in order to undertake the massive task of protecting our 600 threatened species in Tasmania.

[4.32 p.m.]

Ms RATTRAY (McIntyre) - Mr President, I have a fairly brief contribution to this particular bill, but in doing so, I want to thank Andrew from the Threatened Species Unit, who I contacted back in May for discussion on this bill. It has been quite a while since I actually addressed this, so I hope my notes are good enough from back then.

I did originally have some concerns, so I wondered why the penalty units were not going to be in regulation, given they will incrementally increase. I was told we need a severe approach for this and this was the best way. It is a significant increase. I was also informed these penalty units increase in line with other states, except for South Australia, which back in May had not amended its penalty units since the 1950s, so we are apparently ahead of South Australia. They may have changed since May.

Mr PRESIDENT - We had no endangered species back then.

Ms RATTRAY - Perhaps not. Obviously, Western Australia has been leading the way. They have had a review, with substantial increases, including fines and prison time, for any incidents where people have harmed a threatened species.

I was concerned about accidental destroying of a threatened species, but have been informed that is covered in the principal act. There is always that availability of an accidental killing, because you could quite easily shoot at something and perhaps get it. I am not a hunter, so I am not sure whether it is possible, but it crossed my mind when I saw those significant and substantial penalties that were going to be put in place with this legislation. I thought, 'If somebody has done something accidentally, and they are able to substantiate that, then it should be looked upon in some way'. I believe it is, and it has been said by the member for Mersey and member for Pembroke who has some very talented grade 5s and 6s at the Bellerive Primary School. We had some grade 5s and 6s from the Scottsdale Primary School here this morning, and one of them was my granddaughter. I expect they probably would have the same view about it, so education is starting right now. Perhaps some of this legislation in the future might become redundant with good children growing into good citizens, when they understand at such a young age the importance of our flora and fauna.

I was interested that Andrew also talked about the fact there have been incidents of smuggling and intentional shootings, and these actions need a very strong message. You do not think about people actually smuggling these threatened species, animals or whatever, or intentionally shooting

them. It almost feels bizarre to think this happens, but it does happen and was something that Andrew shared with me on that day.

I have no issues, but wonder how the message is going to be put out into the community. Is the media going to be hanging off the fact that we have substantially increased the penalties? How will the information be dispersed to the community? Will it go out to everyone who gets a hunting licence with a firearm? How will it be put out into the community for people to understand the Government has put some serious effort into this and substantially increased those penalties? I expect the legislation will pass but I am looking for some advice how we let the community know. I support the legislation in general.

[4.38 p.m.]

Mr DEAN (Windermere) - Mr President, I certainly support the bill. As members have said, the protection of our threatened species is absolutely critical and if increasing penalties does that, then well and good.

I would have thought the current fine of \$15 900 would have been a good deterrent -

Ms Rattray - Obviously not.

Mr DEAN - It is a bit over \$100 000 - \$111 000 or thereabouts - and that will certainly get the message to the courts that it is a serious matter indeed to mess around with our endangered species.

Ms Rattray - Those quantum are in line with fishing.

Mr DEAN - Fishing offences. They are. Has the current maximum penalty ever been imposed? I would say it has never even reached near the amount.

Ms Rattray - You have to find somebody who has been responsible first.

Mr DEAN - The added prospect of jail to be attached to this strengthens the seriousness of the offence and sends a strong message that protection of our threatened species, animals and plants is something we all treasure and we want to ensure we retain those species. Very important to us.

One of the issues here - and it has been mentioned by the members - is that the penalty already in place would not be well known publicly. Most of us may have heard people say a slap on the wrist is not a deterrent.

I was on a property at Dilston only a few weeks prior to the lower House dealing with this matter and speaking to the family about some expensive prized chooks that run in a paddock and two of them went missing.

Ms Rattray - A fox?

Mr DEAN - No. Do not mention foxes. They do not exist. Two went missing and they could not work out what was happening. They kept a good watch on these chooks and, lo and behold, a third one went missing and they saw an eagle grabbing the chook. Yes.

Ms Forrest - They do, and rabbits.

Mr DEAN - Yes. The lady I was talking to at the time said, 'If we could have got the gun, we would have shot it'. I said, 'Well, maybe you shouldn't because eagles are protected.' The comment made then, which made me laugh, was, 'Well, I am telling you, Ivan, they are not protected on this property.' That was their position. They had chooks running out in the wild and the eagles were not protected on their property. It was interesting that should happen. There was talk about what to do and how they could protect it. I think they might try to get some protection of their chooks somehow; I am not quite sure how.

I think a jail sentence as well will have much more impact and will change attitudes like this. One of the things we need to get right is educating the public, and this has been mentioned in regard to our endangered species and the animals and plants that are protected at law.

I do not know of all our protected species. I do not know of many of our protected plants at all - very few. I would suggest that probably 99 per cent of the public would not either. They would not have much of an idea. It is all well and good to have these penalties - and the member for Mersey raised this - but unless there are educational programs and we get the information out there, this will have no impact at all - no more impact than what is currently out there.

I am not quite sure how much money is put aside. What educational programs about the protection of our endangered species will there be? What is the position of being able to identify or have an idea of what is protected and what is not protected?

There needs to be a list. There needs to be a way that people can get quick and easy access to it. The barred bandicoot, for instance - not too many people would know that this animal is protected. I have a property at Dilston where there are quite a few of them around.

Ms Rattray - Is that the pointy-nosed one?

Mr DEAN - I think that is the one. It has a black band around the back. I think it is.

Ms Rattray - And a pointy nose.

Mr DEAN - Yes, a really pointy nose.

Ms Rattray - I see them everywhere on the side of the road.

Mr DEAN - Yes, there are quite a few of them around. People have to know what they are and whether they are protected and all the rest of that. Somebody mentioned Western Australia. Did the member for Apsley mention Western Australia?

Mrs Hiscutt - McIntyre.

Mr DEAN - There was a great documentary, I think it was on the ABC, about two months ago in relation to Western Australia and the smuggling of endangered animal species from Western Australia. It is a big issue, a lot of it is happening. I suspect smuggling of our endangered species in this state is happening: is there a similar penalty incurred by people who are caught trying to smuggle endangered species out of this state?

Mrs Hiscutt - It is in the bill.

Mr DEAN - So it is part of that bill.

Ms Rattray - When I spoke to Andrew from the Threatened Species Unit in May, he said there had been incidents of smuggling from our state.

Mr DEAN - Yes, there would be, if it is happening in Western Australia and other places. Some of these animal species bring a huge price. It is a bit like drugs. Unfortunately, they are very much wanted by people in other countries around the world. The value they put on some of the species being smuggled from Western Australia was unbelievable.

Ms Forrest - When they found them dead in the hold of the aeroplane, it wasn't very good, was it?

Mr DEAN - You are right. A lot of them die while they are being moved out of the country. They are put in parcels and packets. It is just unreal.

Ms Forrest - Suitcases.

Mr DEAN - If you see how they do it, it is just incredible. The harm and the suffering that must occur to a lot of these animals is quite unbelievable.

Ms Rattray - On *Border Security* the other night I saw a stuffed animal had been brought into Australia.

Mr DEAN - The member for Mersey raised the issue of feral cats. How serious are we in this state in protecting our endangered species? Really we are not serious at all when it comes to protecting our endangered species.

If we can spend up to \$60 million looking for something that does not exist and then fail to spend anything on one of the greatest killers, one of the greatest causes of why our native species are endangered - the feral cat - then something is grossly wrong. We need to start to be serious about where we are going.

Mr Gaffney - I was on one of the islands here recently in the Bass Strait where a lot of our birds come through and I saw seven feral cats on that island, and that is just what I saw in one paddock. That is where we have two of our endangered birds. We need to do more in that space. Locals cannot do it all. We need to provide them with an incentive on how to get rid of pests.

Mr DEAN - If you talk to Ian Sauer - and the members for McIntyre and Rosevears would both know him -

Ms Rattray - Northern natural resource manager.

Mr DEAN - That is right. He is concerned about this pest. He will tell you how in Pipers River they set traps - and I am guessing a figure - but it was around 70 or 80 feral cats they caught in a matter of a week in that area. He said there were very few birds around because of this. He said it was noticeable. Other animals that had previously been there, bandicoots and so on, were no longer in that area.

It is a real problem and we talk about increasing penalties here. We need to increase the penalty for feral cats.

Ms Rattray - I had a meeting with Kathryn Hay 14 years ago talking about the feral cat legislation, and we still do not have anything.

Mr DEAN - That is about when I raised it as well. We talk about endangered species and there was a media release recently by a gentleman who I do not get on well with, Mr Nick Mooney, in relation to the wind farms and the deaths they are causing to endangered species.

Do we have any idea of the numbers of endangered species, eagles in particular - the orange-bellied parrot has been mentioned as well - as to the death rate? Is there some onus on the operators of these wind farms to report deaths of these endangered species?

We are talking about more of these wind farms and something needs to be put in place to try to ensure some protection. I do not know how this can happen, but we need to accept we are going to lose a lot more of these endangered species through some of these activities.

There are many supporters for this legislation. I did not date this. It was taken from the *Examiner*, where Craig Webb from Raptor Refuge is absolutely delighted with the position the Government has taken here and the penalties that will now be imposed, saying it was the greatest thing that could ever happen. He makes this point and I quote from this paper -

What we also need is to actually have the manpower to chase up these offenders.

Another member mentioned this, and I am not sure who it was. It may have been the member for McIntyre, but someone mentioned the capability of the department to chase up offenders and investigate and do all this.

Ms Rattray - You have to find the offender - that is the issue.

Mr DEAN - Mr Craig Webb from Raptor Refuge raises this as being a real issue and he goes on -

I think the compliance officers for the department are too far stretched. It is all well and good to have a jail term and a huge fine but there is no point if you can't actually prosecute.

And that is what I have been saying.

Ms Rattray - I think the member for Pembroke suggested that the unit had been diminished. I had better not take the credit for something I did not say.

Ms Siejka - I am happy to share.

Mr DEAN - It is a very important point. This gentleman who is involved in the protection of and the support of injured animals is raising that as an issue. He would know more than I do about where it is going. It is things like this that really concern us. All of us would have read of the deaths of the small penguins on the north-west coast. I am not sure if they are on the endangered list, but it probably will not be long before they will be.

Ms Forrest - They are not on the endangered list, but it was still a pretty awful thing to do.

Mr DEAN - It is an indication of how callous some people are when it comes to animals. He has been convicted and he has been sentenced so I can talk about it, albeit I think the clown is going to appeal the sentence. The very moderate penalty imposed for the clubbing to death of, I think, seven penguins. There were a number of deaths. This article refers to six small penguins clubbed to death. The penalty imposed was 49 hours community work and an \$82 fine.

Protection of our animals is important. I support this legislation but I ask and hope to get some answers if I can on just what publicity is going to be given to the increased penalties. How are we going to do that? It is no good doing it unless people know about it.

[4.52 p.m.]

Mr FINCH (Rosevears) - Mr President, it was interesting to hear comments made on this bill so there is no need for me to go back over that ground. However, the member for Pembroke talked about the education of young children, sowing the seed and planting that in their mind from early on.

As chairman of the Devil Island Project, we had a lot of fundraising opportunities in schools particularly at the East Launceston Primary School. The kids absolutely soaked up any information or any link they could have to the animal world and to the bird world. They just love that link and enjoy that. So if a program or programs can be in place at any time - that will be a really good start for younger people, to sow the seed in their mind that it is not appropriate to deal badly with animals and birds. That then puts pressure on their peers who may not have that exposure to the care and concern for animals, who might be a bit reckless with rifles and catching and bashing animals and chasing them through the bush and that sort of thing. I agree wholeheartedly with that.

I just want to express how lucky we are in Tasmania with the rare and endangered species and the animals we have running free here. Of course, roadkill is a major concern but it is fantastic that we have so much wildlife in Tasmania. I have friends who come from Sydney quite regularly. They are gobsmacked with being able to sit on our deck and watch a flock of black cockatoos land in the pine tree in front of us. Just as well I do not have concerns for pine cones because they chew the life out of the old pine cones. My friends from Sydney just cannot believe this flock comes every year and spends a lot of time in front of us.

We have white-bellied sea eagles over the bay in front of us. It is quite fantastic to watch those on my walk. People who follow me on Twitter and Facebook will see I post quite a lot on those birds. They are huge birds and magnificent to see.

Mr PRESIDENT - Any finches in the garden?

Mr FINCH - Sorry?

Mr PRESIDENT - Any finches in the garden?

Mr FINCH - Already too many, the neighbours would say. The other thing I did not want to mention, for the first time the other night I saw a spotted quoll on the road between Deviot and the West Tamar Highway. Of course, we hear about it, and we see photographs. I had never seen one. But I got a good look and it was as big as a fox. There was no confusion.

Mr Dean - Were you the one looking at the time?

Mr FINCH - I will not divulge anything there. Anyway, this spotted quoll was a magnificent creature to see. To think people seeing something like that might shoot at it for target practice - it is bizarre. It shows how fortunate we are in Tasmania to have wallabies and possums in abundance, but the others make us unique and really will keep attracting tourists to revel in the opportunity to see those birds and animals. I support wholeheartedly this increase in penalising people who are reckless in the way they treat animals.

[4.57 p.m.]

Mr VALENTINE (Hobart) - Mr President, I certainly support this bill. Most people would understand the importance of threatened species and that we have to make sure we protect them. We have to make sure as a government that we do not impact on threatened species. It is one thing to have somebody doing dreadful things like the north-west case of clubbing penguins to death and to have an act that throws the book at them, but it is another thing to make sure we do not exacerbate the loss of life of threatened species. Obviously I am talking about things like wind farms, and the like - it is important to make sure we do what we can to stop birdstrikes to white-bellied sea eagles and wedge-tailed eagles in those locations.

I had some research done on this by my electorate officer on the Musselroe Wind Farm and Woolnorth. The extent we go to in doing our best to monitor some of these threatened species is significant. I want to read a little of this information so the members are aware of what the Government is doing in this space. He found it very difficult to come up with the figure of how many eagles had been impacted by wind farm developments. The member for Windermere has asked the question, and the Leader may be able to provide that answer.

A search on the Musselroe Wind Farm site, which is there for anyone to view, yielded a little more information. I will share with members the Musselroe Wind Farm Annual Environmental Review 2016-17, 'Avoidance behaviour around turbines' -

The eagle avoidance study has four core objectives. These being:

1. Attempt to quantify the wind turbine avoidance rate of eagles (or if possible other priority species) at the MRWF,
2. Compare the avoidance rates of eagles at MRWF with those obtained for the Bluff Point and Studland Bay Wind Farms,
3. Determine if there are any turbine operational or environmental factors that affect the eagle avoidance rates,
4. Determine if the current site utilisation areas are similar/or the same to that documented by the previous eagle flight path study.

She mentions here that -

The data the collection commenced in autumn 2016, and continued for the next three consecutive seasons.

These are interesting statistics -

In total, 287 Wedge-Tailed Eagle (WTE) flights and 29 White-Bellied Sea Eagle (WBSE) flights were observed over the survey period.

We are talking about autumn 2016 when the data collection commenced. This is a broad set of results -

This yielded 1783 WTE [wedge-tailed eagle] closest points in any given flight to a wind turbine swept area, and 88 WBSE [white-bellied sea eagle] closest points. In comparison, during the pre-construction survey period, 271 WTE and 328 WBSE flights were observed respectively, with 1686 (WTE) and 1331 (WBSE) closest points. On average, more WTEs were spotted per survey than WBSEs. There were large fluctuations in the number of WTEs seen from month to month, while the number of WBSE observations remained roughly low and constant through the year.

Quite clearly, there has been a lot of effort to collect those data; from that review, there were also some technological investigations.

Woolnorth Hydro continued to monitor it because they undertook the survey on behalf of the wind farms -

WNH continued to monitor technological advances and strategies being used at wind farms around the world to monitor effects on birds and bats, and mitigation strategies to reduce impacts. There continues to be an increase in the amount of data published on wind farm effects in the scientific literature, including an increase in the understanding of these effects.

During the reporting period a meeting was held with Western Advance to gain an update on a number of developing technologies including the Robin Radar systems, laser dazzlers (hazing device), IndentiFlight (detection device) and smart balloons (detection device). In all cases there are still substantial technical restrictions to the effective deployment of the equipment or that the equipment is still in the development phase at present.

It just goes to show you that organisations like the Hydro have gone right into this and are doing the relevant studies. I think the member for Pembroke said there had been two birdstrikes, but there may well have been others. I guess the Leader might be able to give us the exact number. I am not sure - a phone call might fix that. It is 5.04 p.m. now. We may not be able to. I am just wondering, with equipment like wind turbines, are the organisations that run those at all exposed with this legislation? How are they treated? Are they considered an offence? I would probably think not, but I am interested to know what happens there in that case.

It is possible for the infrastructure we put in place to actually have an impact on threatened species. Hopefully, not that heavy and, as I have read out, they certainly take steps to try to understand and work through some of the issues to make sure the least number possible.

I want to read an email a number of members would have received - in fact, all of us - on this particular bill with respect to BirdLife Tasmania from Dr Eric Woehler -

I am writing to you to urge you to support the Threatened Species Protection Amendment Bill 2018 which passed in the House of Assembly on 12 June 2018. I understand that this bill is awaiting debate in the Legislative Council. The Bill seeks to substantially increase penalties for offences relating to the taking of threatened species. I am sure you are aware of the various recent increases of cruelty to wildlife and the killing of protected species, many of which are Threatened. The shooting and poisoning of Wedge-tailed Eagles, numerous dog attacks on Little Penguins statewide and the bludgeoning of Little Penguins on the northwest coast are just the most recent instances.

The list is sadly too long!

He goes on to refer to the speech by the Attorney-General in the lower House, quoting her as saying -

The substantial increase in fines and the threat of a custodial sentence will send a clear message about the seriousness of unlawfully taking threatened species in Tasmania and will provide a significant deterrent and enhanced protection of Tasmania's unique flora and fauna.

He then goes on to say -

BirdLife Tasmania supports this Bill and its provisions for increased penalties to protect Tasmania's Threatened Species. We believe that the Bill will make a material contribution to improving the conservation of our species most at risk of extinction. I would be delighted to meet with you ...

Ms Rattray - I believe the member for Murchison said the little penguins were not threatened.

Mr VALENTINE - They are not threatened.

Ms Rattray - This is not going to assist them?

Mr VALENTINE - No. He said 'many of which are threatened'. He did not say it was threatened. He said, 'many of which are threatened'.

Some would say that it is great to be able to up the penalty in dollar terms and also to add up to 12 months imprisonment. Would a magistrate sit in judgment on something like this or would it go to the Supreme Court? Mr President, you would probably be the one to advise me.

Mr PRESIDENT - Unless there is an appeal.

Mr VALENTINE - Would a magistrate have the capacity to be able to institute community service orders in place of a period of imprisonment? The legislation talks about up to 12 months imprisonment. Is it possible a magistrate could actually institute a community service order, depending on the severity of the event?

Mrs Hiscutt - As would be the usual answer, it is up to the magistrate.

Mr VALENTINE - They have the capacity to do that?

Mrs Hiscutt - I think the magistrate can do what he likes.

Mr VALENTINE - They do. If they want to have something more than the financial penalty, they would be stuck only with a period of imprisonment?

Mr PRESIDENT - They still have their sentencing suite now available to them.

Mrs Hiscutt - The member for Windermere mentioned there was only 42 hours of community service.

Ms Rattray - That was reviewed.

Mr Dean - It was appealed against.

Mr VALENTINE - The little penguins is a different story because it is not a threatened species dealt with under this. It is very sad. One wonders what on earth would be going through somebody's mind in that regard.

I support this legislation. I think the community expects us to look at these things in a robust way, and the maximum penalty does not have to be applied. It is important the capacity is there, depending on the severity of the event.

[5.10 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, this legislation has generated a fair bit of interest. I do have answers to members' questions, starting with the member for Pembroke.

I thank the member very much for sharing her experiences with those young people. It is good to have them thinking about this. You mentioned the Threatened Species Protection Unit. The threatened species section in the department of DPIPWE currently employs 2.9 full-time equivalent - FTE - staff, which consists of five staff members.

Recruitment for an additional full-time threatened species botanist is almost complete. The staff comprise highly qualified professionals with expertise in zoology, botany and ecology. Over the past several years the number of FTEs in the threatened species section has fluctuated due to the temporary amalgamation with other sections in 2013-14 and the completion of fixed-term contracts.

The department continues to review staffing levels to ensure it is able to meet statutory and other obligations to ensure effective outcomes for our unique plant and animals. As well as the 2.9 FTEs currently in the threatened species unit, threatened species management has become part of daily business for many areas in DPIPWE and for agencies as diverse as Tasmania Police, the Tasmania Fire Service and the Department of State Growth, reflecting just how seriously this Government takes the protection of our unique species.

Within DPIPWE, there is a dedicated program for the orange-bellied parrot with a staff of nine FTEs and a specific investment of \$2.5 million to build new captive breeding facilities for this critically endangered species. The Save the Tasmanian Devil Program has had up to 25 staff, including visiting interns.

The six members of the department's Conservation Assets Section provide threatened species management advice to local government, the Environment Protection Agency, Mineral Resources Tasmania, the Forest Practices Authority and Tasmania Fire Service. Each of these has its own staff, whose role includes the consideration and management of threatened species. The department also provides advice to companies and individuals, and develops prescriptions for the management of threatened species to ensure they are consistently and effectively protected.

Other staff in the Natural and Cultural Heritage Division monitor threatened species in the Tasmanian Wilderness World Heritage Area and work closely with the Royal Tasmanian Botanical Gardens on the collection and conservation of threatened plants. The Inland Fisheries Service undertakes monitoring of some of the state's most vulnerable fish species, as well managing the eradication of carp, which pose a considerable threat to our natural aquatic environment. It is the core business of many departments, so it not just 2.9 FTEs in that single department.

The member for McIntyre asked how the message would be dispersed. There will be media releases and consultation with the TFGA, the Tasmanian Conservation Trust and other key stakeholders. The education process, which the member for Windermere was talking about, will be through *Game Tracks*. National Threatened Species Day is on 7 September and will provide an opportunity to promote this legislative change. There are lists of all protected species on the DPIPWE website.

There was also mention of smuggling. Smuggling is covered in the act under section 51. It talks about knowingly take, keep, trade in and process. That is already covered. The incidence of smuggling from Tasmania includes stag-beetles. They are smuggled for staging beetle fights. If you have seen stag-beetles, you know they have big mandibles. Beetles can reach up to \$3000 each on the black market. That is amazing.

Deaths on wind farms were talked about. Tasmanian wind farm operators are required to adhere to strict operating and monitoring rules. They have also been required to offset any mortalities that have unfortunately resulted from such incidents. These offsets include the permanent protection of eagles' nests and the support of important research into eagle distribution, population size and behaviour.

At this point, I recognise the outstanding work of Mr Craig Webb and his Raptor Refuge, which has been successful in rehabilitating many birds of prey for release. For this reason, we have committed \$7000 to maintain a hotline to ensure injured birds get the best and most timely care possible.

The member for Hobart was worried about wind farms being liable. It is not a deliberate act by a wind farm so it is not covered under this legislation.

Mr Valentine - It is accidental.

Mrs HISCUTT - Extremely. They do not want to do it, and so they are not subject to prosecution under this legislation.

There have been 29 deaths since all wind farms became operational, since 2002, and that is 16 years. No-one wants these things and the wind farms have to go through a rigid assessment process and have to do mitigation.

Mr Gaffney - Haven't there been 10 since 2013? While it sounds like not many over a long period, there have been more in the last five years.

Mrs HISCUTT - I cannot confirm nor deny that. I do not know. We do not have the information.

To put the member for Mersey at ease, I assure you my lawn is absolutely covered with eastern barred bandicoots. It would have been 15 to 20 years ago that we had DPIPW people come to our area on the north-west coast and do counts. I can happily report that the population of the eastern barred bandicoots is alive and well in my backyard.

Mr Gaffney - They are not endangered in Tasmania but Australia-wide they are.

Mrs HISCUTT - Yes.

Mr Gaffney - This is a haven for them here.

Mrs HISCUTT - I fall in the holes in the yard as I walk around out there. You might have been concerned about the possums. I assure you that the ringtail and brushtail possums are living in the laurel trees in my backyard as well. That is okay.

Mr Dean - They are not protected and they are certainly not on the endangered list.

Mrs HISCUTT - They are living in my yard.

This Threatened Species Protection Amendment Bill is important. One of the most memorable moments in my life as a farmer was when I was out backpacking pyrethrum - I do that with my dog - and we had the eagles circling us and I was sure they were after my dog. I was prepared to race up and yahoo. On the way down the hill, I parked the ute at the top of the hill and I could see the whales swimming in the sea and the eagles soaring overhead and I thought, 'Does it get any better than this?'

These animals and threatened species need protection and this bill is one of the best ways forward we have at the moment.

Bill read the second time.

THREATENED SPECIES PROTECTION AMENDMENT BILL 2018 (No. 8)

In Committee

Clauses 1 to 4 agreed to.

Clause 5 -
Section 61 amended (Regulations)

Mr DEAN - I heard what was said about publicity being given to this matter. I cannot be satisfied that because of the emphasis we are now putting on the need to protect our endangered species, both flora and fauna, that we are doing enough to publicise the changes we are now making.

It is significant. I think you referred to it as being publicised in certain magazines and other articles. Is there not a need for a strong response in the written media? For example, full-page advertisements to demonstrate the changes? It might be money, but it is not money that we should be looking at in protecting our endangered species. Many people do not read newspaper articles and we are talking about people like those I referred to - that example I gave earlier, of people who had no idea there are real penalties, without the changes, for killing endangered species.

Many people do not know about these penalties. You are not going to get to everybody; I accept that. I am wondering whether there is a need, as the member for Pembroke raised, to get to children and whether there ought to be educational programs within the school system as well.

This is an important issue - the need to protect these species and the plants as well. Once they are gone, they are gone, and we know what happens then. I would like to know more on how we could let all people know, as best we can, of this critical and important matter, and the penalties now being imposed.

[5.24 p.m.]

Mrs HISCUTT - Besides *Game Tracks* and media releases and National Threatened Species Day which is coming up and the websites, currently grades 5 and 6 science classes include an option for a threatened species study unit. When this bill was first mooted, all three regional papers picked up on it and it was reported. I imagine that when the legislation is passed, they will do the same again because there will be media releases following this. I make the commitment that I will ask the department if it will run information campaigns. I cannot guarantee that, of course, but I think that with the increased penalties, it would surprise me if the media, through the three outlets, do not pick up on this anyway. I dare say after the first conviction, everybody will know.

I undertake to mention that to the department and it might pick it up.

Clauses 5 and 6 agreed to and bill taken through the remainder of the Committee stage.

JUSTICES OF THE PEACE BILL 2018 (No. 12)

First Reading

Bill received from the House of Assembly and read the first time.

ADJOURNMENT

[5.28 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That at its rising the Council adjourn until 11 a.m. on Thursday 23 August 2018.

Motion agreed to.

The Council adjourned at 5.28 p.m.