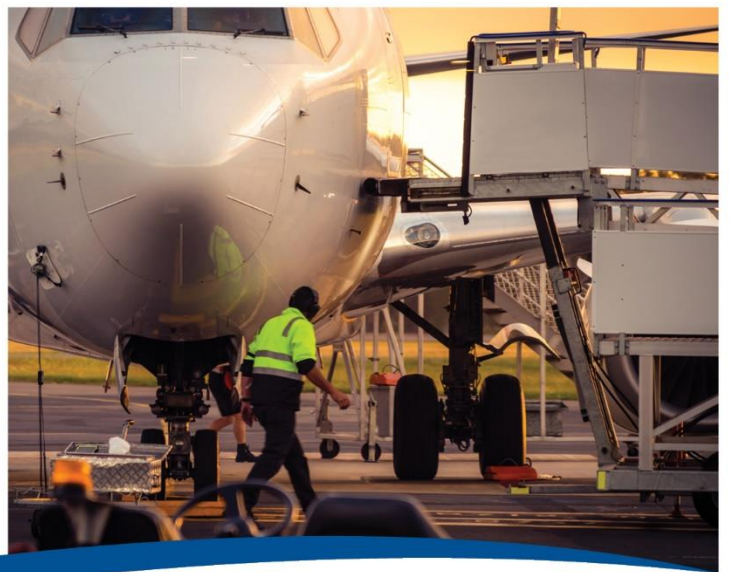


Tasmanian Red T✂pe Audit Report Consolidated 2014-23



Contents

Contents	i
Executive summary of red tape issues	2
Red tape reduction issues for agriculture, forestry and fishing industries	10
Extension of industrial hemp licence period from one to five years	10
Increase the allowable tetrahydrocannabinol (THC) threshold for industrial hemp from 0.35 per cent to 1 per cent	11
Special purpose legislation for the production of industrial hemp	12
Simplifying the dam works approval process, including abolishing the Assessment Committee for Dam Construction	13
Review of biosecurity legislation to develop a streamlined, coherent and integrated model	14
Simplifying the 'right-to-farm' law	15
Browsing animals reforms (crop protection permits)	16
Remove requirement for farmers to complete an annual statutory declaration to continue to receive a vehicle registration rebate	17
Amend the Marine Farming Planning Act 1995 to abolish the Board of Advice and Reference	18
Amend and simplify the Fisheries (Commercial Dive) Rules 2011	19
Development of new fishing permits for commercial fishers to explore value adding to low-value species in Tasmanian waters	20
Amend the <i>Fisheries (Abalone) Rules 2009</i> to provide more flexibility in relation to over-catch	21
Amend the <i>Fisheries (Rock Lobster) Rules 2011</i> to reduce the penalty for failing to submit a telephone report	22
Exemption order to allow rock lobster fishers to traverse closed areas with baited pots on deck	23
Remaking the <i>Threatened Species Protection Regulations 2006</i>	24
Amendments to the Natural Resource Management Act 2002	25
Poppy regulation reforms	26
Approval to allow industrial hemp seed to be consumed as a food	27
Extension of the period of crop protection permits for deer from 1 to 5 years	28
Charter for working on private farm land (between Government Business Enterprises and the Tasmanian Farmers and Graziers Association)	29
Extension of genetically modified organism moratorium from 5 to 10 years	30
Fisheries Digital Transition Project: Phase 1 "Making Life Easier"	31
Improving efficiency in the regulation of forest practices	32
Review of Industrial Hemp Act 2015	33
Private Forests Service Levy Rebate Scheme	34
Private Forestry (miscellaneous legislative amendments)	35
Transition of Tasmania's commercial wild-capture fisheries to digital processes	36
Red tape reduction issues for construction and property	38
Building regulatory framework review	38

Streamlining the residential tenancy bond process.....	39
Amend the <i>Residential Tenancy Act</i> to reduce the compliance burden associated with cooking facilities and restrictions on photographing rental properties	40
Review of rural properties entered on the Tasmanian Heritage Register	41
Review of Tasmanian Heritage Register to ensure it contains only entries that meet the criteria.....	42
Reform the <i>Historic Cultural Heritage Act 1995</i> to streamline the works approval process	43
Extend building practitioner renewal period	44
Removal of net tangible assets regulations	45
Amendment of the <i>Land Use Planning and Approvals Act 1993</i> to allow councils to extend permits by an extra two years reducing the need for developers to re-apply	46
Review <i>Property Agents and Land Transactions Act 2005</i> (PALTA)	47
Duplication for bush fire plans removed	48
Streamlining occupational licencing	49
Risk based building and plumbing approvals.....	50
<i>National Trust Preservation Fund (Winding Up) Amendment Bill 2016</i>	51
Historic Cultural Heritage Regulations 2016	52
<i>The Building and Construction Industry Training Fund Act 1990</i> Reform.....	53
Landholder reforms to the <i>Duties Act 2001</i>	54
First floor CBD development	55
Repeal of Section 146(2) of the <i>Land Titles Act</i>	56
Security deposits by instalment	57
Tasmanian development regulatory reform	58
Water and Sewerage Infrastructure Spatial Data Capture	59
Bushfire Prone Area Spatial Data Capture	60
Automated water/sewerage/bushfire assessment as part of development application.....	61
Integrated/interface of licensing, registration and related systems.....	62
Environment, public health and local heritage permit assessments.....	63
Online Fire Alarm/System Permit	64
Review of Categories of Building and Demolition Work and Categories of Plumbing Work	65
Activating a valid planning permit	66
Crown land leases and landholder consent.....	67
Early issue of titles for new subdivisions	68
Electricity and power regulations.....	69
EPA review of case for assessment	70
Minor amendments to planning permits.....	71
Nature conservation and special permits.....	72
Introduce no permit required assessments.....	73
Planning permit conditions	74
Request for additional information (RFI) by councils	75
Sealing of plans	76
Strata titles.....	77

Water and sewerage regulations.....	78
Review of minor works requiring reporting to reporting authorities under the Building Act 2016	79
Online application lodgement and tracking of development related applications – PlanBuild Tasmania portal	80
Automatic mutual recognition for occupational licences	81
Streamlining planning referrals to TasNetworks	82
Strata Titles Act 1998 Review	83
Implementation of National Electronic Conveyancing (NECS).....	84
Reserve Activity Assessment Reforms.....	85
Streamlining dispute resolution for residential building work.....	86
Review of the Aboriginal Heritage Act 1975	87
Online lodgement of compliance certificates	88
Automatic Mutual Recognition of Interstate Shot-firing Authorities	89
Digital public notification in the planning system.....	90
Consolidate and streamline land subdivision approvals	91
Review and enhance of housing land supply process	92
Reduction of regulatory burden due to the landfill levy	93
Acceptance of electronic counterparts on contracts rather than wet ink signatures	94
Improved responsiveness of key stakeholders to support strategic property acquisition by Homes Tasmania	95
Enabling infill development and gentle densification.....	96
Expand on the administrative data exchange protocol for Tasmania to include an information platform.....	97
Online portal, accessible to Tasmanian Government entities, to share infrastructure-related information.....	98
Red tape reduction issues for retail and wholesale trade	100
Motor traders red tape reforms (demonstrator and loan cars)	100
Security licensing administration	101
Amend the <i>Food Act 2003</i> to create a state-wide registration system for temporary food stalls.....	102
Removal of regulations in the <i>Firearms Act 1996</i> prohibiting paintball businesses from operating in Tasmania.....	103
Registrar of Motor Vehicles to authorise private sector driving instructors to undertake L2 driving assessments.....	104
Streamlined licensing and accreditation for passenger transport operators	105
Fireworks night retained.....	106
Hire and Drive Vehicle Inspection Program	107
Development of online training resource for stakeholders who conduct services on behalf of the Registrar of Motor Vehicles	108
Implementation of smart forms for vehicle inspection services	109
Simplifying the process for the disposal of uncollected goods	110
Enhanced P1 assessment arrangements.....	111
Peer to peer car rental	112
Distillery (Whiskey & Spirits) Regulatory Review	113
Electric Car Imports.....	114

E-scooters and other personal mobility devices	115
Fuel cell electrical vehicle framework	116
Red tape reduction issues for tourism, hospitality and racing	118
Review on-course bookmakers regulatory arrangements.....	118
Review the appeal provisions of the <i>Racing Regulation Act 2004</i>	119
Amalgamate the Integrity Assurance Board and the Tasmanian Racing Appeal Board	120
Repeal the <i>Travel Agents Act 1987</i> to remove the duplication of regulation in the travel industry.....	121
Reduction of the public consultation process for wildlife imports from 20 days to 10 days.....	122
Streamline import of exotic animals for zoos, pet stores and animal exhibitors without compromising biosecurity.....	123
Introduction of online passes for national parks.....	124
Erecting temporary structures	125
Merger of Tasmanian Gaming Commission and Liquor Licensing Board	126
Simplifying gaming licence renewals.....	127
Extend duration of out-of-hours permits	128
Improved risk-related assessment of gaming licences	129
Airbnb and free market reforms.....	130
Agritourism regulatory mapping and reform project.....	131
Red tape reduction issues for education and training.....	133
Review of the <i>Education Act 1994</i>	133
Review of the <i>Education Act 1994</i> – systems of non-government schools	134
Anti-discrimination amendment – reducing the administrative burden for faith-based schools.....	135
Traineeships and apprenticeships information system reform	136
2016 User Choice program	137
Change of eligibility criteria for the Student Assistance Scheme	138
Red tape reduction issues for health and community sectors	140
Eliminating duplication of state regulations where community sector organisations have nationally accredited quality management systems in place.....	140
Introduction of an electronic grants management system.....	141
Charity and not for profit reporting requirements	142
Online tobacco seller’s licence applications and renewals.....	143
Streamline regulatory processes for licensing of private health facilities and day procedure centres – reporting requirements	144

Simplification and standardisation of contracts and pre-qualification for community services providers	145
Reducing paperwork and administrative burden for radiation licence holders.....	146
Portfolio lease agreements with community organisations	147
<i>Poisons Amendment Act 2017</i>	148
Extension of family and sexual violence specialist service grant agreements to five years.....	149
Amalgamation of core and project funding for Community development peak bodies	150
Mental Health Amendment Act 2023.....	151
Red tape reduction issues for general application across all industries and other red tape reforms	153
Review of workers' compensation arrangements	153
Local government traffic facilities approvals: remove the need for approval from the Department of State Growth.....	154
Pre-approve road networks for a suite of Special Purpose Vehicles (SPVs) to remove the need for operators to obtain heavy vehicle permits	155
Planning reform – state planning provisions	156
Planning reform – major projects.....	157
A single civil and administrative tribunal	158
Reducing limitations on leasing and licencing crown land	159
Reviewing model work health and safety laws	160
Making it easier for businesses to register for government events	161
Streamlined process for Tasmanian Government nominations for skilled migration	162
Amendment of Local Government Act 1993 to abolish 29 individual code of conduct panels and replace with an independent state- wide code of conduct panel.....	163
Simplifying stamp duty on corporate restructures	164
Provision of online forms for external clients for Mineral Tenement Processes	165
Professional Standards Act Amendments to remove section 27(c) and introduce mutual recognition provisions	166
National business simplification initiative.....	167
Abolition of registration labels from heavy vehicles	168
Cutting red tape for the mining industry.....	169
Review of Tasmania's local government legislation.....	170
Wildlife Regulations Review	171
Refining the Leasing and Licencing Functions for the Parks and Wildlife	172
Small Business Regulatory and Process Reform Project	173
Reduction in the requirement for road network access permits for the Australian Defence Force (ADF) heavy vehicle fleet	174
Reduction in the requirement for a Special Purpose Vehicle access permit	175
Reduction in the requirement for an Over Size Over Mass heavy vehicle access permit.....	176
Further reduction in the requirement for a heavy vehicle access permit	177
Quicker turnaround for processing of Prospecting Licence applications and extension of licence period from 1 year to 5 years.....	179
Making it easier for businesses to apply for loans assistance and ongoing management of loans	180

Pepperberry (permit and licence) System one to two years.....	181
Red tape reduction issues for the community.....	183
Reduced place of assembly licensing requirements.....	183
Removing duplication of regulatory requirements in the child care industry	184
Introduce online transfer of vehicle service for clients, removing the need to attend a Service Tasmania shop to undertake this transaction	185
Abolish the requirement for drivers over the age of 75 to have compulsory medical assessments, if they do not have a medical condition that could impact on their ability to drive safely	186
Electronic Service of Police Infringement Notices (ESOP)	187
Simplification the quarantine procedures for passengers arriving in Tasmania on the Spirits of Tasmania	188
Improve Fitness-to-Drive management processes	189
Introduce a new driver assessment booking system to enable clients to book and pay for an assessment online	190
Holders of permits to keep reptiles to be able to increase the number of animals they keep	191
Removal of the moratorium on bird and reptile imports while maintaining biosecurity	192
Review of small passenger vehicle regulation	193
New Place Names Act	194
Streamlining legislative provisions relating to Anzac Day activities.....	195
Removal of library fines for late returns	196
Fire and emergency service act reform	197
Airports and protection of airspace regulations.....	198
Future of Local Government Review	199
Automatic conversion of surrendered driver’s license to personal Information card.....	200
myServiceTas digital services portal developments	201
Improve the licensing and registration service provided to firearms community and related industries.....	202
Improve the way in which the Tasmanian community can report minor crime and offences to Tasmania Police	203
Foreign arrangements scheme – Commonwealth – Department of Foreign Affairs and Trade.....	204
Copyright notice and disclaimer	205



Executive summary of red tape issues

Red tape reforms by industry sector	Red tape cut	Red tape work in progress	Completion Date
Agriculture, forestry and fishing			
Extension of industrial hemp licence period from one to five years	✓		2015
Increase the allowable tetrahydrocannabinol (THC) threshold for industrial hemp from 0.35 to 1 per cent	✓		2015
Special purpose legislation for the production of industrial hemp	✓		2015
Simplifying the dam works approval process, including abolishing the Assessment Committee for Dam Construction	✓		2016
Review of biosecurity legislation to develop a streamlined, coherent and integrated model	✓		2019
Simplifying the 'right to farm' law	✓		2016
Browsing animals reforms (crop protection permits)	✓		2016
Remove requirements for farmers to complete an annual statutory declaration to continue to receive a vehicle registration rebate	✓		2014
Amend the <i>Marine Farming Planning Act 1995</i> to abolish the Board of Advice and Reference	✓		2015
Amend and simplify the <i>Fisheries (Commercial Dive) Rules 2011</i>	✓		2014
Development of new fishing permits for commercial fishers to explore value adding to low-value species in Tasmanian waters	✓		2015
Amend the <i>Fisheries (Abalone) Rules 2009</i> to provide more flexibility in relation to over-catch	✓		2014
Amend the <i>Fisheries (Rock Lobster) Rules 2011</i> to reduce the penalty for failing to submit a telephone report	✓		2017
Exemption order to allow rock lobster fishers to traverse closed areas with baited pots on deck	✓		2014
Remaking the <i>Threatened Species Protection Regulations 2006</i>	✓		2016
Amendments to the <i>Natural Resource Management Act 2002</i>	✓		2018
Poppy regulation reforms	✓		2016
Approval to allow industrial hemp seed to be consumed as a food	✓		2017
Extension of the period of crop protection permits for deer from 1 to 5 years	✓		2020
Charter for working on private farm land (between Government Business Enterprises and the Tasmanian Farmers and Graziers Association)	✓		2019
Extension of genetically modified organism moratorium from 5 years to 10 years	✓		2019
Fisheries Digital Transition Project: Phase I “Making Life Easier”	✓		2019
Improving efficiency in the regulation of forest practices	✓		2019
Review of <i>Industrial Hemp Act 2015</i>		✓	2023/24
Private Forests Service levy Rebate Scheme	✓		2021
Private Forestry (miscellaneous legislative amendments)	✓		2022
Transition to Tasmania’s commercial wild-capture fisheries to digital processes	✓		2020

Red tape reforms by industry sector	Red tape cut	Red tape work in progress	Completion Date
Construction and property			
Building regulatory framework review	✓		2016
Streamline the residential tenancy bonds process	✓		2018
Amend the <i>Residential Tenancy Act</i> to reduce the compliance burden associated with cooking facilities and restrictions on photographing rental properties	✓		2015
Review of rural properties entered on the Tasmanian Heritage Register	✓		2016
Review of Tasmanian Heritage Register to ensure it contains only entries that meet the criteria	✓		2016
Reform the <i>Historic Cultural Heritage Act 1995</i> to streamline the works approval process	✓		2016
Extend building practitioner renewal period	✓		2017
Removal of net tangible assets regulations	✓		2017
Amendment of <i>Land Use Planning and Approvals Act 1993</i> to allow councils to extend permits by an extra two years reducing the need for developers to re-apply	✓		2015
Review <i>Property Agents and Land Transactions Act 2005 (PALTA)</i>	✓		2017
Duplication for bush fire plans removed	✓		2017
Streamlining occupational licencing	✓		2017
Risk based building and plumbing approvals	✓		2017
<i>National Trust Preservation Fund (Winding Up) Amendment Bill 2016</i>	✓		2017
<i>Historic Cultural Heritage Regulations 2016</i>	✓		2016
The <i>Building and Construction Industry Training Fund Act 1990</i> Reform	✓		2017
Landholder reforms to the <i>Duties Act</i>	✓		2016
First Floor CBD Development	✓		2017
Repeal of Section 146(2) of the <i>Land Titles Act</i>	✓		2018
Security deposits by instalment	✓		2019
Tasmanian Development Regulatory Reform	✓		2020
Water and sewerage infrastructure spatial data capture	✓		2022
Bushfire prone area spatial data capture	✓		2022
Automated water/sewerage/bushfire Assessment as part of development application.	✓		2023
Integrated/Interface of licencing, registration and related systems.	✓		2019
Environment, Public Health and Local Heritage Permit Assessments	✓		2023
Online fire alarm/system permits	✓		2023
Activating a valid planning permit	✓		2020
Crown land leases and landholder consent	✓		2020

Red tape reforms by industry sector	Red tape cut	Red tape work in progress	Completion Date
Early issue of titles for new subdivisions	✓		2020
Electricity and power regulations	✓		2021
EPA review of case for assessment	✓		2020
Minor amendments to planning permits	✓		2020
Nature conservation and special permits	✓		2020
No permit required assessments	✓		2022
Planning permit conditions	✓		2020
Request for additional information (RFI) by councils	✓		2020
Sealing of plans	✓		2020
Strata titles	✓		2020
Water and sewerage regulations	✓		2021
Review of minor works requiring reporting to authorities under the <i>Building Act 2016</i>		✓	2023/24
Automatic mutual recognition for occupational licences	✓		2022
Streamlining planning referrals to TasNetworks	✓		2022
Implementation of National Electronic Conveyancing (NECS)		✓	2023/24
<i>Strata Titles Act 1998</i> Review		✓	2023/24
Reserve Activity Assessment Reforms		✓	2023/24
Online application lodgement and tracking of development related applications.	✓		2023
Review of Categories of Building and Demolition Work and Categories of Plumbing Work	✓		2021/22
Review of the Aboriginal Heritage Act 1975		✓	2023/24
Streamlining dispute resolution for residential building work		✓	2023/24
Online lodgment of compliance certificates		✓	2023/24
Automatic mutual recognition of interstate shot-firing authorities	✓		2023
Digital public notification in the planning system		✓	2023/24
Consolidate and streamline land subdivision approvals		✓	2023/24
Review and enhance the housing land supply process		✓	2023/24
Reduction of regulatory burden due to landfill levy		✓	2023/24
Acceptance of electronic counterparts on contracts rather than wet ink signatures		✓	2023/24
Improved responsiveness of key stakeholders to support strategic property acquisition by Homes Tasmania		✓	2023/24
Enabling infill development and gentle densification		✓	2023/24
Expand on the administrative data exchange protocol for Tasmania to include and information platform		✓	2023/24

Red tape reforms by industry sector	Red tape ref	Red tape r	Red tape reforms by industry
Online portal, accessible to Tasmanian Government entities, to share infrastructure-related information		✓	2023/24
Retail and wholesale trade			
Motor traders red tape reforms (demonstrator and loan cars)	✓		2016
Security licensing administration	✓		2015
Amend the <i>Food Act 2003</i> to create a state-wide registration system for temporary food stalls	✓		2015
Removal of regulations in the <i>Firearms Act 1996</i> prohibiting paintball businesses from operating in Tasmania	✓		2015
Registrar of Motor Vehicles to authorise private sector driving instructors to undertake L2 driving assessments	✓		2014
Streamlined licensing and accreditation for passenger transport operators	✓		2015
Fireworks night retained	✓		2018
Hire and drive vehicle inspection program	✓		2016
Development of online training resource for stakeholders who conduct services on behalf of the Registrar of Motor Vehicles	✓		2016
Implementation of smart forms for vehicle inspection services	✓		2016
Simplifying the process for the disposal of uncollected goods	✓		2020
Enhanced PI assessment arrangements	✓		2019
Peer to peer car rental	✓		2020
Distillery (Whiskey & Spirits) Regulatory Review		✓	2023/24
Electric Car Imports	✓		2023
E-Scooters and other personal mobility devices	✓		2021
Fuel cell electrical vehicle framework		✓	2023
Tourism, hospitality and racing			
Review the on-course bookmaker regulatory arrangements	✓		2016
Review the appeal provisions of the <i>Racing Regulation Act 2004</i>	✓		2015
Amalgamate the Integrity Assurance Board and the Tasmanian Racing Appeal Board	✓		2015
Repeal the <i>Travel Agents Act 1987</i> to remove the duplication of regulation in the travel industry	✓		2014
Reduction of the public consultation process for wildlife imports from 20 days to 10 day	✓		2017
Streamline import of exotic animals for zoos, pet stores and animal exhibitors without compromising biosecurity	✓		2016
Introduction of online passes for national parks	✓		2014
Erecting temporary structures	✓		2017
Merger of Tasmanian Gaming Commission and Liquor Licensing Board	✓		2015
Simplifying gaming licence renewals	✓		2015
Extend duration of out-of-hours permits	✓		2016
Improved risk-related assessment of gaming licences	✓		2015
Airbnb and free market reforms	✓		2017

Red tape reforms by industry sector	Red tape cut	Red tape work in progress	Completion Date
Agritourism regulatory mapping of reform project		✓	2023/24
Education and training			
Review of the <i>Education Act 1994</i>	✓		2017
Review of the <i>Education Act 1994</i> – systems of non-government schools	✓		2017
Anti-discrimination amendment – reducing the administrative burden for faith-based schools	✓		2015
Traineeships and apprenticeships information system reform	✓		2018
2016 User Choice program	✓		2015
Change of eligibility criteria for the Student Assistance Scheme	✓		2020
Health and Community services industry			
Eliminating duplication of state regulations where community sector organisations have nationally accredited quality management systems in place	✓		2016
Introduction of an electronic grants management system	✓		2015
Charity and not for profit reporting requirements	✓		2016
Online tobacco seller's licence applications and renewals	✓		2020
Streamline regulatory processes for licensing of private health facilities and day procedure centres - reporting requirements	✓		2017
Simplification and standardisation of contracts and pre- qualification for community services providers	✓		2021
Reducing paperwork and administrative burden for radiation licence holders	✓		2019
Portfolio lease agreements with community organisations	✓		2019
<i>Poisons Amendment Act 2017</i>	✓		2017
Extension of family and sexual violence specialist service grant agreements to five years	✓		2023/24
<i>Mental Health Amendment Act 2023</i>	✓		2023
General application across all industries and other red tape reforms			
Review of workers' compensation arrangements	✓		2018
Local government traffic facilities approvals: remove the need for approval from the Department of State Growth	✓		2015
Pre-approve road networks for a suite of heavy vehicles to remove the need for operators to obtain heavy vehicle road permits	✓		2019
Planning reform - state planning provisions	✓		2017
Planning reform - major projects	✓		2020
A single civil and administrative tribunal	✓		2021
Reducing limitation on leasing and licensing Crown land	✓		2015
Reviewing model work health and safety laws	✓		2022
Making it easier for businesses to register for government events	✓		2015
Streamlined process for Tasmanian Government nominations for skilled migration	✓		2016

Red tape reforms by industry sector	Red tape cut	Red tape work in progress	Completion Date
Amendment of <i>Local Government Act 1993</i> to abolish 29 individual code of conduct panels and replace with an independent state- wide code of conduct panel	✓		2015
Simplifying Stamp Duty on corporate restructures	✓		2016
Provision of online forms for external clients for mineral tenement processes	✓		2021
<i>Professional Standards Act</i> amendments to remove s.27 and introduce mutual recognition provisions	✓		2016
National business simplification initiative	✓		2021
Abolition of registration labels from heavy vehicles	✓		2017
Cutting red tape for the mining industry	✓		2017
Review of Tasmania's local government legislation		✓	2023/24
Refining the lease and licensing functions for Parks and Wildlife		✓	2023/24
Wildlife regulations review	✓		2021
Further reduction in the requirement for a heavy vehicle access permit	✓		2023
Small Business Regulatory and Process Reform Project	✓		2023
Reduction in the requirement for road network access permits for the ADF heavy vehicle fleet	✓		2021
Reduction in the requirement for a SPV access Permit	✓		2021
Reduction in the requirement for an Oversize Over mass heavy vehicle access permit	✓		2021
Quicker turnaround for processing of prospecting Licence applications and extension of licence period from 1 year to 5 years	✓		2021
Making it easier for businesses to apply for loan assistance and ongoing management of loans	✓		2023
Pepperberry (permit and license) system one to two years		✓	2023
Community			
Reduced place of assembly licensing requirements	✓		2015
Removing duplication of regulatory requirements in the child care industry	✓		2015
Introduced online transfer of vehicle service for clients, removing the need to attend a Service Tasmania shop to undertake this transaction	✓		2014
Abolish the requirement for drivers over the age of 75 to have compulsory medical assessments if they do not have a medical condition that could impact on their ability to drive safely	✓		2014
Electronic Service of Police Infringement Notices (ESOP)	✓		2016
Simplifying the quarantine procedures for passengers arriving in Tasmania on the <i>Spirits of Tasmania</i>	✓		2015
Improve Fitness-to-Drive management processes	✓		2016
Introduce a new driver assessment booking system	✓		2016
Holders of permits to keep reptiles to be able to increase the number of animals they keep	✓		2017
Removal of the moratorium on bird and reptile imports while maintaining biosecurity	✓		2017
Review of small passenger vehicle regulation	✓		2021/22

Red tape reforms by industry sector	Red tape ref	Red tape r	Red tape reforms by industr
<i>New Place Names Act</i>	✓		2020
Streamlining legislative provisions relating to Anzac Day activities	✓		2019
Removal of library fines for late returns	✓		2018
Fire and emergency service act reform		✓	2023/24
Airports and Protection of airspace regulations	✓		2023
Future of Local Government Review		✓	2023/24
Automatic conversion of surrendered driver's license to personal information card		✓	2023/24
myServiceTas digital services portal developments		✓	2023/24
Improve the licensing and registration service provided to the firearms community and related industries		✓	2023/24
Improve the way in which the Tasmanian community can report minor crime and offences to Tasmanian police		✓	2023/24
Foreign arrangements scheme – Commonwealth – Department of Foreign Affairs and Trade		✓	2023/24
Amalgamation of core and project funding for community development peak bodies		✓	2023/24



Red tape reduction issues for agriculture, forestry and fishing industries

Extension of industrial hemp licence period from one to five years

The requirement for industrial hemp growers and processors to apply annually for an industrial hemp licence has been identified as an unnecessary barrier to industry growth.

Regulator/agency

Department of Health and Human Services

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Poisons Act 1971

Background/consultation

The House of Assembly *Inquiry into the Tasmanian Industrial Hemp Industry Report No. 1 of 2013* found over-regulation to be a significant impediment to the establishment of a viable industrial hemp industry in Tasmania. Onerous licensing requirements were highlighted as a barrier to entry for industry.

These findings were supported by the Industrial Hemp Association of Tasmania, the Tasmanian Farmers and Graziers Association and Tasmania Police.

Red tape reforms

The Minister for Health has extended the licence period for industrial hemp licences issued under section 52 of the *Poisons Act 1971* from one to five years.

Special purpose legislation for the industrial hemp industry will cut red tape and facilitate expansion of the sector. The *Industrial Hemp Bill 2015* was passed by Tasmanian Parliament in the 2015 Spring Session. A five-year licence term is specified in the Bill.

Defining the term of a licence in legislation will provide clarity for industry. It also provides certainty that changes to licensing obligations will only be possible through legislative amendment, not ministerial discretion.

Status of the red tape reform

Enacted and finalised.

Increase the allowable tetrahydrocannabinol (THC) threshold for industrial hemp from 0.35 per cent to 1 per cent

Red tape burden

The allowable threshold of THC of cultivated industrial hemp material was inconsistent with other jurisdictions, including New South Wales and Queensland. This prevents easy transfer of plant material between jurisdictions, which is a barrier for Tasmanian industrial hemp growers and processors.

Tasmania's maximum allowable threshold was 0.35 per cent compared to 1 per cent in other jurisdictions. Even at the higher level of 1 per cent there is no risk of the psychoactive effects associated with illicit cannabis. The regulatory burden is created under the Poisons Act 1971 which enables the production and processing of industrial hemp.

Regulator/agency

Department of Health and Human Services

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Poisons Act 1971

Background/consultation

The House of Assembly *Inquiry into the Tasmanian Industrial Hemp Industry Report No.1 of 2013* recommended that the maximum allowable THC threshold be increased from 0.35 per cent to 1 per cent for consistency with other jurisdictions.

This was supported by the Industrial Hemp Association of Tasmania, the Tasmanian Farmers & Graziers Association and Tasmania Police.

Red tape reforms

The Minister for Health has increased the maximum allowable THC threshold on industrial hemp licences issued under section 52 of the *Poisons Act 1971*.

Special purpose legislation for the industrial hemp industry will cut red tape and facilitate expansion of the sector. The *Industrial Hemp Bill 2015* was passed by the Tasmanian Parliament in the 2015 Spring Session. The Bill specifies a maximum THC threshold of 1 per cent.

Aligning the THC threshold with some other jurisdictions presents an opportunity for the industrial hemp sector to expand.

Status of the red tape reform

Enacted and finalised.

Special purpose legislation for the production of industrial hemp

Red tape burden

Industrial hemp production is currently regulated under the *Poisons Act 1971* which does not recognise its potential as an agricultural crop. Industrial hemp is valued for its fibre and seed and has no value as a drug, but while the crop is regulated under poisons legislation it will be constantly associated with illicit varieties of cannabis. This is a barrier to growth of the industry.

Regulator/agency

Department of Health and Human Services

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Poisons Act 1971

Background/consultation

The House of Assembly *Inquiry into the Tasmanian Industrial Hemp Industry Report No. 1 of 2013* recommended responsibility for regulation of the industrial hemp industry transfer from the Minister for Health under the *Poisons Act 1971* to the Minister for Primary Industries and Water to promote industry expansion and recognise industrial hemp as an agricultural not drug crop. This was supported by the Industrial Hemp Association of Tasmania, the Tasmanian Farmers & Graziers Association and Tasmania Police.

Red tape reforms

Specific purpose legislation for the industrial hemp industry will cut red tape and facilitate expansion of the sector. The *Industrial Hemp Bill 2015* was passed by the Tasmanian Parliament in the 2015 Spring Session.

The Bill will enable research in, cultivation and supply of industrial hemp in accordance with a licensing scheme to be administered by the Secretary of the Department of Primary Industries, Parks, Water and Environment. All jurisdictions that allow for the growing of industrial hemp do so under a licensing model.

The Tasmanian Government has looked at how these models operate in other jurisdictions to simplify Tasmania's licensing requirements.

Status of the red tape reform

Enacted and finalised.

Simplifying the dam works approval process, including abolishing the Assessment Committee for Dam Construction

Red tape burden

Dam works approval processes have in the past been complex, costly and time consuming, potentially creating a barrier for farmers for dam construction. Simplifications to the process have now been made.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Water Management Act 1999

Background/consultation

The concerns raised by farmers largely stem from very complex legislation and underlying administrative processes which together make up the dam works approval process. In 2015 legislation was developed to simplify the dam approvals process and to enable more streamlined administrative processes to be implemented.

Significant consultation occurred with the Tasmanian Farmers & Graziers Association's Water Committee in developing the *Water Management Amendment (Dam Works) Bill 2015*.

In addition, stakeholders more broadly – including peak agricultural bodies, the Local Government Association of Tasmania, the Tasmanian Conservation Trust and the Environmental Defenders Office – were consulted.

Red tape reforms

On 1 January 2016, legislative changes to the *Water Management Act 1999* and related legislation took effect with the commencement of the *Water Management Amendment (Dam Works) Act 2015* and the *Water Management Amendment (Consequential and Transitional Provisions) Act 2015*.

The changes introduced a simplified dam works approval process under Part 8 of the Act and replaced the Assessment Committee for Dam Construction with the Minister for Primary Industries and Water as the decision-maker in relation to issuing dam permits.

A range of supporting administrative processes were also developed to support the new process when it came into effect on 1 January 2016.

Status of the red tape reform

Enacted and finalised.

Review of biosecurity legislation to develop a streamlined, coherent and integrated model

Red tape burden

Biosecurity regulation is split across multiple Acts and subordinate legislation, creating an overly complex framework. Contemporary approaches to biosecurity management such as co-regulation and accreditation are currently not maximised and the laws do not always achieve desired outcomes efficiently or effectively. This makes compliance with various legal requirements complex for stakeholders.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Plant Quarantine Act 1997, Animal Health Act 1995, Seeds Act 1985, Weed Management Act 1999

Vermin Control Act 2000, Animal (Brands and Movement) Act 1984, Animal Farming (Registration) Act 1994

Background/consultation

Given increased travel, trade and biosecurity threats; government is modernising the current legislation in order to maintain our agricultural, tourism and environmental advantages.

The design of existing biosecurity legislation is prescriptive and out of step with the modern approaches that enable the sharing of responsibility and reduction in costs and timeframes for biosecurity services to government and stakeholders. The seven Acts reviewed were largely developed before the Tasmanian Biosecurity Strategy, which identifies the principles and concepts for a contemporary approach to biosecurity.

After consultation on a proposed approach to regulating biosecurity in early 2016 the 'Future Direction for a New Contemporary Biosecurity Legislative Framework' was released for broad public consultation. The Future Directions paper was finalised in early 2017 and a draft Biosecurity Bill consistent with it was released in April 2017 for public input.

Red tape reforms

Biosecurity Tasmania concluded a major review of the State's suite of biosecurity legislation and in 2017 released the 'Future Direction for a New Contemporary Biosecurity Legislative Framework'.

The new Biosecurity Act streamlines seven existing Acts into one piece of framework legislation - cutting red tape, reducing duplication and enabling us to better manage the future risks of pests, weeds and diseases. It builds on current systems and provides a streamlined and more effective legal framework to better protect our primary industries and environment from potential diseases, pests and weeds.

The *Biosecurity Act 2019* received Royal Assent on 26 August 2019, and will now be implemented by the Department. The development of new administrative practices, regulations, programs and standards has commenced and will continue over the next few years following a structured plan.

In leading that process, the Government will consult widely, and will work with primary producers and other stakeholders towards our common goal to protect the Tasmanian environment, community and economy from biosecurity risks.

Status of the red tape reform

Enacted, with implementation of new legislative framework now underway.

Simplifying the 'right-to-farm' law

Red tape burden

The *Primary Industry Activities Protection Act 1995* protects Tasmanian farmers against nuisance lawsuits from their neighbors. However, a recent review of the Act indicated that the legislation requires farmers to meet nine different conditions before that protection can be relied on.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Primary Industry Activities Protection Act 1995

Background/consultation

At the direction of the Minister for Primary Industries and Water, AgriGrowth Tasmania undertook a review of the *Primary Industry Activities Protection Act 1995* which is also sometimes referred to as Tasmania's 'right to farm' law.

The submissions indicated that the Act is very difficult to interpret due to its confusing drafting and that farmers must meet nine different conditions in order to qualify for the protection. These conditions relate to the farmer as an individual, the land on which the contested activity is undertaken or the activity itself.

Red tape reforms

Based on the findings of the review and further consultation with industry stakeholders, in August 2016 the Government amended the *Primary Industry Activities Protection Act 1995* to simplify and extend its protections from frivolous and vexatious nuisance lawsuits on agricultural land and to farm forestry activities on private land.

Status of the red tape reform

Enacted and finalised.

Browsing animals reforms (crop protection permits)

Red tape burden

The Tasmanian Farmers & Graziers Association and the wider farming community have been resolute that for too long red tape associated with crop protection permits has gotten in the way of managing the impacts of browsing animals on their crops and pastures.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Wildlife (General) Regulations 2010

Background/consultation

In consultation with the Tasmanian Farmers & Graziers Association it has been recognised that one of the many challenges facing farmers is the significant pasture and crop losses and damage caused by abundant wildlife – in particular possums and wallabies.

Recent good seasons coupled with modern farm improvements have caused populations to explode to the point where they are impacting significantly on farm productivity and profitability.

Red tape reforms

Crop protection permits were previously only issued for 12 months. Crop protection permits for common species such as wallabies and possums can now be issued for five years and separate permits to shoot wallabies or brushtail possums have now been combined into a single permit.

The *Wildlife (General) Regulations 2010* have been amended to allow landholders with crop protection permits to authorise other persons to assist them in controlling wildlife under the authority of their permit.

The process of obtaining approval to use I080 for browsing animal management has also been simplified, while safety and environmental controls remain unchanged. Farmers are no longer required to engage a private contractor to assess a property to use I080 and to provide an assessment report.

All applications to use I080 are assessed by a Departmental officer. In addition, the previous restriction on using I080 at the same site within a three-year period has been removed.

Status of the red tape reform

Enacted and finalised.

Remove requirement for farmers to complete an annual statutory declaration to continue to receive a vehicle registration rebate

Red tape burden

The requirement to complete a farmers rebate statutory declaration each time the vehicle is renewed is inefficient and creates an inconvenience and a barrier for the rural sector. As the farmers rebate must be applied at the time of renewal the registered operator cannot utilise electronic payment options.

Regulator/agency

Registrar of Motor Vehicles, Department of State Growth

Act/regulatory instrument

Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2010

Background/consultation

The issue pertaining to the Motor Tax rebate for vehicles engaged in horticultural or farming activities has been a long-standing practice instigated to ensure the appropriate rebates were applied fairly and consistently.

Consultation about the proposed solution occurred with a number of impacted stakeholders prior to implementation. The Registrar of Motor Vehicles approved the implementation of the proposed solution to reduce the red tape issues.

Red tape reforms

The farmers rebate will be recorded against relevant vehicles permanently.

The farmers rebate will remain recorded against the vehicle until it is either disposed of or transferred, or the rebate is cancelled.

As the farmers rebate will be recorded permanently the registered operator will be able to utilise all payment channels (such as BPay, Internet etc.) and receive the rebate at the time of making payment.

Status of the red tape reform

Revised process was successfully implemented in July 2014.

Amend the Marine Farming Planning Act 1995 to abolish the Board of Advice and Reference

Red tape burden

The Board of Advice and Reference is a redundant statutory body that potentially adds unnecessary costs and requirements to the efficient allocation of water to support the development of the marine farming industry.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Marine Farming Planning Act 1995

Background/consultation

Government policy is to abolish unnecessary statutory boards and committees to reduce the cost to government and to provide streamlined and efficient administrative processes impacting on business.

The Board of Advice and Reference, established under the provisions of the *Marine Farming Planning Act 1995*, has become redundant as a result of the marine farming industry maturing, and the method for planning and providing for new water for the activity having evolved.

Red tape reforms

Abolition of the Board of Advice and Reference

The Board of Advice and Reference was abolished by the Minister for Primary Industries and Water on 1 July 2015 using existing provisions of the *Marine Farming Planning Act 1995*.

No amendment to the Act has been found to be necessary. Previous amendments to the Act relating to amendment processes for marine farming development plans have delivered streamlining of planning approval processes to facilitate future industry development.

Status of the red tape reform

Enacted and finalised.

Amend and simplify the Fisheries (Commercial Dive) Rules 2011

Red tape burden

The *Fisheries (Commercial Dive) Rules 2011* were designed to support an 'owner-operator' fishery. This meant that a person could hold only a single licence and there were strict restrictions on the capacity to place a supervisor on a licence.

This was identified as an impediment to the development of a fishery for the long-spined sea urchin where a proponent needed to secure a number of dive licences and have the flexibility to add supervisors to this licence to provide certainty of access to the resource.

Rules also limited the use of a purge site to a single operator which was a limitation to commercial divers and was an inefficient use of these sites.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Fisheries (Commercial Dive) Rules 2011

Background/consultation

A proponent developing a business to process long-spined sea urchin (*Centrostephanus*) roe identified impediments to investment and business development associated with restrictions contained in the *Fisheries (Commercial Dive) Rules 2011* (being the restricted ownership of a licence and the ability to place supervisors on a licence).

In addition, commercial divers identified that these rules were restrictive in relation to the use of purge sites that prevented multiple divers from using a single purge site.

The rules were reviewed in consultation with the Commercial Divers Association and the proponent developing the *Centrostephanus* fishery.

Red tape reforms

Amendment of the *Fisheries (Commercial Dive) Rules 2011* to provide for individuals to hold up to a maximum of three licences, licence holders to place supervisors on their licences and for purge sites to be used by multiple licence holders.

The *Fisheries (Commercial Dive) Rules 2011* were reviewed, and amended rules were approved by the Minister on 14 September 2014, in accordance with the statutory processes prescribed in the *Living Marine Resources Management Act 1995*.

Status of the red tape reform

Enacted and finalised.

Development of new fishing permits for commercial fishers to explore value adding to low-value species in Tasmanian waters

Red tape burden

Various fisheries rules and regulations limit access to some under-utilised or low-value species.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Living Marine Resources Management Act 1995

Background/consultation

There is large suite of rules and regulations in place that provide for sustainable management of Tasmania's living marine resources. However, there may be opportunities to target some under-utilised or low-value species that sit outside the current rules.

Permits can be issued under the *Living Marine Resources Management Act 1995* to provide for fisheries development activities to test, and attempt to develop, opportunities identified to have merit and potential long-term benefit to the Tasmanian economy.

Red tape reforms

Framework to assess and support fisheries development opportunities.

A framework to assess and support fisheries development opportunities has been developed and was approved by the Minister in February 2015.

Applications are received and assessed under this framework. Permits are issued to applications with merit and long-term potential.

Status of the red tape reform

Framework developed and approved, assessment of applications ongoing.

Oversight and monitoring of operations is ongoing in relation to the permits that have been already provided.

Amend the *Fisheries (Abalone) Rules 2009* to provide more flexibility in relation to over-catch

Red tape burden

The *Fisheries (Abalone) Rules 2009* restricted the capacity for an abalone diver to cover an over-catch with another unit to within 30 days of the over-catch being taken.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Fisheries (Abalone) Rules 2009

Background/consultation

The over-catch provisions of the abalone fishery rules have been refined over a long period to provide workable arrangements to enable divers to address circumstances where they take abalone in excess to the units that they have attached to their abalone dive licences.

One option for divers has been to cover an over-catch with an additional unit (or units) within 30 days of the over-catch being taken.

Abalone divers sought greater flexibility to have this option available to them for the whole of the remainder of a quota year. The Tasmanian Abalone Council Limited was consulted about this amendment to the *Fisheries (Abalone) Rules 2009*.

Red tape reforms

Amendment of the *Fisheries (Abalone) Rules 2009* to provide greater flexibility in the use of an additional unit to cover an over-catch event.

The *Fisheries (Abalone) Rules 2009* were amended by an order in accordance with the provisions of the Living Marine Resources Management Act 1995.

The changes to the Rules, extending the time in which a diver could cover an over-catch with an additional unit (or units) to the remainder of a quota year, were approved by the Minister for Primary Industries and Water on 24 September 2014.

Status of the red tape reform

Enacted and finalised.

Amend the *Fisheries (Rock Lobster) Rules 2011* to reduce the penalty for failing to submit a telephone report

Red tape burden

The excessive penalty for the offence of a rock lobster fisher failing to undertake the activity to which the telephone report relates within the prescribed time frame.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Fisheries (Rock Lobster) Rules 2011

Background/consultation

The prescribed penalty for failing to undertake the activity to which the telephone report relates within the prescribed time frame was considered by the Department of Primary Industries, Parks, Water and Environment to be excessive and not reflective of the significance of the action.

Consultation on the issue occurred with the Tasmanian Rock Lobster Fisherman's Association and the rules were amended to reduce the prescribed minimum and maximum penalty.

Red tape reforms

The Department consulted with Tasmanian Rock Lobster Fisherman's Association and support was received. Amendments to the *Fisheries (Rock Lobster) Rules 2011* were enacted 1 March 2017.

Status of the red tape reform

Enacted and finalised.

Exemption order to allow rock lobster fishers to traverse closed areas with baited pots on deck

Red tape burden

Requirement for rock lobster fishers traversing through closed areas with only unbaited pots on their decks and consequent compliance complications.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Fisheries (Rock Lobster) Rules 2011

Background/consultation

There was a regulatory requirement for rock lobster fishers traversing closed areas to have only unbaited pots on their decks. This requirement was imposed as a simple measure to enable the effective policing of fishing within closed areas.

The requirement was challenged by rock lobster fishers who considered it onerous and impacting on the efficiency of their fishing operations.

The Minister for Primary Industries and Water determined to lift the requirement pending a review of options to enable effective policing of compliance.

This was affected by an exemption order pursuant to the *Living Marine Resources Management Act 1995*. This initiative was supported by the Tasmanian Rock Lobster Fisherman's Association.

Red tape reforms

The order exempting rock lobster fishers from the requirement to have only unbaited pots on deck when traversing closed areas was implemented on 13 August 2014 following approval by the Minister's delegate (Director, Marine Resources).

Status of the red tape reform

Enacted and finalised.

Remaking the *Threatened Species Protection Regulations 2006*

Red tape burden

The statutory requirements for researchers, developers and land managers wishing to take threatened species were not clearly expressed under the existing legislation and have frequently involved proponents having to seek further clarification from regulators.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Threatened Species Protection Act 1995

Threatened Species Protection Regulations 2006

Background/consultation

In addition to feedback received over the course of the operation of the Regulations since 2006 (which has been preserved in a register of potential legislative amendments), additional consultation with other Departments was undertaken in accordance with statutory and policy requirements.

Red tape reforms

The *Threatened Species Protection Regulations 2016* more clearly set out the statutory requirements for those wishing to take threatened species.

The new Regulations took effect on 1 October 2016.

Status of the red tape reform

Enacted and finalised.

Amendments to the Natural Resource Management Act 2002

Red tape burden

To remove the statutory requirement for accreditation criteria and repeal the roles and functions of the Tasmanian Natural Resource Management Council.

The Minister will instead be able to form a special purpose committee to provide advice on an as needs basis.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Natural Resource Management Act 2002

Background/consultation

Extensive consultation was undertaken during the development of the draft amendment bill. Regional Natural Resource Management Committees and Natural Resource Management organisations, Landcare Tasmania, the Tasmanian Conservation Trust, and the Australian Government Department of the Environment and Energy were approached for comment.

Consultation was also undertaken during the course of the 2015 review of the *Tasmanian Natural Resource Management Framework 2002* and the *Tasmanian Natural Resource Management Act 2002*.

Red tape reforms

A minor amendment to remove the statutory requirement for accreditation criteria was made. This did not affect the Minister's ability to accredit regional strategies.

The reform also enabled the repeal of the roles and functions of the Tasmanian Natural Resource Management Council and enable the Minister to form a special purpose committee on an as needs basis.

Status of the red tape reform

Enacted and finalised.

Poppy regulation reforms

Red tape burden

Prior to March 2016 three Tasmanian Government Agencies had regulatory responsibilities for the Poppy Advisory Control Board (the Board) and grower licences were only able to be issued by the Minister for Health for one year.

The reforms extend grower licences from one to five years and directly empower the Board, which was transferred to the Department of Primary Industries, Parks, Water and Environment, to issue commercial grower licences, reducing the number of agencies involved, aligning the Board with industry expertise and increasing responsiveness to growers.

The Board must now have an independent Chair and an independent member with skills relevant to the poppy industry, giving balance to what is otherwise a Board of government officials.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment.

Responsibility for the Board has been transferred from the Attorney-General to the Minister for Primary Industries and Water so that the regulation of agricultural crops, including commercial poppy cultivation and grower compliance, now resides within the Primary Industries portfolio.

The regulation of narcotic drug manufacture, research and imports will continue to be the responsibility of the Health portfolio.

Act/regulatory instrument

Poisons Act 1971

Background/consultation

The reforms streamline grower licensing and ensure regulatory rigor is informed by industry expertise. The Government consulted extensively with Tasmanian poppy growers and processors to ensure that the reforms will maintain the Tasmanian poppy industry's global reputation and competitive edge.

The reforms were also guided by the findings of the 2013 Ramsay Review into Tasmanian Poppy Industry Regulation.

Under the reforms, the Board will continue to play a critical advisory role, as well as its role in maintaining local expertise and best practice.

The Board will be able to issue practical guidelines to inform poppy growers about site suitability and other safety and security matters, to support a new simplified annual grower returns process.

Red tape reforms

The Government's *Poisons Amendment (Poppy Industry Reform) Bill 2016* to modernise and streamline poppy industry regulation passed the Tasmanian Parliament on 21 September 2016.

Status of the red tape reform

Enacted and finalised.

Approval to allow industrial hemp seed to be consumed as a food

Red tape burden

The consumption of industrial hemp seed as a food is currently illegal in Australia. However, in April 2017 the Australian and State Governments agreed to allow low-THC (industrial) hemp to be consumed as food.

This requires changes to relevant Commonwealth, State and Territories legislation by mid-November 2017.

Tasmania already has the required legislation in place through the Tasmanian Industrial Hemp Act adopted in 2015.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment (DPIPWE) Department of Health and Human Services (DHHS)

Act/regulatory instrument

Tasmanian Industrial Hemp Act 2015

Background/consultation

Australia has been one of the few countries globally that has not allowed industrial hemp to be consumed as a food. The Tasmanian Government has consistently advocated for the necessary changes to allow for the consumption of industrial hemp and has lobbied State, Territory and Commonwealth parties to add their support.

The Food Standards Australia New Zealand (FSANZ) Industrial Hemp Working Group was chaired by Tasmania's representative and was charged with the responsibility to undertake the required research to fill the information gaps that finally resulted in the Ministerial Forum on Food Regulation approving changes to allow industrial hemp to be consumed as a food in April 2017.

Tasmania has been ahead of the game. In developing the Tasmanian Industrial Hemp Act DPIPWE consulted with the Industrial Hemp Association of Tasmania, key industry stakeholders, and relevant Government departments including DHHS, Department of Police, Fire and Emergency Management, Department of Justice and the Department of State Growth.

Red tape reforms

The Ministerial Forum on Food Regulation approved changes to allow the consumption of industrial hemp as food at its April 2017 meeting. All relevant Commonwealth, State and Territory legislative changes are to be completed so as to allow the legal consumption of industrial hemp foods by 12 November 2017.

Allowing industrial hemp seed as a food will provide significant new value-add market opportunities for this fledgling Tasmanian industry. DPIPWE continues to provide the industrial hemp sector with support via its AgriGrowth Tasmania division and licensing support via the Regulated Crops Branch.

The Customs (Prohibited Imports) (Importation of Hemp Seeds and Hemp Derived Products) Approval 2018 came into effect in June 2018 to allow the importation of hemp products that are compliant with Australia's Food Standards Code. This means that these products no longer require a permit to be imported into Australia under the Customs (Prohibited Imports) Regulations 1956. Tasmania already had the required legislation in place through the *Tasmanian Industrial Hemp Act 2015*.

Status of the red tape reform

Completed.

Extension of the period of crop protection permits for deer from 1 to 5 years

Red tape burden

Wild fallow deer are partly protected wildlife under the *Wildlife (General) Regulations 2010* of the *Nature Conservation Act 2002* and a permit is required to take (shoot) deer to manage their impacts on primary production. Currently, farmers, foresters and landowners needing to manage deer impacts must apply annually for 12-month crop protection permits. This has been identified as an unnecessary burden on land managers.

Landholders must also adhere to quotas and use tags for antlerless fallow deer.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Wildlife (General) Regulations 2010 of the *Nature Conservation Act 2002*

Background/consultation

The final report of the 2017 Legislative Council Inquiry into Wild Fallow Deer in Tasmania identified the current system of annual crop protection permits for farmers to manage deer impacts on their crops and pastures was an unnecessary burden on farmers. The report recommended extending the period of these permits to five years. In response, the Government committed to implement five-year crop protection permits for deer and to explore further opportunities to support landholders to manage deer by streamlining or reducing red tape. This is one of a number of initiatives in the Government's policy response to the Legislative Council Inquiry it is delivering to maintain a sensible balance between managing the impacts of wild deer on agricultural production, conservation areas and forestry, and maintaining deer as a valued recreational hunting resource.

Five-year crop protection permits are currently available for managing wallabies and brushtail possums.

Stakeholder consultation on this reform has included peak industry bodies as well as the recently established Tasmanian Game Council, which includes representation of hunters and farmers.

Red tape reforms

In October 2019 the Government announced new measures to be in place by 2020 to cut red tape and increase opportunities for farmers and recreational hunters to manage deer. These included:

- implementation of five-year crop protection permits for antlerless deer
- no quotas for taking antlerless deer using a crop protection permit
- antlerless deer taken under a crop protection permit are not required to be tagged
- the season for recreational hunters to take antlerless deer to be extended to run from 15 March to 15 November to coincide with that during which antlerless deer can be taken using a crop protection permit
- no quotas or tags apply to antlerless deer taken by a licensed recreational hunter.

Holders of crop protection permits and recreational hunting licences will still provide annual take returns to assist with monitoring of deer numbers. This complements Tasmania's first comprehensive state-wide deer census of which the aerial component has been completed. Camera traps and citizen science components of the census will be undertaken over the next two years to inform future deer management strategies.

Status of the red tape reform

Enacted and finalised.

Charter for working on private farm land (between Government Business Enterprises and the Tasmanian Farmers and Graziers Association)

Red tape burden

Farming businesses have a right to undertake their work without being adversely affected. Utilities need to access farm land as a normal part of doing their business.

Regulator/agency

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

Act/regulatory instrument

Charter

Background/consultation

After advocacy from the Tasmanian Farmers and Graziers Association (TFGA) on behalf of their members, the Tasmanian Government committed to develop a new charter for working on private farm land between Tasmanian Government utilities and the TFGA.

The aim is to enhance relations between farmers and state utilities and guides access to private farms. It complements the Living Next Door to a Farmer campaign, released in 2019, that supports good neighbourly relations, especially where farmland adjoins existing or new urban areas.

Red tape reforms

The charter for working on private farm land formalises an understanding between Tasmanian farmers, through the Tasmanian Farmers and Graziers Association, and public-owned utilities as to what is expected when accessing and working on farms.

The Charter establishes a principles-based approach to address issues of shared concern and covers matters such as notification of access, communication and observation of biosecurity controls and landowner requests.

The Charter is administered by DPIPWE on behalf of the parties. The parties to the Charter are the Tasmanian Farmers and Graziers Association and the following utilities and businesses (the utilities): Aurora Energy, TasNetworks, TasWater and Tasmanian Irrigation.

The Charter does not create legally binding relations between the parties or fetter any party in their existing obligations. The Charter includes review mechanisms so that it can evolve to respond to the changing operating environment.

Status of the red tape reform

Enacted and Finalised in 2019.

Extension of genetically modified organism moratorium from 5 to 10 years

Red tape burden

Tasmania has maintained a Genetically Modified Organisms (GMO) moratorium for marketing purposes since 2001, for successive periods of five years. Extending the moratorium for a decade will provide certainty for those producers and agri-food businesses that rely on the state's GMO-free status to continue to invest in marketing strategies and further develop trading markets.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Genetically Modified Organisms Control Amendment Bill 2019

Background/consultation

A Review of the GMO moratorium was undertaken between December 2018 and August 2019. The Review received a total of 76 public submissions from businesses, research bodies and individuals.

In response to the Review the Government's policy is to extend the moratorium for 10 years until 2029 to provide certainty for those producers and businesses that rely on the state's GMO-free status to continue to invest and further develop markets.

Red tape reforms

Legislation to extend the moratorium for 10 years until 2029 has passed the Parliament.

Status of the red tape reform

Enacted – the Genetically Modified Organisms Control Amendment Bill 2019 has passed the Tasmanian Parliament.

Fisheries Digital Transition Project: Phase I ‘‘Making Life Easier’’

Red tape burden

Commercial fishing is a complex business. Processes that support fisheries management are constantly evolving. To streamline and simplify processes affecting the commercial fishing industry requires a digital platform for licensing, monitoring and reporting. The Fisheries Digital Transition Project (FDTP) is currently being implemented and will reform many of the paper-based systems that have been in use over the past 25 years. This project forms part of the Government’s ‘taking seafood to the next level’ strategy.

Regulator/agency

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

Act/regulatory instrument

The Living Marine Resources Management Act 1995(LMRA) and the Fishing (Licence Ownership and Interest) Registration Act 2001.

Background/consultation

The first phase of the FDTP was the ‘‘Making Live Easier’’ (MLE) initiative which began in 2018 with a comprehensive analysis of the processes that underpin the thousands of licensing transactions performed each year in Tasmania’s \$200 million wild fisheries sector.

The MLE initiative has already streamlined regulatory processes between the commercial fishing industry and government.

With an initial focus on existing business processes, including licence transactions, while some changes are straightforward, others required careful consideration and input from multiple perspectives.

These changes are communicated to industry via the Tasmanian Seafood Industry Council (TSIC) newsletter, which now contains a regular update on progress. DPIPWE staff have also made presentations on the FDTP at industry forums and consultation events in Tasmania’s main fishing ports.

Red tape reforms

In 2019 changes were made to licensing forms and processes affecting the commercial wild fishery sector. These changes were based on the 2018 review and included review of data requirements, and consolidation and redesign of forms.

This has resulted in the number of licence related forms reduced from 57 to 27.

The MLE focus in 2020 has turned to catch and effort docketts. The MLE working group are currently reviewing all catch and effort related docketts with the aim to streamline and consolidate forms and processes.

This will benefit not only fishers and processors, but also the Fisheries Compliance and Licensing Branch of DPIPWE.

The new digital licensing platform, FishPort, will be expanded following the release of stage one in March 2020. FishPort simplifies how industry interacts with the Department. The stage one release supports applications to change personal details, add supervisors and make a number of other common applications digitally. Testing of functionality to be included in stage two is currently underway, and additional stages will be released over the remainder of the project.

The Living Marine Resources Management Act 1995 will also likely need amendment to implement all of the digital reforms. Review of the LMRMA and associated legislation is ongoing, with a view to preparing necessary amendments to support digital processes.

Status of the red tape reform

In progress. FishPort stage one has been released with stage two well advanced. Review into catch and effort related forms and processes is also well advanced.

Improving efficiency in the regulation of forest practices

Red tape burden

The *Forest Practices Act 1985* is to ensure all forest practices are conducted in accordance with the Forest Practices Code.

The Act also provides for the creation of private timber reserves, and the constitution of the Forest Practices Tribunal. Amendments were required to the Act to improve the efficiency and effectiveness of the Act and update it to provide consistency with other provisions in the Act and with contemporary legislation.

Regulator/agency

Forest Practices Authority

Act/regulatory instrument

Forest Practices Act 1985

Background/consultation

Consultation was undertaken with the Department of State Growth, the Forest Practices Authority and key stakeholders through the Forest Practices Advisory Council.

Red tape reforms

The *Forest Practices Amendment Act 2019* contained a number of changes that improved the administrative and operational efficiencies of the forest practices system by:

providing the Chief Forest Practices Officer (CFPO) with the authority to directly recover costs incurred in undertaking repair works

providing a consistent approach regarding the authority of the CFPO to direct all FPOs in the performance and exercise of their delegated functions and powers under the Act

providing powers to the FPA to direct monies received from fines for activities that contravene the Act directly to an aggrieved third party

making other amendments included providing consistency with other provisions in the Act and with contemporary legislation in relation to requirements for service of notices.

Status of the red tape reform

Complete. The amendment Bill passed both Houses of Parliament in September 2019 and became law on 7 October 2019.

Review of Industrial Hemp Act 2015

Red Tape Burden

There is an opportunity to streamline regulation of the industrial hemp industry.

Regulator/agency

Department of Natural Resources and Environment Tasmania.

Act/regulatory instrument

Industrial Hemp Act 2015

Background/consultation

The Government has commenced a review of the *Industrial Hemp Act 2015* to ensure that the Act continues to provide proportionate regulation to the industry after five years in operation. The review also provides an opportunity to smooth out any implementation issues that have been identified since the Act commenced.

The Tasmanian Government will work closely with industry, including the Tasmanian Hemp Association and the Tasmanian Farmers and Graziers Association, during the review.

Red tape reforms

Amendments to streamline the Industrial Hemp Act and supporting policy will be introduced in late 2022 or early 2023.

Status of the red tape reform

Legislation anticipated to be tabled in later 2022 or early 2023.

Private Forests Service Levy Rebate Scheme

Red Tape Burden

Under the *Private Forests Act 1994*, landowners are required to pay a private forests service levy when planting a new commercial forest on their land.

Regulator/agency

Private Forests Tasmania (PFT)

Act/regulatory instrument

Private Forests Act 1994

Background/consultation

Payment of the private forests service levy is a legislated requirement dating back to the early 2000s. It was intended that private forest growers make a contribution to PFT's running costs for the services and advocacy that PFT provides them. The levy is payable at the time of harvest of a timber crop but also at the time of planting a new area to forest.

While the payment at time of harvest is not under question, the payment at the time of planting has over time come to act as a disincentive to landowners to plant new commercial timber crops, which is counterproductive to PFT's current corporate goals and objectives to expand the private forest estate. This particular fee is also payable at a time when the landowner is yet to receive any income from the timber crop. PFT has received consistent feedback over a number of years from landowners and other stakeholders that it is an additional and unjustified cost.

Red tape reforms

As a legislated requirement, PFT is obliged to collect the levy and does not have the power to waive it under any circumstances. The legal obligation is extinguished once the levy is collected. Advice was that if PFT wanted to then issue a rebate to the grower for the whole or part of the collected levy, then that was a policy decision for PFT. The PFT Board approved such a levy rebate scheme in late 2020 and it has been in place since 1 July, 2021.

Status of the red tape reform

The private forest service levy rebate scheme for new agroforestry plantings commenced on 1 July 2021 and is currently scheduled to run until 30 June 2022.

PFT is currently looking to amend the legislation to make a more permanent change to the arrangements for the levy.

Private Forestry (miscellaneous legislative amendments)

Red Tape Burden

A range of miscellaneous red tape issues have been identified for amendment in legislation relevant to private forestry. Together these issues reduce the efficiency and processing time for private timber reserve applications and reduce equity in the application of the private forest service levy.

Regulator/agency

Private Forests Tasmania (PFT)

Act/regulatory instrument

Private Forests Act 1994 and Forest Practices Act 1985

Background/consultation

PFT have established a legislative reform project to develop a package of amendments to the Private Forests Act 1994 including:

moving private timber reserve provisions into the Private Forests Act (from the FP Act)
addressing matters identified on PFTs register of potential legislative amendments to reduce red tape, and potential amendments to the private forest levy system.

These issues have been identified during ongoing consultation with PFT stakeholders over recent years.

Red tape reforms

The expected outcomes of the legislative changes would be improved administrative efficiency for PFT and the Forest Practices Authority (FPA), reduced red tape and confusion for private forest growers and forestry rights holders, and a fairer more equitable and efficient levy system.

Status of the red tape reform

Enacted 2022.

Transition of Tasmania's commercial wild-capture fisheries to digital processes

Red Tape Burden

Tasmania's commercial fisheries rely on manual reporting processes for administering commercial licences and to report their catch and effort – for example what they caught, where they caught it, what fishing gear they used, etc. This requires the completion of paper application forms and dockets, and reporting various fishing and fish processing activities via telephone. For the fishing industry and Government officers, this is a lengthy and manual process that requires the use of hard copy mail, document scanning, manual data entry, and the manual checking of information to ensure compliance with fisheries licensing and monitoring controls. Telephone reporting at-sea can also be problematic, particularly in adverse weather conditions.

Regulator/agency

Department of Natural Resources and Environment Tasmania.

Act/regulatory instrument

Living Marine Resources Management Act 1995 (LMRMA)

Background/consultation

In 2018, the Tasmanian Government committed to transition commercial fisheries to a digital format. The Fisheries Digital Transition Project (FDTP) is reforming existing processes and implementing improvements which centre on the greater use of electronic mobile applications and reduced manual paperwork. Consultation is occurring with the Tasmanian Seafood Industry Council and other fishing bodies.

Red tape reforms

Since 2018, the FDTP has implemented several significant changes which have set the foundations for the extension of digital interactions between government and the fishing industry:

The *Making Life Easier* sub-project reviewed licensing transaction processes and redeveloped application forms to substantially reduce the amount of paperwork that commercial fishers and processors are required to complete as part of their everyday business with the Department. As a result, several paper forms and around 61,000 fields are no longer required to be populated every year, and the data entry impost on the Department has reduced by almost 50,000 fields.

The *Living Marine Miscellaneous Amendments (Digital Processes) Act 2021 (DPA)* was enacted in November 2021, and amended the *LMRMA* to facilitate the automatic electronic processing of transactions by alleviating the requirements for manual interventions. This provided the necessary legislative foundations for electronic interactions between government systems and processes and the commercial fishing industry.

FishPort, a customer self-serve web portal, has been developed to allow customers to make electronic licence applications and payments. Further functionality is being developed to facilitate the provisions enabled by the *DPA*, and these are due to be rolled out in 2022-23.

FishReport is a new mobile application in development to replace the current telephone reporting service, which is used by fishers and fish processors to provide information to the Department on a range of activities.

FishReport is due to be rolled out for certain key fisheries during 2022-23, and will be followed by a proposed new mobile application for catch reporting.

Status of the red tape reform

Completed.



Red tape reduction issues for construction and property

Building regulatory framework review

Red tape burden

Significant regulatory burden across the building sector.

Regulator/agency

Department of Justice

Act/regulatory instrument

Building Act 2000

Background/consultation

The review of the *Building Act 2000* commenced in 2013 and has involved extensive consultation with key industry groups and practitioners along with local and state government agencies.

Four reference groups were established for the reform process.

Red tape reforms

The Building Reform Package, consisting of three main elements; the *Building Bill 2016*, the *Residential Building Work Contracts and Dispute Resolution Bill 2016* and the *Occupational Licensing Amendment Bill 2016*, has been passed by both Houses of Parliament.

The reforms introduce a risk-based approach to building approval and for most building work in Tasmania it will now be fairer, faster, simpler and cheaper to build.

Status of the red tape reform

New *Building Act 2016* finalised and received Royal Assent.

New Building Regulations finalised and released for public comment.

Package implemented on 1 January 2017.

Streamlining the residential tenancy bond process

Red tape burden

The Real Estate Industry of Tasmania (REIT), as the peak real estate industry representative group, requested that electronic bond forms be introduced as a means of reducing the administrative burden for property managers.

Regulator/agency

Department of Justice

Act/regulatory instrument

Residential Tenancy Act 1997

Background/consultation

Currently bond lodgements and claims are processed through a paper-based system where property managers complete forms and forward them to the Rental Deposit Authority (RDA) within the Department of Justice.

REIT requested that an electronic system be implemented and put forward a system that is currently used in other states.

Red tape reforms

The electronic bond forms, known as Real Estate Institute (REI) Forms Live, are now in operation.

Status of the red tape reform

Complete.

Amend the *Residential Tenancy Act* to reduce the compliance burden associated with cooking facilities and restrictions on photographing rental properties

Red tape burden

The Real Estate Institute of Tasmania raised a red tape issue related to the *Residential Tenancy Amendment Act 2013*.

Further amendments were required to reduce the compliance burden to property owners relating to the minimum number of cooking elements required in a rental property (four in a three-bedroom property) and restrictions on the publication of photographs of the rental property that may restrict the owner's ability to sell or let a property (owner must obtain written permission prior to displaying photographs of the tenants' belongings).

Regulator/agency

Consumer, Business and Occupational Services

Act/regulatory instrument

Residential Tenancy Amendment Act 2013

Background/consultation

The *Residential Tenancy Amendment Act 2013* reforming the *Residential Tenancy Act 1997* was passed in 2013 by the previous government. Two provisions (section 19 and section 26) were excluded from the commencement of the Amendment Act following further consultation with stakeholders including the Real Estate Institute of Tasmania which requested two further amendments in relation to cooking elements and publication of photographs of the rental property.

The issue of taking photographs of a tenanted property in particular, had been a 'grey area' for some time raising questions of the ability of the owner to advertise to sell or let the property and safeguarding the privacy and security of the tenant.

Red tape reforms

The *Residential Tenancy Amendment Bill 2015* provides amendments that seek to reduce the financial impact to property owners and agents in relation to two provisions.

The minimum number of cooking elements has been amended so that premises with three or more bedrooms are to have at least three cooking elements and premises with two bedrooms or less have at least two cooking elements.

The provision preventing the display of photographs of tenanted properties has been amended so that tenant permission is required for photos, film or video recordings or any other object that may identify the tenant or any other person.

Status of the red tape reform

Enacted and finalised.

Review of rural properties entered on the Tasmanian Heritage Register

Red tape burden

In 2014-15 a review of rural entries on the Tasmanian Heritage Register was initiated, for places where the whole title was listed.

As a result, over 30 000 hectares was removed from the Register and was no longer subject to the provisions of the *Historic Cultural Heritage Act 1995*.

Regulator/agency

Tasmanian Heritage Council and Heritage Tasmania

Department of Primary Industries Parks Water and Environment

Act/regulatory instrument

Historic Cultural Heritage Act 1995

Background/consultation

Consultation occurs with each affected property owner and relevant local planning authorities. The Tasmanian Farmers and Graziers Association (TFGA) is aware of and supportive of this process.

Red tape reforms

For many of the early entries on the Register the whole title was identified as the boundary for each entry.

This meant that large areas of farmland that had no discernible heritage values were entered and were unnecessarily subject to the works approval process in the *Historic Cultural Heritage Act 1995*.

In many cases informal rural exclusion agreements were adopted. This identified a smaller area of land that limited the Heritage Council's interest.

This process is helping to more clearly define the boundaries of each entry and focus them on their key heritage features, without unnecessarily listing large tracts of land of no or negligible heritage value.

Status of the red tape reform

Phase 1 completed.

The review and amendment or replacement of entries in the Heritage Register is a high priority, for entries that warrant review. This includes setting new boundaries for existing entries that define the key heritage features of large rural properties and continues the process of removing large tracts of agricultural land that do not possess heritage features of State value.

This work will enable the Heritage Council to create a boundary layer in the Land Information System Tasmania (LIST). The development of new and replacement entries for large rural properties entered on the Tasmanian Heritage Register is continuing in the Central Highlands and Southern Midlands areas. This work will also assist local government as they start to populate their new local historic heritage codes, as they prepare to implement the Tasmanian Planning Scheme.

Review of Tasmanian Heritage Register to ensure it contains only entries that meet the criteria

Red tape burden

During 2013-14 an audit of the Heritage Register confirmed that 70 per cent of the entries were considered to satisfy the criteria prescribed in the *Historic Cultural Heritage Act 1995*.

30 per cent of entries were identified as needing review and may not satisfy the criteria, potentially creating an excessive onus on the affected property owners of these registered places, and since the majority of these entries are (more appropriately) listed at a local level their removal has been proposed.

Regulator/agency

Tasmanian Heritage Council and Heritage Tasmania

Department of Primary Industries Parks Water and Environment

Act/regulatory instrument

Historic Cultural Heritage Act 1995

Background/consultation

During 2014-15 all the entries that were earmarked for review were re-assessed. Those entries deemed unlikely to satisfy the criteria were then subject to an intention to remove process.

This process involved 590 individual properties. Key stakeholders, organisations and planning authorities were briefed on the project and affected property owners, planning authorities and the public were involved in a formal consultation process for those entries identified for removal.

Red tape reforms

The integrity project has helped to enhance the credibility and integrity of the Register.

Status of the red tape reform

Implemented and finalised in December 2016.

This project resulted in 514 removals.

Reform the *Historic Cultural Heritage Act 1995* to streamline the works approval process

Red tape burden

Prior to 1 March 2014 the owner of a place entered on the Register who wanted to undertake works needed to lodge separate development and works applications.

This duplicated applications, fees, advertising and assessments, and there was potential for the decisions to conflict and generate confusion.

Regulator/agency

Tasmanian Heritage Council and Heritage Tasmania

Department of Primary Industries Parks Water and Environment

Act/regulatory instrument

Historic Cultural Heritage Act 1995

Background/consultation

These reforms were based on extensive consultation with local planning authorities, the Local Government Association and key stakeholders before and during the parliamentary process.

Red tape reforms

Only a single development application is now required. The process better aligns with the *Land Use Planning and Approvals Act 1993* and a single decision is issued.

In addition, a process for issuing certificates of exemption has been introduced, reducing the number of development applications being required, along with an expectation that works guidelines be issued.

Status of the red tape reform

Enacted and finalised.

Extend building practitioner renewal period

Red tape burden

Currently Building Practitioners are accredited for a 12-month period only, which results in an annual renewal process.

Regulator/agency

Department of Justice

Act/regulatory instrument

Occupational Licensing Act 2005

Background/consultation

As part of the building reform process, the building industry highlighted that the process of needing to renew an accreditation every 12 months was an unnecessary regulatory burden.

Red tape reforms

As part of the building reform process, occupational licencing for Building Practitioners (to be Building Services Providers) has been moved out of the building legislation and into the occupational licencing legislation to sit alongside the electrical, plumbing and gas trades.

Building Services Providers will be able to apply for a licence for a period of either 12 or 36 months.

Status of the red tape reform

Enacted effective 1 January 2017.

Information to Building Practitioners has been distributed.

Removal of net tangible assets regulations

Red tape burden

Currently Builders are required to demonstrate that they have at least \$50 000 in net tangible assets before being granted Accreditation as a Building Practitioner. The Statement of Assets needs to be signed by a financial consultant or accountant which adds to the red tape burden.

Regulator/agency

Department of Justice

Act/regulatory instrument

Building Act 2000

Amendments to the Occupational Licensing Act 2005

Background/consultation

As part of the ongoing assessment of Builders under the Scheme for the Accreditation of Building Practitioners, it became evident that the consumer protection offered by requiring Builders to have at least \$50 000 in assets was of no real benefit to consumers.

It also did not allow the Director of Building Control to make any better decision as to the financial viability of applicants to be accredited as a builder.

Red tape reforms

The Contracts and Dispute Resolution legislation introduced as part of the building reform package provides greater protection for consumers and builders alike for the formation of written contracts with mandatory terms.

Status of the red tape reform

Regulation removed as of 1 January 2017.

Amendment of the *Land Use Planning and Approvals Act 1993* to allow councils to extend permits by an extra two years reducing the need for developers to re-apply

Red tape burden

This amendment to the *Land Use Planning and Approvals Act 1993* provides planning authorities with the discretion to extend an existing permit to give an additional two years for substantial commencement – the compliance test – to a maximum of six years.

The benefit here is that there is built-in flexibility in relation to an existing development permit that for a range of reasons may be held up in terms of the existing compliance test and could lapse. If such a permit were to lapse it would require a new permit and associated costs.

Regulator/agency

Local Government, Tasmanian Planning Commission

Act/regulatory instrument

Land Use Planning and Approvals Act 1993

Background/consultation

The red tape issues relating to the compliance test for substantial commencement in relation to development applications have been a long-standing issue for developers and community members who on occasion find that their intended timelines for substantial commencement have been extended through external factors.

They face the prospect of having their existing development application lapse, together with the costs associated with its preparation. If they wished to proceed, they were faced with the requirement for a new application, new costs and delays.

Consultation on this initiative was conducted through the Local Government Association of Tasmania and the various stakeholders in the business, building and construction sectors.

Red tape reforms

The *Land Use Planning and Approvals Act 1993* has been amended so that local planning authorities have the discretion to extend permits by an additional two years for substantial commencement.

Status of the red tape reform

Enacted and finalised.

Review *Property Agents and Land Transactions Act 2005 (PALTA)*

Red tape burden

A review of the *Property Agents and Land Transactions Act 2005 (PALTA)* has not been conducted since its enactment.

A number of parts of the legislation were seen by industry to be unnecessary red tape.

Regulator/agency

Department of Justice

Act/regulatory instrument

Property Agents and Land Transactions Act 2005

Background/consultation

In 2015 the Minister and the Property Agents Board (PAB) agreed to review PALTA. A consultation group was formed that included the Government, the PAB and the Real Estate Institute of Tasmania.

There has been extensive consultation with industry throughout the review process.

Red tape reforms

A number of red tape reforms have been introduced in the new legislation, including:

removing the un-commenced Part 10 of the Act, the section that dealt with cooling off periods and vendor disclosure

introducing a more efficient complaints procedure, and introducing laws that complement the use of new technologies for advertising and publishing

introducing licencing and continuing education for all property agents which will help with mutual recognition

simplifying processes concerning the Property Agents Trust, the Property Agents Guarantee Fund and professional indemnity insurance.

Status of the red tape reform

Bill passed both houses of Parliament in 2016.

Act and Regulations commenced on 1 April 2017.

Duplication for bush fire plans removed

Red tape burden

Currently building in bush fire prone areas can require bush fire mitigation plans needing to be developed at the planning and building phases. This is a duplication of planning laws and building regulations.

Regulator/agency

Department of Justice

Act/regulatory instrument

Building Act 2000

Land Use and Planning Approvals Act 1993

Background/consultation

There have been a number of attempts to reduce the regulatory burden. There has been extensive consultation with stakeholders such as the Tasmanian Planning Commission, Tasmania Fire Service, local councils, building industry associations and accredited bush fire assessors.

Red tape reforms

The *Building Regulations 2016* have included more comprehensive provisions for working in hazardous areas including bush fire prone areas and consistency with the draft planning scheme.

Status of the red tape reform

Regulations amended in March 2016.

Planning Directive finalised in August 2017 and the Director's Determination changed to align with the new Planning Directive.

Streamlining occupational licencing

Red tape burden

Currently occupational licencing for the building industry is managed via two pieces of legislation adding unnecessary red tape.

Regulator/agency

Department of Justice

Act/regulatory instrument

Building Act 2000

Occupational Licencing Act 2005

Background/consultation

The review of the *Building Act 2000* commenced in 2013 and has involved extensive consultation with key industry groups and practitioners, along with local and state government agencies. Four reference groups were established for the reform process.

Red tape reforms

As part of the building reform process, occupational licencing for Building Practitioners (to be Building Services Providers) has been moved out of the building legislation and into the occupational licencing legislation to sit alongside the electrical, plumbing and gas trades.

One act for everyone in the building industry instead of two reduces the regulatory burden. It also offers a clearer administrative process including one set of forms.

The *Occupational Licencing Amendments Act* transfers Building Practitioners into the *Occupational Licencing Act 2005* from 1 January 2017.

Status of the red tape reform

Enacted and finalised.

Information including Fact Sheets developed.

Risk based building and plumbing approvals

Red tape burden

The current building and plumbing approvals process for lower risk work involves excessive time and complexity in order to gain a building approval.

Regulator/agency

Department of Justice

Act/regulatory instrument

Building Act 2000

Background/consultation

The review of the *Building Act 2000* commenced in 2013 and has involved extensive consultation with key industry groups and practitioners along with local and state government agencies. Four reference groups were established for the reform process.

Red tape reforms

The regulatory framework passed both Houses of Parliament and took effect from 1 January 2017.

Status of the red tape reform

New Building Act 2016 finalised and received Royal Assent.

New Building regulations completed. New framework commenced 1 January 2017.

Initial implementation reviewed with industry and amended determinations issued in August 2017.

National Trust Preservation Fund (Winding Up) Amendment Bill 2016

Red tape burden

The *National Trust Preservation Fund (Winding Up) Amendment Bill 2016* was introduced to reflect current provisions in the Hobart City Council's planning scheme and gives heritage property owners access to funds to help conserve locally listed heritage places.

Regulator/agency

Heritage Tasmania

Department of Primary Industries Parks Water and Environment

Act/regulatory instrument

National Trust Preservation Fund (Winding Up) Act 1999

National Trust Preservation Fund (Winding Up) Amendment Bill 2016

Background/consultation

Prior to this Bill the *National Trust Preservation Fund (Winding Up) Act 1999* tied the release of funds held in the Hobart City Council's Heritage Account to places listed on the (defunct and archived) National Trust list or the Tasmanian Heritage Register, which focuses on places of State significance. As such, these funds cannot be released for sites listed in recently developed local historic planning codes.

This Bill was introduced to update the Act to reflect the subsequent emergence of local historic heritage codes, and give flexibility should listing provisions change again in the future.

The Hobart City Council requested the amendment and they and the National Trust were both consulted on this process.

Red tape reforms

This Bill passed Parliament on 16 August 2017 and commenced on 5 September 2017.

Status of the red tape reform

Enacted and finalised.

Historic Cultural Heritage Regulations 2016

Red tape burden

The *Historic Cultural Heritage Regulations 2016* help clarify whether a place is eligible for entry on the Tasmanian Heritage Register.

This aids the conveyance process and recognises there is a segment of the community that view historic heritage listing as an unnecessary burden on development.

Regulator/agency

Heritage Tasmania

Department of Primary Industries Parks Water and Environment

Act/regulatory instrument

Historic Cultural Heritage Act 1995 *Historic*

Cultural Heritage Regulations 2016

Background/consultation

With the enactment of the *Historic Cultural Heritage Act 1995*, it was acknowledged that entering places on the Register could be viewed as an impost on property owners and developers.

In response, provisions were introduced to provide assurances as to whether a place was affected by the Act through the issuing of 'certificates of affected places'.

These Regulations ensure the correct operation of those provisions.

This has, and continues to be seen, as a positive step. The administrative mechanism for issuing the certificates has been streamlined over the past decade, and as such no amendments or increases in fees payable were made during the remaking of the Regulations.

Red tape reforms

The continuing operation of these Regulations is an important part of confirming the absence of red tape with respect to places that are not on the Register.

The Regulations were tabled on 21 September 2016.

Status of the red tape reform

Enacted and finalised.

The Building and Construction Industry Training Fund Act 1990 Reform

Red tape burden

The *Building and Construction Industry Training Fund Act 1990* (the Act) prescribes that a training levy must be paid to the Tasmanian Building and Construction Industry Training Board (TBCITB) for building or construction works valued at 0.2 per cent of the estimated value of the work (\$12 000).

Regulator/agency

Department of State Growth

Act/regulatory instrument

The Building and Construction Industry Training Fund Act 1990

The Building and Construction Industry Training Fund Amendment Act 2006

Background/consultation

The original threshold of \$12 000 for payment of the building and construction levy has been in place since 2005. Since then, there has been considerable cost increases and structural changes in the industry over the past 10 years.

The Act was in need of review to reflect these real cost increases and industry changes. The proposed threshold increase also aligns with red tape reduction for changes to the Building Permit Levy threshold to \$20 000.

Key building industry stakeholders were consulted on the changes to the Act and all support the proposed changes, including Master Builders' Association and local authorities.

Red tape reforms

The amendments to the *Building and Construction Industry Training Fund Act 2016* raised the levy threshold for the value of building works from \$12 000 to \$20 000.

This means there is likely to be an increase in the number of exemptions for low-cost projects that are valued at under \$20 000.

The red tape reduction measure will result in a smaller administrative workload for building contractors, local authorities and less impost on project developers where the value of the build is less than \$20 000.

This means a more efficient administration of the industry training fund.

Status of the red tape reform

Completed.

The Act with the new increased \$20 000 threshold became operational 1 January 2017.

Landholder reforms to the *Duties Act 2001*

Red tape burden

Tasmania's *Duties Act 2001*, like other states, charges duty on a change of ownership in companies and unit trusts, where those entities own land. This includes duty payable on the direct acquisition of land, and on an indirect acquisition of an interest in land, where for example someone buys shares in a private company that holds land.

The current land-rich provisions in the *Duties Act 2001* are outdated, out of step with the provisions for charging duty on direct acquisitions of land, and out of step with similar provisions in all other jurisdictions.

Most notably, the current provisions contain a complicated land-ratio test, which is used to determine whether an entity is a landholding entity.

Due to these shortcomings, the current provisions can make it difficult for people considering investing in Tasmania to comply with.

Regulator/agency

Department of Treasury and Finance

Act/regulatory instrument

Duties Act 2001

Background/consultation

All jurisdictions, with the exception of Tasmania, have adopted a landholder model for charging duty on indirect acquisitions of land.

Consultation has occurred with key stakeholders on both the policy changes and during drafting of the Bill, and stakeholders were generally supportive.

Red tape reforms

Replacing the current land-rich provisions with landholder provisions in the *Duties Act 2001* will make it easier for taxpayers to comply with the relevant duty provisions, and easier to administer, and will provide greater certainty to taxpayers and their representatives.

Other benefits to taxpayers include greater clarity and increased consistency across jurisdictions which should make it easier for individuals and companies that are considering investing in Tasmania.

Status of the red tape reform

The Duties Amendment (Landholder and Corporate Reconstruction and Consolidation) Bill 2016 received Royal Assent on 6 December 2016.

Enacted and finalised.

First floor CBD development

Red tape burden

A long-standing issue in Launceston has been the regulatory obstacles to redevelopment and adaptive use of first floor space above heritage CBD buildings.

As a consequence Launceston CBD has significant underutilised first floor space in the CBD, at a time when CBD revitalisation is a priority for the region.

Regulator/agency

Department of Justice

Act/regulatory instrument

Building Code of Australia, Building Act 2000

Land Use Planning and Approval Act

Background/consultation

The Launceston Chamber of Commerce commissioned a report in 2014 identifying compliance with Building Code and Planning regulations made the cost of adapting First Floor developments not financially viable.

Red tape reforms

Work was done by the relevant local, state and federal authorities to develop options for adaptive reuse of first floor accommodation that satisfy safety requirements and encourage private investment to revitalise the Launceston CBD.

It is anticipated the reforms could enable development of attractive student accommodation options to support the relocation of the University of Tasmania into the Launceston CBD.

Status of the red tape reform

On 14 March 2016 the Building Regulations were amended for a variation to the National Construction Code (NCC). This NCC variation will allow (with some limits) for two-storey buildings to not require an installation of a lift or ramps to give access to flats on the second level if the first level is a commercial use.

The amendment was carried forward as part of Building Reform Package which commenced on 1 January 2017. This amendment only applies in these very limited circumstances. It does not apply to the construction of any new buildings that will contain residential units, or to any existing buildings that do not have commercial space on the ground floor or to buildings which have more than two storeys.

Repeal of Section 146(2) of the *Land Titles Act*

Red tape burden

The red tape burden arises from the need for the Supreme Court of Tasmania to issue a summons to a defaulting mortgagor, encumbrancer or lessee upon an application to obtain possession under section 146 of the *Land Titles Act 1980*.

This requirement increases legal costs for both the defaulting party and the applicant who makes the application and uses Supreme Court resources.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Land Titles Act 1980.

Background/consultation

A proposed amendment to the *Land Titles Act 1980* to repeal section 146(2) will reduce red tape by removing the requirement for a summons to be issued by the Supreme Court of Tasmania, which is an unnecessary step in the process.

Removing this red tape will result in a reduction of legal costs imposed by solicitors on their clients and reduced usage of the Court's resources.

Consultation was undertaken with the Chief Justice of the Supreme Court, the Department of Justice and the Law Society.

Red tape reforms

The red tape burden will be resolved by the removal of an unnecessary step in the process.

Status of the red tape reform

The Land Titles Amendment Bill 2018 was enacted 15 October 2018.

Security deposits by instalment

Red tape burden

There was no process in place for social housing providers or councils who wish to accept security deposits (by instalment or otherwise) to do so without breaking the law. This created a burden for prospective tenants and owners.

Regulator/agency

Consumer, Building and Occupational Services – Department of Justice

Act/regulatory instrument

Residential Tenancy Amendment Bill Act 2018

Residential Tenancy Act 1997

Background/consultation

The *Tasmanian Red Tape Audit Report 2017-18* prepared by the Office of Coordinator-General in December 2017 identified enabling payment of incremental security deposits under residential tenancy agreement as a reform objective.

Tasmania's Affordable Housing Strategy 2015-2025 includes a commitment to amend the *Residential Tenancy Act 1997* to improve the capacity of the Rental Deposit Authority to accept incremental security deposit payments from community housing providers. This was in response to specialist homelessness support providers reporting difficulty moving tenants from crisis or transitional accommodation to private rental or community housing, as clients were not able to accumulate a full bond.

Targeted consultation was undertaken on the proposal, with full support received from Housing Tasmania, Shelter Tasmania, Tenants Union of Tasmania and Tasmanian Council of Social Services. The Real Estate Institute of Tasmania did not identify any issues or concerns from the private sector.

Red tape reforms

The *Residential Tenancy Amendment Bill 2018* passed the House of Assembly on 18 September and debated (with proposed amendment to Family Violence provisions) in the Legislative Council on 27 September 2018.

Previously, the *Residential Tenancy Act* allowed a security deposit to be paid to the Authority, or a Property Agent (as defined by the *Property Agents and Land Transactions Act 2016*). The amendment Bill expanded the categories of organisation that may receive a security deposit to include organisations such as those registered as a Community Housing Provider, or local Council.

The amendment allows those organisations to accept payment by instalments and sets out requirements for lodgement with the Rental Deposit Authority on receipt of the final payment, or in the event of a dispute or termination of the agreement.

Status of the red tape reform

The amendments were passed by Parliament on 17 December 2018 and commenced 31 March 2019.

The Act now allows for a social housing provider to collect a security deposit by instalments. These deposits are then lodged in full with the Rental Deposit Authority.

The Act also allows for the Minister to declare, by notice, organisations to be a social housing provider.

Tasmanian development regulatory reform

Red tape burden

Development in Tasmania requires approval from an array of regulators from local councils to environmental, technical and safety authorities. Navigating these regulatory requirements is often confusing, time consuming and expensive for both small and large developments.

Regulator/agency

Office of the Coordinator-General

Act/regulatory instrument

N/A

Background/consultation

Feedback from industry associations and individual representations to both the Office of the Coordinator-General and the Minister for State Growth contends the current regulatory model for development in Tasmania can be confusing, inconsistent and cause significant delays.

Red tape reforms

The Office of the Coordinator-General is overseeing a regulatory reform review of the development process in Tasmania for residential, small business and commercial projects.

The purpose of the project is to map and make recommendations for the reform of the regulatory steps a typical development will encounter. The project will examine the regulatory process from the outset of the project at planning stage through to building and other regulatory approvals such as bushfire planning or EPA conditions on permits to reach occupancy or completion.

Status of the red tape reform

The Government passed two tranches of regulatory reforms in June and October 2020: namely the Building and Construction (regulatory reform amendments) Act. These acts took effect on 30 November 2020.

Water and Sewerage Infrastructure Spatial Data Capture

Red tape burden

Historically, the spatial data held by TasWater has been incomplete or, in some cases, indicative only causing delays and additional cost to developments.

Regulator/agency

Consumer Building and Occupational Services, Department of Justice

Act/regulatory instrument

Water and Sewerage Industry Act 2008

Water and Sewerage Industry (General) Regulations 2009

Standards and Guidelines

Background/consultation

The spatial data projects for water and sewerage will save time and money for every small business undertaking a development from expanding their warehouse to eco-tourism ventures.

It is estimated there are on average 3,000-4,000 small businesses per annum in Tasmania that will benefit from making this spatial data for water and sewerage readily available.

There are also time savings whereby water and sewage ground surveys can delay projects by up to 14 days.

Project time saved in the current Tasmanian economy where demand is outstripping supply in the building and construction sector equates to a significant saving.

Red tape reforms

The *Water and Sewerage Infrastructure Spatial Mapping* project has been funded as part of Tasmania's schedule of reforms under the Small Business Regulatory Reform Agenda. The project will deliver water infrastructure spatial data in a digital format to assist small businesses undertaking development projects in Tasmania.

This spatial data is now available to developers using the PlanBuild Tasmania portal.

Status of the red tape reform

The project has been delivered by the PlanBuild Tasmania project. All Tasmanian water and sewerage spatial mapping data is now available online using the PlanBuild Tasmania enquiry functionality which went live on 24 February 2022.

Bushfire Prone Area Spatial Data Capture

Red tape burden

Currently most development located in or near a bushfire zone are required to undertake a bushfire assessment as there is no state-wide mapping of bushfire zones.

Regulator/agency

Consumer, Building and Occupational Services, Department of Justice

Act/regulatory instrument

N/A

Background/consultation

The savings for small businesses seeking to undertake development in bushfire prone zones is estimated at \$1 500 per site as they will no longer need onsite investigation.

The time saving for businesses operating in bushfire zones will be in the order of two to three days. Around 1,140 small businesses will be assisted annually.

Red tape reforms

The *Bushfire Risk Spatial Mapping* project has been funded as part of Tasmania's schedule of reforms under the Small Business Regulatory Reform Agenda. The project will deliver bushfire risk spatial data in a digital format to assist small businesses undertaking development projects in Tasmania. The bushfire risk spatial data will be available to developers using the PlanBuild Tasmania portal.

Status of the red tape reform

The project is currently being delivered by the PlanBuild Tasmania project. All Tasmanian bushfire risk spatial data has been mapped and provided to councils for inclusion as part of the interim planning scheme or Local Provision Schedule. 25 of the 29 councils have published these maps. This data is now available online using the PlanBuild Tasmania enquiry functionality which went live on 24 February 2022.

Automated water/sewerage/bushfire assessment as part of development application

Red tape burden

Currently a large number of development applications require referral to Taswater or Tasmanian Fire Service which causes delays and additional costs to developments across the state.

Regulator/agency

Consumer Building and Occupational Services (CBOS)

Act/regulatory instrument

N/A

Background/consultation

The data indicates that approximately 30 per cent of development applications require referral to Taswater or Tasmanian Fire Service for assessment.

A centralised and coordinated referral process will reduce delays in referral requests from permit authorities and ensure the rules which apply to a referral request, are consistently applied across Tasmania, making the process more consistent and transparent for small business.

Red tape reforms

The PlanBuild Tasmania portal will provide a central online referral process that will allow faster referral processing time. PlanBuild Tasmania will allow a developer to use the automated enquiry service to be informed about their responsibilities and any approvals that may be required prior to lodging an application. This service will allow small businesses and developers to understand the assessment process and the infrastructure or bushfire requirements that can be submitted with a development application.

Status of the red tape reform

The project is currently being delivered by the PlanBuild Tasmania project. PlanBuild Tasmania will allow development application referrals to internal and external referral authorities resulting in a more efficient and coordinated online application and assessment process.

Phase two of the portal, 'Application Services', will allow for application lodgment, payment and tracking. This will be rolled out starting mid-2023. The first adopters of the solution are TasWater, Heritage Tasmania and an early adopter council. Following this first go-live, the portal will be rolled out across the State to other councils in line with Council readiness.

Integrated/interface of licensing, registration and related systems

Red tape burden

Within the current building and planning process is the need to ensure the integrity of the licensing process to ensure consumer protection.

This currently relies on certifiers and permit authorities manually checking the licence and licence conditions of all practitioners involved, which include builders, architects, engineers, electricians, plumbers and gasfitters.

Regulator/agency

Consumer Building and Occupational Services (CBOS)

Act/regulatory instrument

N/A

Background/consultation

The regulatory time in this current manual process is significant as it requires multiple manual checks at multiple stages.

For instance a builder is required to check the licence of the plumber he or she engages on a job and so forth.

The time saving of automating this so the check happens in the background of the system and simply flags if a licence is not valid or not valid for the type of work is estimated to save 4-5 hours in administrative time.

Red tape reforms

The Automation of Licence Verification project has been funded as part of Tasmania's schedule of reforms under the Small Business Regulatory Reform Agenda. The project has delivered an interface that will integrate licensing, registration and related systems into the PlanBuild Tasmania Portal. This will assist businesses to manually check the licensing conditions of practitioners involved with a development process.

A key benefit is the ability for parties that are associated with a development project to be registered as users in the Portal. This will allow these users to view their projects and re-use previously entered data rather than re-entering it for future projects.

A key beneficiary of this reform will be registered Building Surveyors who, via the portal, will be able to validate all parties associated with a building project against their relevant licence.

Status of the red tape reform

The Occupational Licensing and Compliance system is now live for public use, and the interface to the Portal is being progressed by the PlanBuild Tasmania Portal.

Environment, public health and local heritage permit assessments

Red tape burden

Environmental, Public Health and Heritage Permits are all separate permits issued by local government and Heritage Tasmania.

These permits are required to be integrated into development applications which can cause duplication and additional cost in the process.

Regulator/agency

Consumer Building and Occupational Services (CBOS)

Act/regulatory instrument

N/A

Background/consultation

The ability to have permits automatically integrated into development applications will speed up application processes, minimise rework caused by entry errors and enable compliance checking to be completed automatically resulting in significant labour cost savings for these small businesses.

Red tape reforms

These permits and assessments will be available to small businesses and developers by using the PlanBuild Tasmania portal. The Portal will allow these applications to be pre-populated and lodged online via the central system.

Status of the red tape reform

The PlanBuild Tasmania 'Enquiry Service' provides guided information on what permits, approvals and associated licences are required for environmental and public health applications, based on the property location (e.g. heritage listed) and the type of business they wish to operate (e.g. cafes, mobile food vans etc).

The PlanBuild Tasmania 'Applications Service' will allow for parties to lodge, pay and track environmental, public health and heritage applications online. Assessing bodies can refer applications to local Heritage officers, Heritage Tasmania and Environmental Health Officers.

The PlanBuild project team has worked with council environmental health officers, Department of Health and Heritage Tasmania to develop the necessary forms in the portal. The ability to lodge these applications will be reliant on adoption of the portal by Councils.

Online Fire Alarm/System Permit

Red Tape Burden

In accordance with the General Fire Regulations 2010, the Tasmania Fire Service administers a permit system licensing the installation, maintenance, repair and removal of Fire Protection Equipment and Fire Protection Systems. Fire Protection Systems include fire detection and alarm systems, sprinkler systems, fire hydrant and extinguishing systems, fire hose reels and smoke detection systems. The current application process for Permits is a manual process, where applicants download a form that is filled in electronically or by hand, and either mailed or emailed to TFS for processing.

Regulator/agency

Tasmanian Fire Service

Act/regulatory instrument

General Fire Regulations 2010

Background/consultation

Formal discussions are now underway with key stakeholders to transfer management of applications for Fire Protection System Permits to the CBOS online licensing system.

Red tape reforms

The Department of Justice operates a licensing system for Consumer Building and Occupational Services (CBOS), which could be used to process Fire Protection Systems Permits. Use of the CBOS licensing system will potentially reduce the number of different licensing systems used by the two agencies. The use of the online system used by CBOS for processing licensing applications, rather than the manual process by TFS, will be just one of the benefits to licensees.

Status of the red tape reform

This reform will be finalised as a part of the CBOS online portal.

The current legislation provides that the fire service permits / regulates the fire protection industry, and this needs to be removed in the new legislation if TFS is to hand over this function to CBOS (DoJ). This matter incorporates part of the current Fire Service Act review.

Review of Categories of Building and Demolition Work and Categories of Plumbing Work

Red Tape Burden

Categories of work for building, demolition and plumbing work require varying levels of assessment and approval before the work can be commenced. The Tasmanian Government committed to reviewing the two directors determinations under the *Building Act 2016* that specify the work categories to remove regulatory approvals for certain works that are considered low-risk.

Regulator/agency

Consumer, Building and Occupational Services, Department of Justice

Act/regulatory instrument

Building Act 2016:

Director's Determination – Categories of Building and Demolition Work

Director's Determination – Categories of Plumbing Work

Background/consultation

The *Building Act 2016* commenced in January 2017 and created a new risk-based regulatory framework for building, demolition and plumbing work in Tasmania. One key concept in this risk-based framework was the categorisation of work by risk. Each 'work category', from low-risk to high-risk (Permit Work), has different assessment, approval and work performance requirements dependent on the categorisation of the proposed work.

The Work Categories are specified in Determinations made by the Director of Building Control.

Public and stakeholder consultation on amended draft determinations was carried out in 2020 for the Categories of Building and Demolition Work determination and in late 2021 for the Plumbing Work determination.

Red tape reforms

The Department of Justice carried out an internal review of the two Determinations in August 2020.

This review identified a number of key changes to ease the regulatory burden, including:

clarifying the scope of the Determinations;

updating the structure of the Determinations to provide for simpler interpretation;

refining the requirements associated with Notifiable/Permit building work in terms of how this work relates to planning; and

updating the standard limitations which apply for low risk work.

Status of the red tape reform

Categories of Building and Demolition Work

A revised Director's Determination – Categories of Building and Demolition Work was published in March 2021 and commenced on 12 April 2021. This reform is now completed.

Categories of Plumbing Work

The Director of Building Control continues to progress amendments to this Determination following stakeholder and public consultation in late 2021. The revised Determination is expected to be approved and become law during 2022.

Activating a valid planning permit

Red Tape Burden

Planning applications did not become activated until an invoice was issued and paid. There was no legislative requirement for invoices to be issued within a defined period and hence planning applications were not activated and delays in the planning process occurred.

Regulator/agency

Department of Justice

Act/regulatory instrument

Land Use Planning and Approvals Act 1993

Background/consultation

This reform is one of a number of reforms emanating from a recent regulatory review of the building and construction industry. The review entailed consultation with regulators, local councils, LGAT and industry associations.

Red tape reforms

In order to ensure planning permits have a clear date of activation, the Act has been amended to provide for timeframes in which a council must issue a fee following the lodgement of a planning application and the date upon which the application is then made valid.

The Act has been amended to provide a 4 business day period in which the council must advise the applicant of the fee payable, and if there is a failure to do so, allow the prescribed assessment period to commence on the fifth day following lodgement.

This reform will ensure planning applications are activated in a timely and predictable manner.

Status of the red tape reform

Enacted and Finalised on 30 November 2020.

Crown land leases and landholder consent

Red Tape Burden

Under current policy arrangements if a person wants to undertake a project on Crown Land they are encouraged to enter lease or license negotiations whilst the development application is being considered by council.

There may be instances where the proponent may wish to secure planning approval and not spend time and money negotiating a lease or licence with the Crown until they know if the Council will grant planning approval.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Crown Land Services Policy

Background/consultation

This reform is one of a number reforms emanating from a recent regulatory review of the building and construction industry. The review entailed consultation with regulators, local councils, LGAT and industry associations.

Red tape reforms

Under the new policy reforms Crown Land Services acknowledge applicants may elect to request land holder consent and defer the lease or license negotiations until the council has considered the planning permit.

This reform does not negate the need for a lease or licence to be granted but provides options as to whether the negotiations occur before or after the planning permit is submitted to council.

In most cases it will still be in the interests of the proponent to negotiate the lease or licence whilst the planning permit is being considered.

This reform has the potential to save both the Department and the proponent time and money negotiating leases and licences that may not eventuate if a planning permit is rejected or not activated.

Status of the red tape reform

Enacted and finalised on 30 November 2020.

Early issue of titles for new subdivisions

Red Tape Burden

The Land Titles Office has long operated an 'early issue' system for the processing of final plans to give title to each of the blocks of land within a new subdivision. The Act has been amended to formalise this process with tighter statutory timeframes.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Local Government (Building and Miscellaneous Provisions) Act 1993

Background/consultation

This reform is one of a number reforms emanating from a recent regulatory review of the building and construction industry. The review entailed consultation with regulators, local councils, LGAT and industry associations.

Red tape reforms

The Act has been amended requiring the Recorder of Titles to accept or reject sealed plans within 15 business days of the sealed plans being lodged.

This reform will ensure the early issue of titles for new subdivisions are determined in a timely and predictable manner.

Status of the red tape reform

Enacted and finalised on 30 November 2020.

Electricity and power regulations

Red Tape Burden

Historically Tasnetworks had no statutory service standards for the assessment, design and connection of electricity and their internal service standards did not distinguish between small, medium and large-scale projects.

Regulator/agency

Treasury

Act/regulatory instrument

Electricity Supply Industry Amendment Regulations 2021

Background/consultation

Following consultation with TasNetworks, Energy Security and Regulations Branch of State Growth and key industry stakeholders the electricity supply industry regulations were agreed.

Red tape reforms

The making of the regulations establish service standards for the assessment, design and connection of electricity for small, medium and large scale works and allow the installation of powerlines on private property as works of minor nature.

The regulations provide 45 days for assessment, design and connection for small works; medium scale works within 60 days and large-scale complex works within 160 days. These standards override the former internal service standard of 160 days for all works.

Status of the red tape reform

Enacted and Finalised

EPA review of case for assessment

Red Tape Burden

The Board of the EPA currently has 14 days to determine whether it needs to assess a level 2 activity referred to it by a planning authority and advise on the class of assessment. This period extends to 42 days for Environmental Licence activities. The EPA also has timeframes for issuing guidelines for assessment of 21 days for class 2A activities, 28 days for class 2B activities and 63 days for class 2C activities.

The EPA however does not currently have a timeframe for assessing whether a proponent has lodged a case for assessment in accordance with the guidelines provided by the Board.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Environmental Management and Pollution Control Act 1994

Background/consultation

This reform is one of a number reforms emanating from a recent regulatory review of the building and construction industry. The review entailed consultation with regulators, local councils, LGAT and industry associations.

Red tape reforms

The Act has been amended to require the EPA to make a decision within 42 days of a request being submitted by an applicant or proponent on whether or not the case for assessment has been accepted.

This reform will ensure the review of a proponent's case for assessment against EPA guidelines is undertaken in a timely and predictable manner.

Status of the red tape reform

Enacted and finalised on 30 November 2020.

Minor amendments to planning permits

Red Tape Burden

The Act has been amended to provide a statutory timeframe for councils to determine minor amendments to planning permits where previously there was no statutory timeframe.

Regulator/agency

Department of Justice

Act/regulatory instrument

Land Use Planning and Approvals Act 1993

Background/consultation

This reform is one of a number of reforms emanating from a recent regulatory review of the building and construction industry. The review entailed consultation with regulators, local councils, LGAT and industry associations.

Red tape reforms

The Act has been amended by inserting a provision requiring councils receiving a minor amendment to a planning permit amend or refuse to amend the permit within 28 days.

This reform will ensure minor amendments to planning permits are determined in a timely and predictable manner.

Status of the red tape reform

Enacted and finalised on 30 November 2020.

Nature conservation and special permits

Red Tape Burden

The Act currently provides that Special Permits for the taking of specified wildlife, specified products or specified protected plants on land ceases to operate after 12 months.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Nature Conservation Act 2002

Background/consultation

This reform is one of a number of reforms emanating from a recent regulatory review of the building and construction industry. The review entailed consultation with regulators, local councils, LGAT and industry associations.

Red tape reforms

The Act has been amended to allow special permits to operate for up to four years.

This reform will allow permits to be issued for shorter and longer periods relevant to the nature of the project with a maximum renewal period of four years.

Status of the red tape reform

Enacted and finalised on 30 November 2020.

Introduce no permit required assessments

Red Tape Burden

Before issuing building approval, building surveyors and council permit authorities currently request that an owner confirm that planning approval has been granted or that planning approval is not required.

To receive this confirmation, the owner must then contact the local council and request a review and confirmation that the work does not require planning approval. Depending on council resourcing and workload, this process may take some time, potentially delaying the commencement of building work.

Some councils provide this service for no cost, whereas some charge a nominal fee.

The Minister for State Growth identified this potential reform as relevant to the PESRAC Interim Report recommendation 26 in October 2020.

Regulator/agency

Consumer, Building and Occupational Services, Department of Justice

Act/regulatory instrument

Building Act 2016 and Occupational Licensing Act 2005

Background/consultation

Consumer, Building and Occupational Services (CBOS) led a two-stage consultation process in the development of the reform. The first consultation stage, receiving public submissions in January and February 2021, was in response to an options paper providing for private planners to provide such certificates, either with or without an occupational licensing system or the status quo. The preferred option was identified as private planning certification with occupational licensing, and the second stage consultation in September and October 2021 was in respect of draft instruments to that effect. CBOS engaged with stakeholders, including councils and the Planning Institute of Australia.

Red tape reforms

On 22 December 2021, the Administrator of Occupational Licensing in CBOS made amendments to the Occupational Licensing (Building Services Work) Determination, under the *Occupational Licensing Act 2005*, to give effect to a new scheme for the licensing of private planners for the production of 'no planning approval required' certificates. The scheme came into effect on 1 January 2022. Building surveyors can rely on such certificates under provisions within the *Building Act 2016* when assessing proposed building work.

Status of the red tape reform

Amended Determinations finalised and commenced 1 January 2022.

Planning permit conditions

Red Tape Burden

Under the current legislation there is no timeframe for the permit authority or associated regulator to determine if the applicant has satisfied planning permit conditions.

Regulator/agency

Department of Justice

Act/regulatory instrument

Land Use Planning and Approval Act 1993

Background/consultation

This reform is one of a number reforms emanating from a recent regulatory review of the building and construction industry. The review entailed consultation with regulators, local councils, LGAT and industry associations.

Red tape reforms

The Act has been amended to introduce a new statutory timeframe for councils and all nominated regulatory authorities which impose conditions on planning permits to determine if those conditions have been met or not.

The Act has been amended and requires the council to advise the applicant whether or not the council is satisfied that a planning condition has been complied with within 20 business days.

This reform will ensure planning conditions are determined in a timely and predictable manner.

Status of the red tape reform

Enacted and finalised on 30 November 2020.

Request for additional information (RFI) by councils

Red Tape Burden

The Act has been amended to reduce the timeframe councils have to respond to the applicant in relation to the receipt of further information (RFI) that has been requested by the council.

Regulator/agency

Department of Justice

Act/regulatory instrument

Land Use Planning and Approvals Act 1993

Background/consultation

This reform is one of a number reforms emanating from a recent regulatory review of the building and construction industry. The review entailed consultation with regulators, local councils, LGAT and industry associations.

Red tape reforms

The Act has been amended to reduce the time for processing RFI responses from 14 calendar days to 8 business days.

This reform will provide the applicant with a more timely response from council as to whether or not the information they have provided to council satisfies the RFI.

Status of the red tape reform

Enacted and finalised on 30 November 2020.

Sealing of plans

Red Tape Burden

Under the current Act there is no statutory timeframe in which councils need to seal the final plans for a subdivision of land.

Regulator/agency

Department of Justice

Act/regulatory instrument

Local Government (Building and Miscellaneous Provisions) Act 1993

Background/consultation

This reform is one of a number of reforms emanating from a recent regulatory review of the building and construction industry. The review entailed consultation with regulators, local councils, LGAT and industry associations.

Red tape reforms

The Act has been amended to provide a new statutory timeframe for councils to approve or reject a final plan for subdivision of land, commonly referred to as the sealing of plans.

The Act has been amended requiring councils to determine if the final plan complies or not within 20 business days after a final plan is lodged.

This reform will ensure the sealing of plans for subdivisions are determined in a timely and predictable manner.

Status of the red tape reform

Enacted and Finalised on 30 November 2020.

Strata titles

Red Tape Burden

The Act currently has no statutory timeframe for councils to issue a certificate of approval for a strata title application.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Strata Titles Act 1998

Background/consultation

This reform is one of a number reforms emanating from a recent regulatory review of the building and construction industry. The review entailed consultation with regulators, local councils, LGAT and industry associations.

Red tape reforms

The Act has been amended to require councils to issue or refuse to issue a certificate of approval for a strata title application within 30 business days of receiving the application.

This reform will ensure certificates of approval for strata title developments are determined in a timely and predictable manner.

Status of the red tape reform

Enacted and finalised on 30 November 2020.

Water and sewerage regulations

Red Tape Burden

TasWater formerly had both regulated and unregulated service standards. The former regulations did not provide for statutory timeframes for the assessment, design, construction and connection of water and sewerage services.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment.

Act/regulatory instrument

Water and Sewerage Industry (General) Amendment Regulations 2020

Background/consultation

Following consultation with TasWater, LGAT and key industry stakeholders the water and sewerage service standard regulations were agreed.

Red tape reforms

The new regulations convert unregulated service standards as well as some other key customer interactions into statutory service standards. The regulations provide statutory timeframes for a range of permits and services delivered by TasWater.

The regulations distinguish between small developments (less than 10 lots) and large developments (10 lots or more).

The regulations cover:

- Requests for information by proponents
- Sealing and registration of plans
- Approval of engineering designs
- Issuing Certificates for Certifiable Works

Status of the red tape reform

Enacted and Finalised

Review of minor works requiring reporting to reporting authorities under the Building Act 2016

Red Tape Burden

The Building Act 2016 requires the relevant building surveyor to request a report from a reporting authority if the work relates to certain prescribed matters. The prescribed authorities are:

The Chief Officer of the Tasmania Fire Service if the work relates to the operations suitability of fire safety requirements;

The Environmental Health Officer for the relevant municipal area if the work relates to food safety; and

The Anti-Discrimination Commissioner if the work relates to disability access.

Building industry stakeholders have raised concerns regarding a significant number of referrals required under the Act for work which is considered minor in nature.

Making a referral to a reporting authority takes time for the building surveyor and time for the reporting authority to assess and report on the proposed work.

Regulator/agency

Consumer, Building and Occupational Services, Department of Justice

Act/regulatory instrument

Building Act 2016

Background/consultation

Industry stakeholders raised this matter with Consumer, Building and Occupational Services.

This review will include comprehensive consultation with building and construction stakeholders, regulators, local councils and industry associations.

Red tape reforms

To provide a more timely assessment of notifiable and permit building work, the Director of Building Control is to draft and provide for consultation a new Determination. This Determination will set out what work is considered minor in nature and therefore will not need to be referred to reporting authorities.

This reform may reduce administrative burden and time delays for notifiable and permit building work that includes minor work relating to reporting authorities.

Status of the red tape reform

Preliminary draft determination - New Director's Determination – Minor Works for Reporting Authorities has been drafted and significant work is currently being undertaken with the Tasmanian Fire Service in relation to the preliminary draft. Once this work has been completed the Director Building Control will be in a position to undertake broader consultation as appropriate.

Online application lodgement and tracking of development related applications – PlanBuild Tasmania portal

Red tape burden

PlanBuild Tasmania is an online portal which will allow for the lodgment of all planning, building and other related applications associated with development and construction in Tasmania.

The project aims to deliver on the Governments strategic objectives to reduce the regulatory burden on the planning and development community and provide a faster, fairer, simpler planning system for Tasmania by providing greater access to development approval rules, reducing administrative delays and increasing transparency of the approvals process.

Regulator/agency

Consumer Building and Occupational Services (CBOS)

Act/regulatory instrument

N/A

Background/consultation

Public perception of the regulatory system for development is that it is complex, confusing and difficult to understand. Information on the rules for new development is fragmented across various state and local government authorities. Applications are lodged with different authorities, with varied methods for lodgment and tracking of applications.

This can be complex, confusing and time-consuming, particularly for those involved in development across the state, such as building surveyors and designers, who all lodge applications in a variety of ways across the state, depending on the council area where the development is taking place.

Red tape reforms

The overarching PlanBuild Tasmania project has been funded by the State and Commonwealth, the latter through reforms under the Small Business Regulatory Reform Agenda. The project will deliver a state-wide online process for applying for development related applications.

Applications will be available to the Tasmanian community, including small businesses and developers using the PlanBuild Tasmania portal.

The Portal will allow these applications to be pre-populated, lodged and tracked online.

Status of the red tape reform

The PlanBuild Tasmania project has delivered phase one enquiry functionality which provides access to planning and building rules. For properties operating under the Tasmanian Planning Scheme, enquirers can work through a series of questions and determine who to consult, who can do the work and what they may need to apply for.

Phase two of the portal, 'Application Services', will allow for application lodgment, payment and tracking. This will be rolled out starting mid 2023. The first adopters of the solution are TasWater, Heritage Tasmania and an early adopter council. Following this first go-live, the portal will be rolled out across the State to other councils in line with Council readiness.

Automatic mutual recognition for occupational licences

Red Tape Burden

Under the existing mutual recognition (MR) scheme for occupational licences (which has been in place since 1992), workers who are licensed in one Australian jurisdiction must go through a registration process and may need to pay an additional licence fee before working in another state.

Regulator/agency

Coordinated by the Department of Treasury and Finance.

Act/regulatory instrument

The Mutual Recognition (Tasmania) Amendment Act 2021.

Background/consultation

In 2015, the Productivity Commission found that Australia's MR arrangements generally worked well but there would be cost savings from automating these processes. In 2020, National Cabinet agreed to establish an Intergovernmental Agreement outlining jurisdictions' commitment to implement an automatic mutual recognition (AMR) scheme.

Under AMR, a person registered for an occupation in their home state is able to carry on, in a second state, the activities covered by their home state registration without further assessment of their qualifications or a licence fee. A person with adverse compliance and enforcement decisions is not eligible for AMR.

AMR is intended to increase the strength and resilience of the Australian economy by reducing the time and cost incurred when registered workers respond to new job opportunities across jurisdictional borders.

Agencies have been consulting with a range of stakeholders in order to develop appropriate implementation arrangements for each occupational licence or registration.

Red tape reforms

Legislation to introduce AMR in Tasmania was passed by the Parliament in October 2021. AMR subsequently commenced in Tasmania on 22 December 2021 following proclamation of the Act.

Status of the red tape reform

As part of the initial implementation phase, a number of temporary arrangements are in place to exempt occupations from AMR until 1 July 2022. When fully implemented, AMR will apply to a broad range of occupations.

Streamlining planning referrals to TasNetworks

Red Tape Burden

Planning approvals processes often require referral to TasNetworks. There are some classes of work that should be exempted from referral to TasNetworks.

Regulator/agency

TasNetworks/Department of Treasury and Finance

Act/regulatory instrument

Electricity Supply Industry Regulations 2018

Background/consultation

“The Building and Construction Legislation Amendment Act 2020 introduced a requirement for local councils to refer development applications to TasNetworks in case the proposed development might have an adverse impact on its infrastructure. There was a provision that classes of works could be exempted from this requirement, but no guidance was given at the time.

We are currently working with TasNetworks (and through TasNetworks to the Local Government Association of Tasmania) to outline the classes of works where referrals do not have to be sent to TasNetworks. This will present a saving to both TasNetworks and those undertaking the planning approvals process to remove applications that are not required.

Status of the red tape reform

The *Electricity Supply Industry Act 1995* (ESI Act) was amended in 2020 and ESI Regulation 7A came into effect on 17 August 2022.

Strata Titles Act 1998 Review

Red Tape Burden

The Act has not been reviewed since enactment in 1998 and is inadequate for the current strata titles environment. The proposed reforms will introduce improved regulation to address gaps in the current Act, provide clarity and guidance on stakeholders' rights and responsibilities, and to be in alignment with other jurisdictions.

Regulator/agency

Department of Natural Resources and Environment Tasmania.

Act/regulatory instrument

Strata Titles Act 1998

Background/consultation

A Reference Group, consisting of government departments and peak industry groups, was consulted with and contributed to a Discussion Paper that was distributed for public consultation.

Public consultation for the review occurred on 9 May 2020 and concluded on 19 June 2020. Twenty four submissions were received.

Based on the feedback received, a Consultation Feedback Report was published on 19 November 2021, containing recommendations for amendments of the Act. The Report indicated that there was a requirement for further analysis and research, and additional consultation with stakeholders of the strata environment.

The review and the resulting legislative amendments is being progressed in three tranches. A further targeted consultation phase in relation to the first tranche was conducted during the period from 24 January 2022 to 21 March 2022, with some organisations granted minor extensions to provide responses.

Red tape reforms

Based on consultation feedback, a key part of the proposed reforms will be to provide owners and body corporates of two-lot strata titles development more freedom and flexibility to determine matters relating to their development, with lower levels of regulation when compared to strata titles developments with more lots.

Status of the red tape reform

Based on research and feedback received during the original public consultation and the targeted consultation in relation to Tranche I, a list of the proposed amendments for Tranche I is being finalised.

Implementation of National Electronic Conveyancing (NECS)

Red Tape Burden

Tasmania has commenced the process of implementing the National Electronic Conveyancing System (NECS) that is in place across most jurisdictions in Australia. Until the NECS is in place, consumers are required to participate in a paper based property settlement and transaction environment, causing significant inefficiencies and time delays.

Regulator/agency

Department of Natural Resources and Environment Tasmania / Land Titles Office

Act/regulatory instrument

Land Titles Act 1980 (enabling)

Background/consultation

In 2011, Tasmania signed the Intergovernmental Agreement for an Electronic Conveyancing National Law and passed legislation adopting the Electronic National Conveyancing Law in 2013.

The Recorder of Titles is an active member of the Australian Registrars' National Electronic Conveyancing Council (ARNECC), which was established under the Intergovernmental Agreement. ARNECC is responsible for developing and maintaining the regulatory framework for national electronic conveyancing operations. The entry of Tasmania into the NEC system has been widely discussed and consulted with relevant industry bodies including legal practitioners, conveyancers, financial institutions, mortgage processors the Law Society of Tasmania and the Australian Institute of Conveyancers (Tas).

Red tape reforms

The reforms will allow a convenient electronic way for legal practitioners, conveyancers, financial institutions, and mortgage processors to:

- prepare dealings and related instruments to register changes in land ownership and interests;
- settle financial transactions, including the ability to pay disbursements, duties and tax;
- comply with State Revenue Office requirements;
- lodge their dealings and instruments with the Land Registry; and
- receive confirmation of the lodgement of dealings and instruments.

Status of the red tape reform

Implementation of National Electronic Conveyancing received funding of \$1 million over two years in the recent Tasmanian State budget. A Senior Project Manager has been employed and has commenced within the Heritage and Land Tasmania Business Unit. Additional resources including a comprehensive project plan are presently being assembled. It is expected that the first transactions utilising National Electronic Conveyancing will be occurring in mid-2024, with this timetable dependent upon the readiness of parties external to Tasmania.

Reserve Activity Assessment Reforms

Red Tape Burden

The Reserve Activity Assessment (RAA) process is used by the Parks and Wildlife Service (PWS) to assess environmental, social and economic impacts of use and development proposals on reserved land. The RAA process has been subject to a number of reviews that has led to improvements. This includes an external review in 2016, and an internal review in 2020, which identified improvement measures ranging from process improvements to legislative reform.

Regulator/agency

Department of Natural Resources and Environment Tasmania.

Act/regulatory instrument

National Parks and Reserves Management Act (NPRMA) 2002

Land Use Planning and Approvals Act 1993 (LUPAA) as required to reduce duplication.

Background/consultation

The two reviews of the RAA process identified a number of improvements and recommendations to remove barriers to achieving appropriate investment in recreational and tourism ventures on reserved land. Lack of certainty about the process, particularly for larger projects, along with limited avenues to appeal a decision (except through Judicial Review), have been identified as contributors to unnecessary commercial risk for an investor. A proponent is also usually required to obtain a planning permit under LUPAA and may trigger Schedule 2 of the *Environment Management and Pollution Control Act 1994 (EMPCA)*, which risks duplication. The need for role clarity and independence in decision-making has also been an area for improvement in instances where the PWS is both the proponent and the managing authority for an area of land.

Red tape reforms

The PWS is well advanced in implementing process improvement measures that can be achieved in the short-term while legislative changes are progressed, particularly for major projects (Level 3 assessments). These changes are designed to ensure greater consistency in how processes are applied across the three regions, as well as providing clarity and certainty for proponents.

This body of work lays the foundation for upcoming legislative reforms planned for 2022 that will introduce a statutory assessment process for RAA into the NPRMA 2002. A key element of the proposed legislative amendments is to remove duplication of assessments that may otherwise occur under the NPRMA and LUPAA.

Status of the red tape reform

This work is underway, with process improvements to the Level 3 RAA process well advanced. Consultation is due to commence in the coming months to inform the drafting of legislation to implement the remaining findings of the review. It is anticipated that legislation will be tabled in Parliament later this year.

Streamlining dispute resolution for residential building work

Red Tape Burden

The current mediation and adjudication process for building disputes occurs under the Residential Building Work Contracts and Dispute Resolution Act 2016 (the Contracts Act).

Under the Contracts Act, a party to residential building work may lodge a notice of dispute relating to the residential building work contract or the performance of the work under such a contract. This notice then commences the mediation process. The Contracts Act also provides that an owner may make an application for adjudication in relation to a work-completion claim if the owner is of the opinion that the residential building work has not been satisfactorily completed.

The adjudication processes within the existing Act have not functioned as intended. Due to the limited opportunities for recourse relating to the disputes, affected consumers have instead chosen to pursue civil action against the building contractor, often resulting in costly and protracted legal arguments.

Regulator/agency

Department of Justice

Act/regulatory instrument

Residential Building (Miscellaneous Consumer Protection Amendments) Bill 2022

Background/consultation

The Residential Building (Miscellaneous Consumer Protection Amendments) Bill 2022 (the Bill) amends Tasmania's building regulatory framework to strengthen consumer protections, increase accountability of certain statutory office holders, and provide for streamlined dispute resolution for residential building work.

Consultation on the proposed Bill was undertaken from July 2022. The Bill was made publicly available and briefings were provided directly to key stakeholder bodies including Master Builders Tasmania, Housing Industry Association, Australian Institute of Architects, Office of Local Government and the Director of Local Government, Law Society of Tasmania and Local Government Association of Tasmania and Tasmanian Permit Authorities.

Red tape reforms

The Bill provides that residential building work disputes between consumers and building contractors under the Residential Building Work Act will be within the original jurisdiction of Tasmanian Civil and Administrative Tribunal (TASCAT) following mediation.

This aligns Tasmania with other jurisdictions and provides consumers with a more timely and cost effective dispute resolution pathway.

TASCAT has significant order making powers, including orders for the payment of monies (including for damages and restitution); the payment of monies for the completion of residential building work; the completion or rectification of residential building work; varying or voiding terms of contract that are unjust or unconscionable; and any order TASCAT considers fair or reasonable.

Status of the red tape reform

The Bill has been introduced to Parliament. It has been passed through the House of Assembly, and has had its first reading before Legislative Committee.

Review of the Aboriginal Heritage Act 1975

Red Tape Burden

An authorisation under the *Aboriginal Heritage Act 1975* is required before Aboriginal heritage can be impacted. The Act is outdated and provides no guidance or certainty for how an authorisation can be obtained or how long it will take. Consideration of Aboriginal heritage tends to occur late in the planning process, and unexpected and unaccountable delays in obtaining authorisations to impact Aboriginal heritage can result in significant delays to project timeframes.

Regulator/agency

Department of Premier and Cabinet

Act/regulatory instrument

Aboriginal Heritage Act 1975

Background/consultation

The *Aboriginal Heritage Act 1975* was reviewed in 2019-20. A Review Report and associated Government Response was released in July 2021. The review found a high level of dissatisfaction with the Act. Among the feedback, land managers and developers raised the concern that a lack of certainty of process resulted in delays, negative sentiment and additional costs. In its response, the Government committed to develop comprehensive new legislation. In the 2021-22 State Budget the Government committed \$970,000 over two years for the Support for the Major Aboriginal Policy Reform Initiatives to ensure adequate resources are available to draft the new legislation.

A consultation paper detailing the Government's proposals for a new Act was released in March 2022 to support public consultation.

Red tape reforms

Feedback from consultation is currently informing the Government's drafting of new legislation.

A consultation Draft Exposure Bill is planned to be released later in 2023.

Status of the red tape reform

Office of Parliamentary Counsel is drafting the legislative reforms.

Online lodgement of compliance certificates

Red Tape Burden

The *Gas Safety Act 2019* and the *Occupational Licencing Act 2005* invoke requirements for practitioners to provide compliance certificates stating that installations comply with regulatory and safety standards.

At present, these processes are largely manual and rely on hard copy paper forms, sent by traditional post.

Regulator/agency

Consumer, Building and Occupational Services, Department of Justice

Act/regulatory instrument

Gas Safety Act 2019 and Occupational Licencing Act 2005

Background/consultation

Industry stakeholders have raised this matter with Consumer, Building and Occupational Services.

Development and implementation of on-line services will include comprehensive consultation with relevant licenced practitioners, energy suppliers, and industry associations.

Red tape reforms

The project will deliver a new software-based system to facilitate compliance activities including the ability for practitioners to lodge their compliance obligations online and remove the need for posting of certificates and the associated delays and need for manual intervention.

Status of the red tape reform

Negotiations with the successful software developer are in process.

Automatic Mutual Recognition of Interstate Shot-firing Authorities

Red Tape Burden

Applying Automatic Mutual Recognition to adults who hold a valid interstate shot-firing authority. This will remove the need for people to apply to the Secretary to have their existing authority recognised. Other opportunities to harmonise Tasmania's *Explosives Regulations 2012* with National explosives laws, where this can be done safely, have also been adopted in the remake of the Regulations.

Regulator/agency

Department of Justice (WorkSafe Tasmania)

Act/regulatory instrument

Explosives Regulations 2022 (the Regulations)

Background/consultation

Both Orica and AEISG highlighted difficulties with recognition of interstate permits during the consultation to remake the Regulations.

Feedback included that Regulations 54 and 55, dealing with the recognition of interstate shot-firing authorities is of no benefit or practical use. It is potentially more onerous to apply for recognition of an interstate authority rather than simply applying for the Tasmanian authority.

It is thought that the agreed SIG-Explosives proposal for recognition of occupational licences will be implemented within the Regulations, as there is no justification for duplicating occupational authorities issued by other jurisdictions under corresponding laws.

Red tape reforms

Applying Automatic Mutual Recognition to adults who hold a valid interstate shot-firing authority. This will remove the need for people to apply to the Secretary to have their existing authority recognised.

Status of the red tape reform

Consultation is complete and Regulations have been drafted.

Digital public notification in the planning system

Red Tape Burden

The Land Use Planning and Approvals Act 1993, associated Regulations, and other planning related legislation, have for decades relied upon and specified public notification processes which are based around public notices in newspapers, and on site posting of signs. Increasingly, digital and information system advances are being used by Governments and Councils to augment this. The placing of newspaper notices is a significant cost burden for applicants and represents an increasingly irrelevant method of advising the public of proposed developments.

Regulator/agency

Department of Premier and Cabinet (State Planning Office)

Act/regulatory instrument

Land Use Planning and Approvals Act 1993, Housing Land Supply Act 2018 (HLSA), and associated Regulations.

Background/consultation

The planned introduction of the PlanBuild portal (Dept of Justice) will move further towards the digitisation of planning applications. Other jurisdictions across Australia and around the world are exploring how information technology can improve public access while streamlining notifications and cutting costs. No direct consultation has taken place in Tasmania although the issue has been peripheral to the PlanBuild project.

Red tape reforms

PlanBuild will substantially reform the process for lodging and assessing planning, building and other applications to local councils. However, the notification requirements remain unchanged. Moreover, there is confusion around the legality of information sharing of development applications electronically (current practice of many councils) with respect to copyright and intellectual property.

Status of the red tape reform

A new project needs to be commissioned noting that this project aligns to the current Department of Justice PlanBuild project and is supported by DOJ.

Consolidate and streamline land subdivision approvals

Red Tape Burden

While planning approvals for houses have been significantly reformed over recently, subdivision approvals have remained a complex and poorly integrated process over the last 30 years, with the majority of issues managed within planning schemes but some aspects remaining within the Local Government (Building and Miscellaneous Provisions) Act 1993 which means all subdivision applications are deemed discretionary and subject to vague and poorly defined standards. This is recognised as a major block to the efficient delivery of housing.

Regulator/agency

Department of Premier and Cabinet (State Planning Office)

Act/regulatory instrument

Land Use Planning and Approvals Act 1993 (LUPAA), Local Government (Building and Miscellaneous Provisions) Act 1993 (LGBMPA)

Background/consultation

The issue is widely recognised amongst the construction and development industry, local government, and State agencies. Various attempts have been made over several years to reform but these have not completely resolved the matter.

Red tape reforms

Previous work has resulted in partial shifting of parts of the LGBMPA controls into planning schemes but some issues still remain. Analysis has identified other parts of LGBMPA that require consideration as part of the issuing of titles, which has been addressed by some of the previous Building and Construction Regulatory Reforms.

Status of the red tape reform

Initial review work carried out and a new project needs to be commissioned.

Review and enhance of housing land supply process

Red Tape Burden

The Housing Land Supply Act 2018 provided a more direct way of rezoning Government owned land but was provided with a 5 year sunset provision. The scope of land that can be included in an order was recently expanded and the notification process was aligned to the normal planning requirements. The ability to make Orders that rezone land will cease in mid-2023. The Government has indicated a desire to expand the rezoning process to include subdivision approvals. The approval process also requires review to improve efficiencies.

Regulator/agency

Department of Premier and Cabinet (State Planning Office)

Act/regulatory instrument

Housing Land Supply Act 2018 (HLSA)

Background/consultation

The HLSA has proven to be a useful reform in increasing the supply of residentially zoned land in appropriate locations for social and other housing. However, despite modifications over recent years it has residual inefficiencies and the sunset provisions will exclude future rezoning. The scope of the HLSA is limited to approving rezoning in a manner that effectively duplicates the role of the Tasmanian Planning Commission, but in the wake of the Huntingfield development delays through the Kingborough Council, Communities Tasmania has requested consideration of including subdivision approvals as a concurrent approval.

Red tape reforms

The HLSA was enacted in 2018 with a 5 year life span to address the immediate housing crisis.

A new project is required to review and improve the operations of the Act

Status of the red tape reform

A new project needs to be commissioned

Reduction of regulatory burden due to the landfill levy

Red Tape Burden

Introduction of the Landfill Levy in July 2022 brought with it requirements for landfill and resource recovery facility operators to record and report movements of waste on a monthly basis. Despite a grants program offered to operators to help prepare to meet these requirements, data recording and reporting requires new and ongoing effort which may be challenging especially for smaller operators or those with less well-developed infrastructure of their own.

Regulator/agency

Department of Natural Resources and Environment Tasmania (NRE Tas)

Act/regulatory instrument

Waste and Resource Recovery Act 2022

Background/consultation

NRE Tas officers have been in consultation with facility operators since before the commencement of the Act and are aware of small operators who struggle to achieve compliance with their reporting requirements due to resourcing and other operational issues. Feedback will continue to support further developments and ensure the most benefit for operators while improving the efficiency of the system as a whole.

Red tape reforms

- The Waste Levy and Data Section within the Environment, Heritage and Land Division of NRE Tas is currently working on improving the data collection and processing system so as to streamline the process of data collection and reporting for all operators. This may include improved data reporting tools such as a web portal, a data collection app and other measures. The result will be that waste facility operators will be able to meet their reporting obligations with less effort and cost.
- In recognition of the ongoing work by facility operators to comply with the new requirements under the Act, the team will also seek to add value by providing them with regular benchmarking data for their own operation, to allow comparison with the aggregated monthly waste data collected across the state.

Status of the red tape reform

This work is currently in the planning stage with preliminary consultation undertaken. Commencement is expected in 2023 and will be undertaken with funds already allocated for the landfill levy implementation.

Acceptance of electronic counterparts on contracts rather than wet ink signatures

Red Tape Burden

The requirement for wet ink signatures on contracts.

Regulator/agency

Office of the Crown Solicitor

Act/regulatory instrument

There has been a legal insistence on wet ink signatures, which is built into contract templates, rather than permitting electronic counterparts.

Background/consultation

Most record-keeping has moved to electronic only, with the soft copy being considered the original. The move to working from home due to the COVID-19 pandemic highlighted issues with wet ink signatures and, with the abolishment of the Department of Communities Tasmania and the novation of some contracts to Homes Tasmania, the issue has again been noted.

Red tape reforms

There does not appear to be any use of electronic counterparts across Tasmanian Government agencies. The templates (on www.purchasing.tas.gov.au) still do not specify electronic counterparts as the preferred signature method.

Status of the red tape reform

Homes Tasmania will progress this reform with relevant agencies.

Improved responsiveness of key stakeholders to support strategic property acquisition by Homes Tasmania

Red Tape Burden

The time taken to receive advice from key stakeholders to inform decisions relating to the strategic acquisition of property is impacting the capacity of Homes Tasmania to satisfy the housing targets of the Tasmanian Government.

Regulator/agency

Local government, TasNetworks, TasWater

Act/regulatory instrument

N/A

Background/consultation

The strategic acquisition of vacant land to support land supply primarily via subdivision requires Homes Tasmania to undertake a range of due diligence activities to ensure the commitment of Government funds is fair, reasonable and transparent, and that the development is commercially viable.

A key component of pre-purchase due diligence is understanding the development risks, constraints and opportunities as they relate to services provided by local government, TasNetworks and TasWater. The viability of a development is heavily influenced by the development solutions and in-turn, costs associated with approval for and provision of critical infrastructure. This information is considered in conjunction with valuations provided by the Office of the Valuer-General to determine, firstly, if Homes Tasmania will make an offer to purchase and, secondly, the value of any offer it makes.

The challenge experienced by Homes Tasmania is that in a competitive market, the time taken to undertake reasonable due diligence often renders Homes Tasmania uncompetitive. This challenge is exacerbated in a competitive property market where vendors typically receive multiple offers in a quick timeframe from developers that have a greater appetite for risk than Homes Tasmania.

Red tape reforms

Reforms will be considered by Homes Tasmania.

Status of the red tape reform

Homes Tasmania will progress this reform with relevant agencies.

Enabling infill development and gentle densification

Red Tape Burden

Multi-dwelling development applications take longer to receive planning approvals than greenfield development applications. Infill developments and any projects that contribute to gentle densification will, by nature, be more complex than single-dwelling projects. Development applications for infill housing projects would benefit from a simpler and more transparent planning approval process.

Regulator/agency

Department of Premier and Cabinet – State Planning Office

Act/regulatory instrument

Land Use Planning and Approvals Act 1993

Land Use Planning and Approvals Regulations 2014

Tasmanian Planning Commission Act 1997

The Tasmanian Planning Scheme

Background/consultation

In addition to delays in development approvals for social housing properties in Tasmania, there have been significant delays in approvals for capital works associated with specialist homelessness services. The Local Government Association of Tasmania has suggested these delays could be related to the complexity of these projects as they do not relate to a single dwelling on a greenfield site. Currently single dwellings make up more than 87 per cent of all housing in the state.

Forms of ‘missing middle’ housing that could utilise existing sites within urban boundaries include duplexes, ancillary dwelling units, townhouses and live/work units. The resulting densification would support broader community desires, including walkable communities, greater amenity and public transportation. Walkable neighbourhoods may then support sustainability, health, and affordability goals by reducing reliance on personal vehicles.

Missing middle housing options may also:

- allow seniors to downsize without leaving their neighbourhood. For example, ancillary dwelling units can enable multi-generation households to have privacy while all living on the same property
- enable a wider range of families to achieve homeownership by offering a wider range of housing options and prices
- support mortgage repayments through rental income obtained from ancillary dwelling units.

Ultimately, missing middle housing options can create housing at a wide range of prices for a range of family types.

Tasmania is lagging its mainland counterparts in providing diverse housing options. On census night, only 73 per cent of Victoria’s occupied dwellings were separate houses, whereas semi-detached dwellings, flats and units made up over 25 per cent of the dwelling occupied. The number of separate houses in New South Wales was even lower at 66 per cent of all occupied dwellings. This shows that Tasmania (at 87%) has some room to adopt more diversity in housing stock, particularly considering the prospect of an increasing population size.

At the local level, the Greater Hobart Committee has set a 70/30 split target for infill versus greenfield development as a part of the Greater Hobart Plan, which will see 30 000 new homes supplied to the market within the next 30 years. This means 21 000 new dwellings in the Greater Hobart area will be medium or high density and will contribute to greater housing diversity.

It is also worth noting that encouraging higher population density around designated transit corridors (such as the Main Road Transit Corridor and the growth of major urban centres) is a key focus in the Department of State Growth’s Tasmanian Urban Passenger Transport Framework.

Status of the red tape reform

Homes Tasmania will pursue this reform with relevant agencies.

Expand on the administrative data exchange protocol for Tasmania to include an information platform

Red Tape Burden

There is currently no dedicated data analytics centre in Tasmania or mechanism for data and information sharing across Tasmanian Government departments, businesses and statutory authorities. This affects ongoing monitoring and analysis of performance to inform future policies and programs. A data exchange protocol would facilitate data sharing for quality assurance purposes and the development of effective policies and programs.

Regulator/agency

- Department of Premier and Cabinet (DPAC)
- State Service Management Office
- Digital Strategy and Services (previously the Office of eGovernment)
- Tasmanian Audit Office

Act/regulatory instrument

State Service Act 2000

State Service Regulations 2011

Audit Act 2008

Personal Information Protection Act 2004

Archives Act 1983

Background/consultation

There is currently no mechanism for data and information sharing across Tasmanian Government departments, business and statutory authorities. This is largely due to the many different systems and networks utilised by Government organisations resulting in data not being easily accessible.

An independent review of Tasmanian State Service, published in July 2021 noted that ‘other governments are ... investing in data sharing and linking capabilities. All states and territories, with the exception of Tasmania and the Northern Territory, have dedicated data analytics centres and whole-of-government data warehouse facilities. All other states have, or are developing, dedicated data-sharing policies and legislation.’

The independent review made several suggestions to enable better data sharing that could strengthen the Tasmanian State Service’s ability to provide contemporary advice to Government, continuously improve service efficiency and innovate. One of the key recommendations was to develop and fund a stronger whole-of-government capability for sharing, linking and analysing data and to assign a functional leader to deliver services to, or build capability across, all agencies.

Red tape reforms

The Tasmanian Government, through DPAC, facilitate the Administrative Data Exchange Protocol for Tasmania (ADEPT). ADEPT was developed in response to the need for a shared understanding of privacy responsibilities and practical guidelines for the collaborative exchange and integration of data within and across Tasmanian Government agencies. However, ADEPT does not provide a mechanism by which information is shared.

Status of the red tape reform

Homes Tasmania will pursue this reform with relevant agencies.

Online portal, accessible to Tasmanian Government entities, to share infrastructure-related information

Red Tape Burden

Infrastructure Tasmania (ITas) provides a coordinated, state-wide approach to the planning and delivery of infrastructure in Tasmania, including rail, major roads, energy, ports and water and sewerage. Their aim is to ensure the right infrastructure is built at the right time, in the right place, and as efficiently as possible to support productivity, economic growth and community amenity. However, Homes Tasmania does not have access to information regarding the capacity of existing infrastructure or the planned delivery of new infrastructure, which impacts Homes Tasmania's ability to provide new housing supply in line with adequate infrastructure. It would be helpful if an online portal, like PlanBuild, was available to all Tasmanian Government entities, which provided access to infrastructure-related information.

Regulator/agency

Department of State Growth – Infrastructure Tasmania (iTas)

Department of Premier and Cabinet – State Planning Office

Department of Justice – Consumer, Building and Occupational Services (CBOS)

Act/regulatory instrument

Land Use Planning and Approvals Act 1993

Land Use Planning and Approvals Regulations 2014

Tasmanian Planning Commission Act 1997

National Parks and Reserves Management Act 2002

Water Management Act 1999

Wellington Park Act 1993

State Policies and Projects Act 1993

Major Infrastructure Development Act 1999

Background/consultation

Leveraging a Government-wide shared system such as PlanBuild could provide information on completed, underway and planned infrastructure and could be leveraged to conduct infrastructure capacity assessments for the purposes of settlement planning.

This would:

- provide a comprehensive, cohesive overview of all existing infrastructure and infrastructure development projects
- aid planning and delivery of infrastructure to align with housing and other demand
- aid the consultation and appeals processes in approvals – providing transparent and clear evidence to support needs-based assessment
- support current and future review of Regional Land Use Strategies, including any amendments to urban growth boundaries
- support the 30-Year Infrastructure Strategy and 10-Year Infrastructure Pipeline
- be supported by work already being done by the State Planning Office.

Status of the red tape reform

Homes Tasmania will pursue this reform with relevant agencies.



Red tape reduction issues for retail and wholesale trade

Motor traders red tape reforms (demonstrator and loan cars)

Red tape burden

The definition of 'demonstration' under the *Duties Act 2001* for demonstrator vehicles is very narrow and does not reflect modern trading and operational requirements for new motor vehicle dealers and traders.

As a consequence of the current regulations, such dealerships are unable to use demonstrator vehicles for a variety of purposes that are contemporary business practices for new motor vehicle dealerships.

Dealerships are unable to use demonstrator vehicles for carrying advertising decals or for use as service loan vehicles, without the risk of being penalised by the State Revenue Office.

In addition, the stamp duty requirements for service loan vehicles do not reflect the requirements of modern franchise agreements which encourage dealerships to use new cars as service loan vehicles to promote their sale.

Regulator/agency

Department of Treasury and Finance

Act/regulatory instrument

Duties Act 2001

Background/consultation

The Tasmanian Automobile Chamber of Commerce is concerned that the current definition of 'demonstration' under the *Duties Act 2001* is unnecessarily restricting the use of demonstrator vehicles, thereby impeding their productive use as a sales tool.

The current regulations are putting new motor vehicle dealers and traders in the difficult situation of either breaching their franchise agreements to avoid stamp duty or facing penalties for using demonstrator vehicles for advertising and promotion purposes outside of the strict definition of the *Duties Act 2001*.

Red tape reforms

The *Duties Amendment (Motor Vehicle Industry Red Tape Reduction) Bill 2016* broadens the permitted use of demonstrator vehicles and introduces a duty exemption for service loan vehicles.

The duty exemption allows exempt demonstrator and service loan vehicles to be used interchangeably for demonstration and service loan purposes, and for other permitted uses, including advertising of the motor dealing business, and use by sales staff for familiarisation purposes.

A 15 000-kilometre cap will be introduced covering the permitted uses which should reduce the compliance burden on motor vehicle dealers and traders and the State Revenue Office.

Status of the red tape reform

The *Duties Amendment (Motor Vehicle Industry Red Tape Reduction) Bill 2016* received Royal Assent on 7 October 2016.

Security licensing administration

Red tape burden

Accredited security employees currently have to renew their accreditation annually.

Teachers employed by a registered training organisation are currently issued with 'trainer licences'. Trainer licences are not a licensing requirement in other jurisdictions.

Regulator/agency

Occupational Licensing, Department of Justice

Act/regulatory instrument

Security and Investigations Agents Act 2002

Background/consultation

Accredited security employees currently have to renew their accreditation annually. This will be extended to three years to reduce the red tape burden on employees and regulators.

Teachers employed by a registered training organisation are currently issued with 'trainer licences'. Trainer licences are not a licensing requirement in other jurisdictions. Removing the need to hold such a licence will reduce red tape and bring Tasmania into line with other jurisdictions.

Red tape reforms

To reduce unnecessary red tape on security licence holders and to improve the licensing process for the Regulator, the following initial changes that can be implemented through administrative arrangements have been identified.

The Regulator will introduce a three-year licensing period for security employees, thereby reducing costs and improving efficiencies to both the applicants and the Regulator. This will remove the cost of having a police check done each year and reduces the annual processing for the Regulator.

The Regulator will no longer issue 'trainer licences' to teachers who undertake security training under the employment of a registered training organisation regulated by the Australian Skills Quality Authority. Trainer licences are not a licensing requirement in other jurisdictions. Addressing the need not to hold such a licence will bring Tasmania in line with other jurisdictions.

Status of the red tape reform

The administrative changes took effect on 1 October 2015.

Amend the *Food Act 2003* to create a state-wide registration system for temporary food stalls

Red tape burden

Currently state-wide registration of food businesses is restricted to those conducted 'in a vehicle'. All other food businesses are required to register with every local council within which they operate and pay the relevant fee.

The Tasmanian Government intends to amend the *Food Act 2003* to extend state-wide registration to a wider class of mobile food businesses including, for example, those conducted in tents or from trestle tables, mobile BBQs or ovens.

Regulator/agency

Department of Health and Human Services

Act/regulatory instrument

Food Act 2003

Background/consultation

In late 2013, stallholders expressed support for state-wide registration through a petition signed by 640 people and presented to Parliament. Despite the then Minister for Health expressing support for the initiative no action was taken and stallholders continue to ask for this reform through social media.

The Local Government Association of Tasmania and all 29 local councils have been consulted at officer level (environmental health officers). There is wide support for the initiative with recognised benefits in ensuring food safety through improving sharing of information and consistency of enforcement between local councils.

Operational guidelines on this initiative will be subject to further consultation with local councils and businesses prior to finalisation and release.

Red tape reforms

Amend the *Food Act 2003* so that the single registration approach in section 88 applies to a wider range of mobile food businesses.

Status of the red tape reform

Enacted and finalised.

Removal of regulations in the *Firearms Act 1996* prohibiting paintball businesses from operating in Tasmania

Red tape burden

Paintball is an activity that is available in all other jurisdictions in Australia. Currently the activity constitutes an offence of taking part in a war game under the *Firearms Act 1996*.

Members of the public have previously raised interest in creating paintball businesses within Tasmania if the legislation was changed to allow such activities.

Regulator/agency

Department of Police and Emergency Management

Act/regulatory instrument

Firearms Act 1996

Background/consultation

The provisions of the Tasmanian legislation, prohibiting paintball, have been in operation since the proclamation of the original *Firearms Act in 1996*.

Red tape reforms

The *Firearms (Miscellaneous Amendments) Act 2015* will introduce amendments allowing paintball businesses to operate.

Section 119 of the *Firearms Act* will be amended to exclude paintball from the meaning of war games.

Part 6A will be inserted into the Act allowing an approved operator to carry out a paintball business on an approved range.

Other relevant parts of the Act relating to definitions and the obtaining of a licence for the purpose of conducting a paintball business will be created.

Status of the red tape reform

Enacted and finalised.

Registrar of Motor Vehicles to authorise private sector driving instructors to undertake L2 driving assessments

Red tape burden

Waiting times for driving assessments have consistently been outside the acceptable four-week timeframe at various assessment centres across the state. This has resulted in a delay for some learner drivers commencing to undertake their mandatory 50 hours of supervised driving, prior to undertaking a provisional (PI) driver licence assessment.

Regulator/agency

Registrar of Motor Vehicles, Department of State Growth

Act/regulatory instrument

Vehicle and Traffic Act 1999

Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2010

Background/consultation

Extensive consultation took place with driving instructors across the state on the new service delivery model, with a commitment to improving the learning experience for all novice drivers without compromising road safety.

Red tape reform

The Registrar of Motor Vehicles has individually authorised suitably qualified driving instructors to undertake L2 driving assessments.

The authorisation has a set of strict conditions which must be met for all assessments.

The Registrar's priority is to ensure that the experience and assessment that is delivered to a novice driver is the same regardless of who undertakes the assessment.

The mandatory 28-day waiting period between assessments for learner drivers who fail their L2 driving assessments has also been removed. This initiative has greatly increased the pool of available assessors able to undertake L2 assessments. There are now 42 driving instructors authorised to undertake L2 assessments.

Status of the red tape reform

The new service delivery model commenced in December 2014.

Streamlined licensing and accreditation for passenger transport operators

Red tape burden

The *Taxi and Hire Vehicle Industries Act 2008* and *Passenger Transport Services Act 2013* processes and procedures required streamlining to ensure that it is easier for the passenger transport service providers to comply with their legislative responsibilities.

Regulator/agency

Department of State Growth

Act/regulatory instrument

Taxi and Hire Vehicle Industries Act 2008

Passenger Transport Services Act 2013

Background/consultation

The above Acts provide the regulatory framework for passenger transport operators, including bus, taxi, luxury hire car and restricted hire car vehicles. The *Taxi and Hire Vehicles Industries Act 2008* intends to promote a safe, demand-responsive transport system that adequately meets the needs of consumers and ensures that the operators are appropriately licensed.

The *Passenger Transport Services Act 2013* ensures that operators have systems and processes in place to manage the safety, security and related risks of the passenger transport service.

Red tape reforms

In early 2015, as part of a review of regulatory compliance with the passenger transport legislation, business processes were reviewed and redesigned (including streamlined) to aid the end user and the Regulation and Concessions business unit. As part of this process any unnecessary process tasks were removed.

Information provided to operators through a variety of tools such as accreditation manuals, forms, internet site, newsletters and brochures, are being reviewed to ensure that they are correctly targeted with clear and relevant information.

In addition, as part of everyday business improvement, processes, forms and internet materials continue to be reviewed with the view of meeting the needs of the end user.

Status of the red tape reform

Enacted and finalised.

Fireworks night retained

Red tape burden

A new framework for the management of fireworks in Tasmania is required to better balance the needs and interests of community members and to give greater clarity and certainty with regard to public access and use of fireworks.

Regulator/agency

WorkSafe Tasmania, Department of Justice

Act/regulatory instrument

Explosives Regulations 2012

Background/consultation

The then Minister announced there would be a review of fireworks laws in response to ongoing safety and amenity issues arising from the use of Type 2 fireworks. A discussion and options paper formed the basis of consultation with stakeholders and the broader community as part of the review of Tasmania's fireworks laws.

On the basis of this consultation, the Government announced that a new framework for the use of fireworks in Tasmania will be developed that restricts the use of Type 2 fireworks to Cracker Night only.

Red tape reforms

The new framework for the administration of Type 2 fireworks was implemented on 1 March 2018.

The new framework aims to provide a balanced approach that better protects domestic animals and wildlife, the environment and amenity, while still allowing Tasmanians to enjoy the event.

Members of the public can still purchase Type 2 fireworks (that is, 'shop-good' or 'consumer' fireworks) for use on Commonwealth Day (also known as 'Cracker Night'). However, the purchase and use of fireworks on any other day of the year is now limited to licensed pyro technicians.

Status of the red tape reform

Completed.

Hire and Drive Vehicle Inspection Program

Red tape burden

The Hire Car industry is concerned that new hire vehicles, under three years of age, are required to have 10 000km safety checks in addition to pre hire inspections and normal manufacturer servicing.

Regulator/agency

Department of State Growth

Act/regulatory instrument

Passenger Transport Services Act 2011

Background/consultation

Current accreditation documentation does not clearly reflect legislative requirements for the inspection and accreditation for Hire and Drive operators for small vehicles (less than nine seats).

Current requirements:

Safety inspection – every six months or 10 000km, whichever comes first.

- The time period (that is, six months) and distance travelled (10 000km) is reset (that is, starts again) when the vehicle has a full service by an authorised dealership (for example, a vehicle service is performed during the warranty period)

Regulatory roadworthiness inspection under the Registrar of Motor Vehicles' Inspection Program, for a vehicle:

- under three years – no inspection
- three years or more but less than 15 years – every six months
- 15 years or more – every 12 months
- The time period for these inspections is never reset.

There has been some concern from industry that vehicles are required to undergo safety inspection shortly after servicing, giving rise to additional costs and time off the road.

Red tape reforms

The Department is updating the “Passenger Transport Services Operator Accreditation - Hire and Drive Manual” on the Department of State Growth website, to clarify the safety inspection requirements and that no roadworthiness inspection is required for vehicles under three years.

Status of the red tape reform

Complete.

Development of online training resource for stakeholders who conduct services on behalf of the Registrar of Motor Vehicles

Red tape burden

Training of external service providers involved in the provision of a service for the Registrar of Motor Vehicles has traditionally been face-to-face at times that have not always been convenient to businesses.

Regulator/agency

Department of State Growth

Act/regulatory instrument

N/A

Background/consultation

The Department has developed an e-training website to allow service providers to undertake necessary training at a time that suits their business needs.

A range of e-training courses are now available for our service providers who include proprietors of Approved Inspection Stations, proprietors of Approved Motor Body Repair Inspection Stations, Vehicle Examiners, L2 Authorised Driving Instructors and providers of the Learner Licence Assistance Program.

Red tape reforms

The implementation phase of the e-training website is complete and in operation.

Status of the red tape reform

Complete.

Implementation of smart forms for vehicle inspection services

Red tape burden

The vehicle inspection industry uses a manual process and paper-based forms for periodical vehicle inspections. It is time consuming for the vehicle examiner to complete an inspection and for the Department of State Growth to process the forms.

Regulator/agency

Department of State Growth

Act/regulatory instrument

N/A

Background/consultation

Administrative processes for passenger transport service vehicle inspection reports have been reviewed, with new streamlined administrative processes introduced.

The first smart form for vehicle inspections of large passenger transport vehicles was developed in consultation with key stakeholders.

This form was implemented in November 2015 and replaced the existing manual process and paper-based form. This form makes it quicker for the vehicle inspection industry to complete an inspection.

It has automated user processes and the Department's data systems are now updated in real time. This has resulted in increased efficiencies for operators of large passenger transport service vehicles and for the Department as the time required to complete the processes has reduced.

Two further smart forms are being built – for small passenger transport vehicles and an on-line audit form for Approved Inspection Stations audit officers.

Red tape reforms

A new electronic large passenger vehicle inspection form has been completed and is now in use.

Ongoing work has continued in 2016-17 to develop additional smart forms for vehicle inspection services.

Status of the red tape reform

Complete.

Simplifying the process for the disposal of uncollected goods

Red tape burden

Businesses are often left with goods when a client refuses to pay the invoice for services rendered or fails to collect the goods. The current process for businesses to dispose of uncollected goods has been identified as overly cumbersome, slow and expensive to comply with.

Regulator/agency

Consumer, Building and Occupational services (CBOS)

Department of Justice

Act/regulatory instrument

Disposal of Uncollected Goods Act 1968

Background/consultation

The process to comply with the Disposal of Uncollected Goods Act 1968 involves a 6-month waiting period, notification of intention of sale to the Commissioner for Police, and notice in the Gazette, regardless of the value of the uncollected item.

By comparison, Victoria has a three category system with low, medium and high value categories. During the creation of the red tape reduction recommendation, the Tasmanian Automobile Chamber of Commerce (TACC) advised that it believed that the Act was cumbersome. The Tasmanian Chamber of Commerce & Industry (TCCI) and Small Business Council also hold the same views (as the stated in the Red Tape Reduction Recommendation).

An initial meeting was held with CBOS staff and the TACC in early 2018.

A consultation paper was prepared and anyone with an interest in uncollected goods invited to make a submission.

Following the consultation paper an Amendment Bill was drafted.

Red tape reforms

The Amendment Bill introduced value categories and a revised process for disposing of uncollected goods, linked to the value of the goods being disposed. The Bill proposed a far simpler approach for the disposal of low value goods, removing the need for a gazetted notice and advice to the Police Commissioner.

The Bill provided for a more rigorous process for the disposal of high value goods which protects the interests of customers as well as those of the service provider.

The Bill was made available for public consultation in February 2019.

Summary of the major provisions

Simple procedures for disposing of uncollected goods.

Clear and easy-to use Goods Disposal Notice which is sent to the consumer.

Introduction of value categories of goods with different disposal procedures.

No requirement to only sell goods by public auction - private sales are permitted.

A new disposal process for perishable goods.

Clear and simple record keeping of how goods have been disposed of.

The Director of Consumer Affairs and Fair Trading can make Determinations about certain matters such as:

- o keeping the dollar value of the value categories up to date
- o appropriate methods to determine the value of goods.

Status of the red tape reform

The Disposal of Uncollected Goods Act 2020 (the Act) commenced in March 2020. It covers the disposal of all uncollected goods with some special provisions relating to disposing of motor vehicles and perishable goods.

Enhanced PI assessment arrangements

Red tape burden

PI Assessment Arrangements have previously been provided via the Tasmanian Government only. To provide more diversity and access points for users, a pilot enhanced PI arrangement was established to allow suitably qualified driving instructors in the private sector to deliver PI driver assessments. This increased accessibility is expected to reduce wait times.

Regulator/agency

Department of State Growth

Act/regulatory instrument

Vehicle and Traffic Act 1999

Background/consultation

An enhanced PI assessment model has been co-designed by the Department of State Growth and key industry stakeholders. These arrangements allow private sector driver assessors to undertake PI assessments, increasing availability of assessments for novice drivers.

The model has road safety, integrity of the licensing system, professional development, compliance, increased access and the use of technology at its core.

The design of the arrangements was undertaken through facilitated workshops. Participation in the workshops was opened to current L2 Authorised Driver Assessors (ADA), State Growth Driver Assessors and key stakeholders including the Royal Automobile Club of Tasmania (RACT) and Australian Driver Trainers Association (ADTA). About 30 stakeholders participated in the workshops (excluding the project team).

Red tape reforms

There have been no changes to the standard or prerequisites for novice drivers to undertake a PI assessment. The enhanced model will allow assessments to be undertaken at more times, increasing the number of spots available across any given week.

This is the first time the private sector will be able to conduct PI assessments and will enable more convenient appointment times, which includes outside normal business hours and weekends.

Status of the red tape reform

The pilot commenced on 30 September 2019 and will run for 12 months. The arrangement will be subject to on-going review and auditing of assessments.

Peer to peer car rental

Red Tape Burden

Border restrictions resulting from Covid-19 has impacted the availability of number of hire cars available to support the tourism and business sectors.

Regulator/agency

Department of State Growth and MAIB

Act/regulatory instrument

The Passenger Transport Services Act 2011

Background/consultation

The tourism sector raised concerns that due to the impacts of Covid-19 many car rental companies were forced to reduce their fleet of hire cars.

Tasmania is welcoming tourists from around the nation and the Christmas and New Year period is a particular busy time for car rental operations.

Red tape reforms

To help meet demand the Government reached agreement with the Motor Accident Insurance Board to cut the insurance premium payable for new car hire cars for a limited time.

Further, the Tasmanian Government's provisions under the vehicle hire and drive contract with AVIS Australia, which gives Government agencies priority access to vehicles for hire for Government business, even at short notice, have been waived.

In addition, the peer-to-peer car sharing app, Car Next Door, is now accredited in Tasmania, which will further increase vehicle hire availability in the state. This app will provide opportunity for Tasmanians to make available their vehicles to visitors to our state, subject to meeting vehicle requirements and checks.

Status of the red tape reform

Enacted and finalised December 2020.

Distillery (Whiskey & Spirits) Regulatory Review

Red Tape Burden

The Tasmanian Whiskey and Spirits Association (TWSA) is concerned the regulatory environment governing the production of whiskey, gin and other distilled products is not a good fit for the industry and is hampering growth. For example, under the National Construction Code whiskey and gin are treated as a flammable liquid under AS/NZ 1940 and distilleries and bond stores as Hazardous Areas under AS/NZ 60079. Whilst the industry concedes ethanol is a flammable liquid, they contend it is wrong to classify whiskey, gin and other spirits in the same class as petrochemicals.

Regulator/agency

Consumer Building and Occupational Services (CBOS)

Act/regulatory instrument

Building Act 2000 and Work Health and Safety Act 2012

Background/consultation

TWSA have been in discussions with the Office of the Coordinator General and the Director of Building Control at CBOS to discuss their industry reforms and a pathway forward.

Red tape reforms

The TWSA have undertaken a “Scoping Study Report- TWSA Guideline for Distillery Hazard Management” and presented it to CBOS. The TWSA intend to undertake a full review of the work health and safety and building standards governing the industry with a view to creating an industry code of practice that could be adopted nationally.

Status of the red tape reform

The TWSA have undertaken to complete their review and present their findings to CBOS and the Minister for consideration as a part of their overall regulatory reform program. The TWSA acknowledge this is a complex project that will take time.

Electric Car Imports

Red Tape Burden

The current regulatory system for importing second hand electric cars into Australia is managed by the Road Vehicle Regulator (ROVER) under the *Road Vehicle Standards Act 2018*.

Under the current regulations there is a quota system that limits the number of second-hand electric vehicles that can be imported by registered automotive workshops to 100 units.

Regulator/agency

Department of Infrastructure, Transport, Regional Development and Communications

Act/regulatory instrument

Road Vehicle Standards Act 2018.

Background/consultation

The state government has been contacted by a local vehicle importer that specialises in importing good quality second electric vehicles into the state from overseas that are not available through major dealerships.

Red tape reforms

Contact has been made with Department of Infrastructure, Transport, Regional Development and Communications seeking to end the quota for second hand electric vehicles to support the broader use of such vehicles at an affordable cost.

Status of the red tape reform

The Commonwealth have indicated they are committed to removing the quota by July 2023 when the new ROVER system is fully implemented.

During the interim the quota for importing electric vehicles has been increased from 100 to 130 for registered automotive workshops.

E-scooters and other personal mobility devices

Red Tape Burden

Prior to December 2021, Tasmania's regulatory framework permitted some e-scooters providing they had a maximum power output of 200 watts and were not capable of going faster than 10 km/h when propelled by the motor. The majority of e-scooters available for purchase on the market exceeded these requirements and different forms of devices, such as e-skateboards were becoming available as new technology emerged.

Australia's infrastructure and transport ministers tasked the National Transport Commission (NTC) to identify the regulatory barriers to the safe and legal use of personal mobility devices (PMDs), such as e-scooters in the model Australian Road Rules (ARRs), which form the basis of state and territory road rules.

Regulator/agency

Department of State Growth

Act/regulatory instrument

Road Rules 2019, Traffic (Compliance and Enforcement) Regulations 2017, Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2021, and Traffic Act 1925.

Background/consultation

The NTC led a two-year project to develop a national framework for the use of PMDs, which considered criteria of safety, access and amenity, broader economic costs and benefits, and compliance and enforcement. The criteria were considered both from the perspective of PMD users and other road users, such as pedestrians. The NTC also undertook extensive consultation and sought feedback from government, industry and community stakeholders, including through a public consultation process.

Red tape reforms

The NTC's recommendation to include PMDs and rules for their use in the ARRs was endorsed by state and territory transport and infrastructure Ministers in May 2021.

Tasmania's regulations and legislation, including the Road Rules 2019 (Road Rules), were subsequently amended to give effect to these rules and permit the use of PMDs on some public infrastructure such as footpaths, share paths, bicycle paths and local roads. The Road Rules also contain rules that PMD users must also follow, such as wearing a helmet while riding, adhering to speed limits, and not carrying passengers.

Status of the red tape reform

The rules for using PMDs commenced in Tasmania in December 2021. The Tasmanian Government is committed to reviewing the regulatory framework 12 months post-implementation, which will be in December 2022.

Fuel cell electrical vehicle framework

Red Tape Burden

The current *Gas Safety Act 2019*, *Occupational Licensing Act 2005* and associated regulations do not efficiently regulate hydrogen fuel cell vehicle gas fitting because they are established on vehicles being powered by traditional internal combustion engines.

Under this existing legislation, there would be a need to treat each hydrogen fuel cell vehicle as a type B gas appliance, which will require an application for acceptance and approval from CBOS, Director of Gas Safety for each vehicle.

Regulator/agency

Consumer, Building and Occupational Services, Department of Justice.

Act/regulatory instrument

Gas Safety Act 2019

Occupational Licensing Act 2005

Gas Safety Regulations 2021

Occupational Licensing (Gas-fitting Work) Regulations 2021.

Background/consultation

This matter was highlighted as part of the National and Tasmanian hydrogen regulatory reviews.

Preliminary consultation has been undertaken with Renewables, Climate and Future Industries Tasmania, Metro Tasmania and other stakeholders interested in future hydrogen transport industry initiatives.

Red tape reforms

Draft a Bill that contains minor amendment to automotive gas fuel system definitions to ensure the regulatory framework affords fuel cell electrical vehicles the current efficiencies and safety outcomes experienced by traditional gaseous fuels; LP gas, liquid natural gas and compressed natural gas. Subsequently removing the requirement for an application for acceptance and approval from CBOS, Director of Gas Safety for each vehicle.

Status of the red tape reform

A Cabinet Minute seeking authority to draft an amendment Bill has been drafted and will progress during 2023.



Red tape reduction issues for tourism, hospitality and racing

Review on-course bookmakers regulatory arrangements

Red tape burden

The number of Tasmania's on-course bookmakers has been steadily declining over a number of years.

In 2009-10, there were 18 bookmakers registered; in 2014-15 there were only nine. On-course bookmaking operations are important to the overall race day experience.

The emergence of corporate bookmakers and online wagering has continued to negatively impact these on-course bookmakers. To reverse their decline, it is essential to identify and address the regulatory constraints that effect their operations.

Regulator/agency

Office of Racing Integrity, Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Racing Regulation Act 2004

Background/consultation

The Director of Racing has undertaken a review of on-course bookmaker activities to identify any and all constraints that impact on-course bookmaking operations in this state.

There have been ongoing discussions between the Director of Racing, the Tasmanian Bookmakers Association and the Australian Bookmakers Association.

Red tape reforms

Amendment to the *Racing Regulation Act 2004* and the *Racing (Bookmaker Betting) Regulations 2004*.

The Director of Racing has completed a comprehensive review of the racing legislation to identify constraints that impact on-course bookmaking operations in Tasmania.

Cabinet approved the drafting of legislation to amend the *Racing Regulation Act 2004* with the intention of "providing Tasmania's on-course bookmakers enhanced opportunities to compete in an ever-changing wagering landscape and to regulate, where necessary, unlicensed persons participating in the racing industry."

Status of the red tape reform

Enacted and finalised.

Review the appeal provisions of the *Racing Regulation Act 2004*

Red tape burden

Following a review of the Tasmanian Racing Appeal System in mid-2009, a number of legislative changes were made to the structure and processes of the Tasmanian Racing Appeal Board, which were implemented in 2010.

The overarching principle underpinning these changes was to provide a more effective, efficient and contemporary appeals system in Tasmania. It was generally recognised by stakeholders that the 2010 legislative amendments had contributed to some improvements in the regulatory system.

However, there remained concerns that the changes, while aimed at greater efficiency, had the effect of reducing checks and balances important to the fairness of the appeal process.

Regulator/agency

Office of Racing Integrity, Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Racing Regulation Act 2004

Background/consultation

During parliamentary debate on the amending legislation in late 2009, a number of concerns were raised.

To address these concerns, a 'sunset clause' was inserted in the Bill to cause a review of specified amendments three years from commencement of that legislation.

In early 2013, an independent panel was established to undertake that review. The panel consulted extensively with stakeholders, including industry participants, TasRacing, and the chairpersons of the Tasmanian Racing Appeal Board and the Integrity Assurance Board.

Red tape reforms

Amendment to the *Racing Regulation Act 2004* required the repeal of the provision limiting the powers of the Tasmanian Racing Appeal Board's chairperson.

Only one of the panel's 13 recommendations involved legislative amendment – to remove a limitation on the power of the Tasmanian Racing Appeal Board's chairperson to suspend, under certain circumstances, the operation of a penalty, pending the hearing of an appeal.

The Government accepted this recommendation, and a repealing provision was incorporated in the *Racing Regulation Amendment (Board Amalgamation) Bill 2015* (refer Reform No 37), which was subsequently passed during the Autumn 2015 session of Parliament and commenced on 1 July 2015.

A recommendation that the Tasmanian Racing Appeal Board utilise appointed racing advisers at hearings involving serious offences has been adopted by the Board.

A further recommendation that industry misperceptions regarding the appeals process be addressed through education, will inform the mandated consultation process between the Board and industry.

The remaining recommendations were to maintain the status quo.

Status of the red tape reform

Enacted and finalised.

Amalgamate the Integrity Assurance Board and the Tasmanian Racing Appeal Board

Red tape burden

Since 2009, the Tasmanian Racing Industry has been serviced by two racing appeal boards – the Integrity Assurance Board and the Tasmanian Racing Appeal Board. Generally, the Integrity Assurance Board adjudicated appeals against decisions made under the *Racing Regulation Act 2004*, whereas the Tasmanian Racing Appeal Board adjudicated appeals against decisions and penalties imposed under the Rules of Racing.

Both boards were funded by the administering Department. In 2013-14, the Integrity Assurance Board dealt with three appeals and the Tasmanian Racing Appeal Board with 18.

Given this disparity it was appropriate to rationalise the two boards to generate savings and ensure a more efficient use of resources.

Regulator/agency

Office of Racing Integrity, Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Racing Regulation Act 2004

Background/consultation

In 2014, a review of the Integrity Assurance Board and the Tasmanian Racing Appeal Board was undertaken in terms of their purpose, role, size, composition, cost and other relevant aspects.

The review identified that it was feasible for a single board to undertake the duties and responsibilities of both boards without compromising integrity. Consultation was undertaken with the Department of Treasury and Finance, Department of Premier and Cabinet, Solicitor General, TasRacing and the chairpersons of the Integrity Assurance Board and Tasmanian Racing Appeal Board.

Red tape reforms

Amendments to the *Racing Regulation Act 2004* and the *Racing (Miscellaneous) Regulations 2004* required to dissolve the Integrity Assurance Board and transfer its functions and powers to the Tasmanian Racing Appeal Board.

Legislation to amalgamate the two boards was passed during the Autumn 2015 session of Parliament and commenced on 1 July 2015.

Status of the red tape reform

Enacted and finalised.

Repeal the *Travel Agents Act 1987* to remove the duplication of regulation in the travel industry

Red tape burden

Repealing the *Travel Agents Act 1987* will remove red tape and a financial cost on travel agents operating in the state. It will thereby remove the disadvantage that travel agents face when competing with overseas and online agencies.

Regulator/agency

Consumer, Business and Occupational Services, Department of Justice

Act/regulatory instrument

Travel Agents Act 1987 – replaced by the *Travel Agents Repeal Bill 2014* as a reform measure

Background/consultation

Repealing the *Travel Agents Act 1987* occurred to remove the duplication of regulation in the industry now that Australian consumer law covers travel services.

New business models coupled with technological advancements have gradually reduced the relevance and effectiveness of the existing system.

This market change has also steadily disadvantaged local travel businesses that find themselves competing with offshore providers operating outside the regulatory framework.

The Act was entirely wound up by the end of 2015.

Red tape reforms

Repealed the *Travel Agents Act 1987* – this removed red tape and a financial cost on travel agents operating in the state. It will thereby remove the disadvantage that travel agents face when competing with overseas and online agencies.

Status of the red tape reform

Enacted and finalised.

Reduction of the public consultation process for wildlife imports from 20 days to 10 days

Red tape burden

20-day public comment periods during biosecurity risk assessment processes are problematic for wildlife parks as they often need to accept offers of wildlife from interstate or overseas zoos at short notice.

A reduction in the public consultation period will reduce the risk of wildlife parks missing out on offers of animals in favour of other zoos that work in jurisdictions that can be more flexible in their import assessment processes.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Wildlife (General) Regulations 2010

Background/consultation

During recent stakeholder consultation reducing approval times for new collections within wildlife parks arose as a stakeholder consideration.

Red tape reforms

A new and streamlined *Policy on Importing (and Keeping) Vertebrate Wildlife in Tasmania* has been developed by the Department.

The new policy reduces approval times for importation of new species of wildlife by shortening the public consultation period on risk assessments from 20 to 10 days.

Status of the red tape reform

Implemented and finalised.

Streamline import of exotic animals for zoos, pet stores and animal exhibitors without compromising biosecurity

Red tape burden

Tasmanian wildlife parks often wish to acquire and import exotic animals that become available from time to time from interstate or overseas zoos.

The current state approvals process which undertakes a rigorous biosecurity assessment is sometimes not sufficiently flexible to allow a fast approval, and wildlife parks may miss out on the opportunity to secure new wildlife for their collections.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Wildlife (General) Regulations 2010

Background/consultation

After consultation with wildlife parks, it has been agreed the Department will establish a list of risk assessed and pre-approved animals of interest, to these entities and collectors.

In this manner, a list of animals which have had a biosecurity risk assessment and have had consideration of the conditions of possession, will be made publically available.

Those collectors who can meet the conditions of possession will then be able to access animals that become available on short notice for their collections.

Red tape reforms

A case manager will be appointed within the Department's Natural and Cultural Heritage Division to liaise more closely with wildlife parks and assist them to plan the work required to secure access to species.

The case manager will advise on species that are approved for import, the level of difficulty that applications for various new species may face, the likelihood of success and the timeframes involved.

During the approvals process the case manager will advise wildlife parks and zoos on the progress of the assessment and manage the internal process in the Department to ensure timely passage.

Status of the red tape reform

Enacted and finalised.

Introduction of online passes for national parks

Red tape burden

In the past, park passes have been available mainly through an in-person purchase in Service Tasmania shops and Parks and Wildlife Service visitor centres.

A visitor to a national park may not have had access to an outlet prior to visiting a national park, necessitating a cash purchase onsite.

With the trend to a more cashless society, visitors to national parks may not be in a position to pay cash and may incur a notice of breach for non-payment, requiring extra contact to be made with Parks and Wildlife Service administrative staff to clear the notice.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

National Parks and Reserves Management Act 2002

Background/consultation

In seeking to reduce the administrative burden on staff and visitors and to provide a modern solution to the purchase of national park passes, the Department of Primary Industries, Parks, Water and Environment developed a bespoke system for the purchase of park passes online.

This system was delivered for the summer season of 2014/15. The park pass system has since had ongoing improvements including the provision of downloadable PDF documents for officers to check parks pass compliance while in the field, even if in a remote area with limited internet access.

The system does not preclude visitors from purchasing their park passes in person in Service Tasmania shops, at various agents and through the Parks visitor centres.

Recently the Parks and Wildlife Service have extended this initiative by now offering a number of self-serve kiosks where visitors to parks can purchase their passes and print them out at the time of purchase, whereby in the past this would need to be collected before travelling to a national park.

This initiative does not preclude visitors from purchasing their park passes in the traditional manner, namely from a customer service representative, should they prefer.

Red tape reforms

Creation of a new online park pass purchasing system and associated administrative access platforms and databases.

Installation of self-serve kiosks to assist visitors to gain timely and efficient access to their park passes and the reduction in staff resources in servicing these requests.

Status of the red tape reform

Enacted and finalised.

Erecting temporary structures

Red tape burden

Currently many temporary structures such as marquees, require approval via a permit from council. This permit would often only be issued after a Building Surveyor confirmed that the structure is suitable. This is a duplication of process for this type of low risk work.

Regulator/agency

Department of Justice

Act/regulatory instrument

Building Act 2000

Background/consultation

The cost in time and money to erect temporary structures was often prohibitive.

Industry requested that this process be made simpler and cheaper and that it match the risk profile.

Red tape reforms

Under the building reform legislation, Temporary Occupancy Permits can be issued by a Building Surveyor for up to three years for a building such as a barn or marquee that is erected for a particular event.

This permit is transferrable to another local government area rather than an applicant needing to apply to each council.

This is particularly valuable for an outfit such as a circus, markets, sports, food and wine and cultural events.

Status of the red tape reform

Enacted and finalised.

Effective 1 January 2017.

Merger of Tasmanian Gaming Commission and Liquor Licensing Board

Red tape burden

Up until the recent legislative change there were two regulatory bodies performing regulatory assessment functions across gaming and liquor licence applications.

Applications for liquor licences and other related matters previously had to go through the Liquor Licensing Board on a formal basis, requiring applicants to generally have to wait for scheduled board meetings to occur prior to being notified of the outcomes.

This could add time and red tape to the process when some matters could have been dealt with more effectively and in a timelier manner under a different assessment process.

Regulator/agency

Department of Treasury and Finance

Act/regulatory instrument

Liquor Licensing Act 1990

Gaming Control Act 1993

Background/consultation

N/A

Red tape reforms

Through an Act of Parliament, the functions of the Liquor Licensing Board and the Tasmanian Gaming Commission were merged to create a single regulatory body for industry to work with.

By allocating licence decision making powers to the Commissioner, relevant decisions are made on a continuous basis delivering faster decisions to industry.

Status of the red tape reform

Enacted and finalised.

Simplifying gaming licence renewals

Red tape burden

Members of the Tasmanian Hospitality Association raised the issue of having to provide a large volume of information for the renewal of their gaming licence, despite the fact that in many instances the information had not changed since their original application.

The application form to obtain a gaming licence is very comprehensive (12 pages) and covers gaming activities, business experience, financial projections, gaming systems, human and IT resources, training, marketing strategies and details of the premises including access and security arrangements.

Where information has not changed there would be scope to reduce the administrative burden on applicants.

Regulator/agency

Department of Treasury and Finance

Act/regulatory instrument

Gaming Control Act 1993

Background/consultation

The Coordinator-General and the Red Tape Reduction Coordinator met with the Tasmanian Hospitality Association recently as a part of the industry consultation process to identify red tape issues.

The Board of the Tasmanian Hospitality Association nominated a range of issues and it was agreed the issues surrounding permits for gaming, tobacco and liquor were the most appropriate issues to pursue at this point.

The general consensus of industry was that the current regulations did have an important role to play in regulating the industry; however, the process surrounding renewal of permits and licences was unnecessarily duplicative and too frequent.

Red tape reforms

The Liquor and Gaming branch in the Department of Treasury and Finance has created a new Licensed Premises Gaming Licence renewal form which streamlines the renewal process.

The new form is pre-populated with current details of the applicant and associates, and the application only requires notification of any changes to associates or updates to any relevant contact details.

The form also provides consent for the Tasmanian Liquor and Gaming Commission or a member of the Liquor and Gaming branch to obtain financial or confidential information if required for the purposes of assessing the renewal application.

Status of the red tape reform

The Liquor and Gaming Branch has created and implemented a new Licensed Premises Gaming Licence renewal form, streamlining the information required from applicants.

Extend duration of out-of-hours permits

Red tape burden

Under section 12 and section 34 of the *Liquor Licensing Act*, the Commissioner has the capacity to authorise the sale of liquor outside the general liquor licence times of 5:00am to midnight.

The application for an out-of-hours permit is used largely by pubs wanting to stay open for an extra couple of hours during peak trading periods such as Saturday night through to early Sunday morning.

The Commissioner, in granting such a licence, needs to be satisfied that such a permit will not cause undue annoyance or disturbance.

The issue for the hospitality industry is not the requirement for the permit, but rather the limited duration for which the permit can be granted – a period not greater than 12 months.

The industry argues that the nature of its trading requirements does not fundamentally change from year to year and that the need to apply for the permit each year is a red tape burden.

Regulator/agency

Department of Treasury and Finance

Act/regulatory instrument

Liquor Licensing Act 1990

Liquor Licensing (Fees) Regulations 2015

Background/consultation

The Coordinator-General and the Red Tape Reduction Coordinator met with the Tasmanian Hospitality Association as a part of the industry consultation process to identify red tape issues.

The Board of the Tasmanian Hospitality Association nominated a range of issues and it was agreed the issues surrounding permits for gaming, tobacco and liquor were the most appropriate issues to pursue at this point.

The general consensus of industry was that the current regulations did have an important role to play in regulating the industry; however, the process surrounding renewal of permits and licenses was unnecessarily duplicative and too frequent.

Red tape reforms

Effective from 1 September 2016, the Government has further simplified the renewal process by amending liquor regulations to allow the Commissioner for Licensing to issue permits of either one, two or three years in duration.

A streamlined renewal form for out-of-hours permits is in use and is largely pre-populated for the applicant. The form requires the applicant to identify any changes to the hours of operation and to provide a short paragraph addressing section 34(1) and (2) of the *Liquor Licensing Act 1990* (this relates to the application being in the best interests of the community and not causing undue noise or disturbance).

The duration of an out-of-hours permit remains a matter for the Commissioner for Licensing and will be subject to the circumstances of each application.

Status of the red tape reform

Amended regulations to provide for the Commissioner for Licensing to issue extended out-of-hours permits for up to three years came into effect from 1 September 2016.

Improved risk-related assessment of gaming licences

Red tape burden

The requirement that all applicants who apply for a special employee's licence must have their fingerprints taken seems excessive and places a red tape burden on industry that adds time and cost to the process.

Regulator/agency

Department of Treasury and Finance

Act/regulatory instrument

Gaming Control Act 1993

Application for a special employee's or technician's licence

Background/consultation

The Coordinator-General and the Red Tape Reduction Coordinator met with the Tasmanian Hospitality Association recently as a part of the industry consultation process to identify red tape issues.

The Board of the Tasmanian Hospitality Association nominated a range of issues, and it was agreed the issues surrounding permits for gaming, tobacco and liquor were the most appropriate issues to pursue at this point.

The general consensus of industry was that the current regulations did have an important role to play in regulating the industry; however, the process surrounding renewal of permits and licences was unnecessarily duplicative and too frequent.

Red tape reforms

From 1 May 2015, in keeping with national trends, it is no longer required that special employee's licence applicants have their fingerprints taken. Notwithstanding this approach the Commission does, however, reserve the right to have special employee's licence applicants fingerprinted on a case-by-case basis should the need arise.

This reduces the time and process required by applicants to seek a licence and has also reduced the costs they face in doing so by 35 per cent.

All gaming associate applicants and technician licence applicants continue to be fingerprinted.

The Commission will continue as part of an applicant's suitability assessment process to seek a National Police Certificate from Tasmania Police for all gaming applicants.

Status of the red tape reform

Enacted and finalised.

Airbnb and free market reforms

Red tape burden

The Government is committed to embracing the sharing economy, including providing regulatory reforms for short-term tourist accommodation such as Airbnb.

Currently, short-term visitor accommodation is regulated across the state under interim planning schemes.

The majority of these planning schemes have requirements for permits for visitor accommodation in most zones and theoretically, ALL short-term stay rentals require a permit from councils to operate as a visitor accommodation use.

The Government recognises this red tape burden and has proposed an exemption from requiring planning approval for the use of dwellings for visitor accommodation for up to 42 nights a year in its draft State Planning Provisions.

Regulator/agency

Department of Justice

Act/regulatory instrument

Land Use Planning and Approvals Act 1993 (planning schemes)

State Planning Provisions

Background/consultation

The Government's proposal follows consultation with a range of stakeholders including the short-term stay rental sector, the hospitality industry and local government, with a view to refining the exemptions and the other planning controls.

Red tape reforms

The Government, in its draft State Planning Provisions, has proposed an exemption from requiring planning approval for the use of dwellings for visitor accommodation for up to 42 nights a year.

The exemption will provide clarity for short stay operations, like Airbnb, by enabling residential buildings to operate for up to 6 weeks (42) nights per year before permits are required.

Status of the red tape reform

Interim Planning Directive No. 2 – Exemption and Standards for Visitor Accommodation in Planning Schemes. The interim planning directive is effective for a 12 month period from 1 July 2017 and applies to all interim planning schemes, the Flinders Planning Scheme 2000 and the Sullivans Cove Planning Scheme 1997. It is a self-executing document and must be read in conjunction with these planning schemes.

The Directive is currently being assessed by the Tasmanian Planning Commission.

Agritourism regulatory mapping and reform project

Red Tape Burden

The project was established based on feedback through the Minister for Tourism's Office and Office of the Coordinator-General that many businesses get caught in a "rabbit warren" regulations when navigating agritourism approvals. Phase I of the project (now complete) undertook engagement and research to produce 26 recommendations aimed at addressing the burden.

Regulator/agency

Department of State Growth

Act/regulatory instrument

The recommendations involve the development and implementation of a number of changes to legislation, statutory guidelines, internal service standards, fees, licencing, technical requirements, systems, processes, policies, and the development and implementation of business support initiatives and guidelines for industry.

Background/consultation

The outputs and recommendations from Phase I of the project were produced by an independent consultant following engagement with agritourism business owners, regulatory bodies (including councils), regional tourism organisations and primary industry associations, based on their experiences in navigating the regulatory approvals process. The engagement findings underpinned the development of the 26 recommendations.

Red tape reforms

To make sure the regulatory environment is fit for purpose and appropriate for encouraging and regulating agritourism projects – recommendations include promotion of agritourism specific planning policies, requesting planning provisions emphasise the role of agritourism in supporting agricultural activities in the Agriculture and Rural zones, requesting changes to Consumer Building and Occupational Services (CBOS) technical requirements, working with State Roads on signage accessibility and road access upgrade requirements, supporting the trial of an updated Australian Standard for fire protection in distilleries, requesting review of Dangerous Goods Handling Reports and Hazard Area Reports for alcohol production facilities, introducing legislation to allow licencing of mobile abattoirs, supporting changes to fishing licences, requesting changes to Department of Health guidelines that support better classification of agritourism activities, requesting updates to liquor licencing fee structures, and introducing service standard timeframes for all permits, licences and approvals relevant to agritourism.

Provide easily accessible information to support agritourism businesses in the regulatory process – recommendations include delivery of approvals masterclasses for agritourism businesses, growing specialist agritourism support services in Business Tasmania, creating a technical support panel comprising private sector experts for agritourism businesses, providing easier access to relevant Australian Standards, and encouraging councils to establish pre-application support services.

Create greater awareness of the agritourism industry and the policy context with regulators – recommendations include facilitating 'understanding agritourism' training sessions for regulatory staff, private certifiers and other regulatory decision-makers, facilitating sessions about this project for regulators, and providing regulator access to the new specialist support services in Business Tasmania.

Increase the capacity of regulators and experts to assess agritourism proposals – recommendations include preparing Department of Health guidelines, working with the Department of Health to deliver training for councils on how to interpret and apply food preparation requirements for agritourism businesses, and requesting CBOS strengthen its professional certification review and auditing program.

Status of the red tape reform

Phase I of the project (research and recommendations) is complete.

Phase 2 (delivery of recommendations) is being progressed.



Red tape reduction issues for education and training

Review of the *Education Act 1994*

Red tape burden

A comprehensive review of the *Education Act 1994* has been undertaken to provide a contemporary, flexible and enduring legislative framework that meets the needs of learners now and into the future. It provides for greater national consistency where this increases social and economic opportunities for Tasmanians whilst responding to the local needs and circumstances of the state.

There were opportunities to streamline some aspects of the system while maintaining appropriate protection for children and establishing a framework that supports the Government's approach to kindergarten to Year 12 education/training.

Regulator/agency

Department of Education, Schools Registration Board (registers non-government schools), Tasmanian Home Education Advisory Committee (registers home educators)

Act/regulatory instrument

Education Act 1994

Youth Participation in Education and Training (Guaranteeing Futures) Act 2005

Education and Training (Tasmanian Academy) Act 2008

Background/consultation

The review was comprehensive with all aspects of the Act considered. Extensive consultation was undertaken, with both stakeholders and the broader community.

This included receiving written submissions, public and targeted forums, meeting with stakeholders and further public information sessions on the release of the draft Bill on 14 March 2016.

Red tape reforms

A comprehensive review of the *Education Act 1994* has been completed.

The previous legislative framework was fragmented with three Acts regulating the kindergarten to Year 12 education and training.

The *Education Act 2016* has replaced the current *Education Act 1994*, *Youth Participation in Education and Training (Guaranteeing Futures) Act 2005* and the *Education and Training (Tasmanian Academy) Act 2008*.

A single Education Act promotes a seamless education system through to Year 12.

Status of the red tape reform

The *Education Act 2016* came into effect on 10 July 2017.

Review of the *Education Act 1994* – systems of non-government schools

Red tape burden

The previous Act did not distinguish between the registration processes for new schools and schools that were re-registering.

Further to this, it did not allow systems of schools that operate under a single governance arrangement to register as a system, such as Catholic schools.

Regulator/agency

Department of Education, Schools Registration Board (registers non-government schools)

Act/regulatory instrument

Education Act 1994

Background/consultation

The Schools Registration Board ensures that non-government schools comply with standards for education by accessing and registering all non-government schools in Tasmania.

Extensive consultation was undertaken, with stakeholders (including Catholic Education and Independent Schools Tasmania) and the broader community.

Red tape reforms

Separate and more tailored processes now exist for the registration of new schools and the re-registration of existing schools.

In addition, systems of schools that operate under a single governance arrangement, for example Catholic schools, are now able to register as a system.

By tailoring these processes, more clarity and protection is provided to schools seeking registration. It also acknowledges and streamlines the different processes and regulations required.

Status of the red tape reform

The *Education Act 2016* came into effect on 10 July 2017.

An Office of the Education Registrar has been established, which is responsible for administering the non-government schools registration process and for the operational aspects of the regulatory process. The Registrar reports to and advises the Non-Government Schools Registration Board.

Anti-discrimination amendment – reducing the administrative burden for faith-based schools

Red tape burden

The Government has passed an amendment that will allow faith-based schools to give preference in their admissions to students who have religious beliefs, affiliations or activities consistent with those of the school.

Under previous laws, religious schools were able to apply for an exemption to the Act for any years they were oversubscribed. However, the process could be cumbersome and uncertain as it is difficult for schools to predict in advance whether a year group may be oversubscribed with students seeking admission.

In implementing this change, the Government is reducing the red tape burden on faith-based Tasmanian schools that existed under previous arrangements.

The passage of legislation brings Tasmanian law more in line with all other states and territories.

Regulator/agency

Department of Justice

Act/regulatory instrument

Anti-Discrimination Act 1998

Background

These changes are the fulfilment of an election commitment made by the Liberal Party.

The amendment to the *Anti-Discrimination Act 2015* will allow faith-based schools to give preference at the admission stage to students of the same faith and is about providing consistency and certainty to Tasmania's faith-based schools, bringing Tasmanian law into line with all other states and territories.

Red tape reforms

Anti-Discrimination Act 1998 by inserting section 51A:

1. A person may discriminate against another person on the grounds of religious belief or affiliation or religious activity in relation to admission of that other person as a student to an educational institution that is or is to be conducted in accordance with the tenets, beliefs, teachings, principles or practices of a particular religion.
2. Subsection (1) does not apply to a person who is enrolled as a student at the educational institution referred to in that subsection.
3. Subsection (1) does not permit discrimination on any grounds referred to in section 16 other than those specified in that subsection.
4. A person may, on a ground specified in subsection (1), discriminate against another person in relation to the admission of the other person as a student to an educational institution, if the educational institution's policy for the admission of students demonstrates that the criteria for admission relates to the religious belief or affiliation, or religious activity, of the other person, the other person's parents or the other person's grandparents.

Status of the red tape reform

Enacted and finalised.

Traineeships and apprenticeships information system reform

Red tape burden

The current system does not allow organisations such as apprenticeship network providers, registered training organisations, employers and schools to easily access the current status of training contracts associated with their organisation.

The current system is very much paper-based which has a significant effect on resources in all organisations. The new Traineeships and Apprenticeships Information System (TApIS) will allow information to be received and sent electronically between Skills Tasmania and the above-mentioned organisations via the eVET stakeholder portal, reducing the amount of paperwork associated with the current system.

Regulator/agency

Skills Tasmania

Act/regulatory instrument

Training and Workforce Development Act 2013

Background/consultation

Skills Tasmania utilises the DELTA application for the management of apprenticeships and traineeships under a training contract in Tasmania. DELTA, being in place since 1998, has been patched to extend its lifetime.

A project to replace DELTA is now complete and allows apprentice and trainee information to be stored, shared and reported on. The replacement system is called TApIS and the eVET portal has also been established to allow VET stakeholders self-service access to information, reports and calculators.

This is in line with reforms which were required under the National Partnership on Skills Reform.

Red tape reforms

The TApIS is now complete and has replaced the DELTA training contract administration system. This system also automates a number of administrative functions related to apprentice and trainee contracts that were previously undertaken manually.

These reforms to the system were in line with the National Partnership on Skills Reform to improve linkages between registered training organisations, employers, services providers and other state and local organisations to improve outcomes.

Status of the red tape reform

TApIS and eVET (phase I) are now complete and were implemented in October 2018.

2016 User Choice program

Red tape burden

The User Choice program is an annual program that provides training subsidies to Skills Tasmania endorsed registered training organisations (RTOs) to help cover the cost of providing training and assessment services for nationally recognised qualifications to Tasmanian apprentices and trainees.

The 2016 User Choice program has shifted from a procurement-based funding process to an open grants round, making funding easier, simpler and more accessible.

In addition, the initial allocation of funded training places to RTOs will now be based on verifiable previous activity, meaning the need for further applications and variation through User Choice will also be reduced.

Regulator/agency

Skills Tasmania

Act/regulatory instrument

Training and Workforce Development Act 2013

Background/consultation

In September 2015, the General Manager of Skills Tasmania held two forums (one in the south and one in the north of the state) to discuss the administration of Skills Tasmania funding. Feedback received from these forums helped to inform the development of the 2016 User Choice program. In addition to this, extensive consultation with internal stakeholders also took place.

Red tape reforms

In 2015 User Choice administration involved a modest allocation of funded training places to RTOs through a procurement process.

Administration through this system, coupled with a small allocation of training places, resulted in a strong demand for further training places. To meet legal obligations, further training places were approved through an intensive variation process.

For training needs that emerged post-procurement, it was necessary to develop requests for quotations and requests for tenders.

This funding model proved to be inflexible and did not appropriately reflect the dynamism of the training sector.

To improve efficiency by reducing the need variations and requests for quotations and tenders, as well as increasing flexibility and response-ability to industry demand, Skills Tasmania sought legal advice from Crown Law to transfer the administration of funding from procurement to grants.

This was approved by Crown Law and the Minister in October 2015. User Choice will now be administered as an open grants round, meaning funding will be available throughout the year.

Skills Tasmania also reviewed its funding allocation practices and in 2016 will use collected data to verify the previous training activity of RTOs and consequently allocate training places accordingly, thus reducing the need for variations.

Status of the red tape reform

Policy approved by relevant Minister.

Change of eligibility criteria for the Student Assistance Scheme

Red Tape Burden

The previous eligibility criteria for the Student Assistance Scheme was an assessment of taxable income to determine if families were eligible for assistance. From the 2021 school year the eligibility will change to holders of the following cards being eligible:

Services Australia – Centrelink Health Care Card
Service Australia – Centrelink Low Income Health Care Card
Services Australia – Pensioner Concession Card or
Department of Veteran Affairs – Pensioner Concession Card.

Parents who receive student assistance are provided relief from school levies.

Regulator/agency

Department of Education

Act/regulatory instrument

Education Act 2016

Background/consultation

During 2018 a review of school levies was undertaken.

The Review included consultation with a range of stakeholders including principals and school business managers, school social workers, students and families. This consultation process was in line with the Tasmanian Government's commitment in its First Year Agenda to "consult with stakeholders on a review of school levies [which] will ensure fairness and equity across the State in the allocation of levies."

The purpose of the Review was to strengthen consistency of levies and charges practices across Department of Education (DoE) schools, with a specific emphasis on supporting student engagement in the full curriculum. This focus is in line with Access, Participation and Engagement goal in the 2018-2021 DoE Strategic Plan - Learners First: Every Learner, Every Day.

The Review also looked at how costs can be minimised for families, with a specific emphasis on minimising costs for families on lower incomes. Students and families spoke highly of the Student Assistance Scheme (STAS) during consultation, and the expansion of this scheme means that even more families on low incomes will not need to pay levies in the future. This important change is in line with the commitment to "inclusive, affordable and equitable access to education" outlined in the Tasmanian Government's Second Year Agenda.

The change to the eligibility criteria was one of the 13 recommendations from the review.

Red tape reforms

The change of eligibility criteria both simplifies the process for families but also expands the scheme to an estimated further 9 000 students.

In addition to providing a simplified assessment that aligns with many other Tasmanian Government concessions an electronic form has been developed to enable on-line submission by parents. The form was released on 10 November 2020.

Status of the red tape reform

The current status of the red tape reform is as follows.

Public announcement and updated guidelines released.

The change applies to the 2021 school year.



Red tape reduction issues for health and community sectors

Eliminating duplication of state regulations where community sector organisations have nationally accredited quality management systems in place

Red tape burden

Duplication of quality and safety reporting between the national and state levels.

Regulator/agency

Department of Health and Human Services (DHHS) Department of Communities Tasmania (Communities Tasmania)

Act/regulatory instrument

The DHHS and Communities Tasmania administers the *Quality and Safety Framework for Tasmania's DHHS Funded Community Sector*.

Background/consultation

Under the Framework, Communities Tasmania and Department of Health (DoH) program areas are responsible for monitoring funded organisations' compliance with the requirements of the Framework which includes standards and continuous improvement initiatives against relevant standards.

Under the Framework, Communities Tasmania and DoH recognise organisations which are nationally accredited under other quality and safety regulation systems.

Red tape reforms

In these cases, the DHHS does not conduct separate quality and safety reviews, but rather acknowledges the external accreditation.

This removes duplication for organisations with nationally accredited systems in place.

Status of the red tape reform

Duplication removed for Communities Tasmania and DoH funded organisations with national accredited systems in place.

Introduction of an electronic grants management system

Red tape burden

The Tasmanian community sector has raised concerns that the mutual reporting and grants management system is an area that causes significant administrative burden and the obstruction of easily sharing and accessing of information.

Regulator/agency

Department of Health and Human Services

Act/regulatory instrument

N/A

Background/consultation

The Tasmanian community sector has raised reporting and contract management systems as an area that causes undue administrative burden on its organisations.

Manual processes, including the use of spreadsheets, have previously been used to keep track of vital reporting information and contract details. Community sector organisations reported that this system was time consuming and did not allow for sharing of information.

In addition, business process and risk mitigation reviews determined that it would be best for an integrated electronic system to be implemented.

Red tape reforms

Introduction of the system has provided an IT solution allowing for integrated management of grants both internally to the Department, and for the community sector.

This system allows for accurate information recording and sharing between organisations and the Department and reduces administrative tasks.

Status of the red tape reform

Enacted and finalised.

Charity and not for profit reporting requirements

Red tape burden

Not for profit organisations, including charities and sporting clubs, registered as Incorporated Associations in Tasmania were required to submit financial reports to both the Australian Charities and Not-for-profit Commission (ACNC) and the Tasmanian Commissioner for Corporate Affairs.

In addition, many Incorporated Associations were required to undertake financial audits of accounts.

Regulator/agency

Department of Health and Human Services

Act/regulatory instrument

N/A

Background/consultation

There are similar financial reporting requirements under both the Tasmanian and Commonwealth Acts for Incorporated Associations. The situation resulted in Tasmanian Incorporated Associations that are registered and lodge financial statements to the ACNC, also being required to submit the same statements to the Commissioner for Corporate Affairs, the Regulator under the *Associations Incorporation Act*.

This duplication created unnecessary administrative and regulatory burdens on many charitable organisations.

In addition, there was a need for Incorporated Associations to undertake financial audits and submit audited statements regardless of the size of the organisation. Many of these organisations have a low risk profile.

Red tape reforms

Two amendments to the Incorporated Association legislation were made that reduce the administrative burden on Tasmanian registered charities and not for profit organisations.

The first amendment removed the requirement for Tasmanian registered charities to submit financial reports to the Tasmanian Commissioner for Corporate Affairs if that charity is also registered with, and is providing financial statements to, the Australian Charities and Not-for-profit Commission (ACNC).

The second amendment exempts incorporated associations with annual revenues below \$250 000 from supplying audited financial statements to the Commissioner for Corporate Affairs.

Status of the red tape reform

Enacted.

Regulation amendments underway to “Model Rules” that act as a guide to Incorporated Associations.

Online tobacco seller's licence applications and renewals

Red tape burden

Paper-based applications and renewal forms for Tobacco Seller's Licences were previously managed annually through arrangements between the Department of Health, Service Tasmania and the retailer.

There were delays and the potential for errors with changes (such as addresses or fees) that were not addressed with the previous system.

Regulator/agency

Department of Health

Act/regulatory instrument

Public Health Act 1997 (the Act)

Background/consultation

In 2009, the then Department of Health and Human Services (DHHS) customised a database that receives payments from Service Tasmania electronically but a paper-based new application form was still required to be submitted at any Service Tasmania outlet (or sent via post directly to a Department of Health Tobacco Licensing Officer by the retailer.)

The form was then sent from Service Tasmania to the Tobacco Licensing Officer by internal post. Each year, interstate applicants ask how to submit a new Tobacco Seller's Licence application without attending a Service Tasmania Outlet.

Tobacco Control Officers often take compliance action with retailers when a Tobacco Seller's Licence is overdue. Selling without a tobacco licence is an offence under the Act and may lead to penalties. Retailers would report they had submitted the paper-based renewal form, but the time taken with the previous system meant it was received after the due date.

In renewing a licence, the application and the fee are required before an application is assessed.

Red tape reforms

Introduction of an online licensing system has enhanced timeliness of the process, freed up administrative burden on staff. The application process has been streamlined, and more staff resources can be redirected into compliance activities.

Status of the red tape reform

Complete.

The online system went live on 1st August 2020.

Feedback from users has been good.

Streamline regulatory processes for licensing of private health facilities and day procedure centres – reporting requirements

Red tape burden

Small day procedure centres have raised concerns about the cost of annual licence fees levied under the *Health Service Establishments Regulations 2011*.

Regulator/agency

Department of Health and Human Services (DHHS)

Act/regulatory instrument

Health Service Establishments Act 2006

Health Service Establishments Regulations 2011

Background/consultation

Under the *Health Service Establishments Act 2006* (the Act) fees apply to licence applications, renewals and transfers with fee units prescribed in the *Health Service Establishments Regulations 2011* (the Regulations).

Through the annual renewal process, the Department received feedback from services regarding the current prescribed fee structure. In particular, concerns were expressed by some smaller establishments that the fee structure places an unequal regulatory cost burden on small practices in comparison with larger private hospitals and does not accurately reflect the scope and breadth of services provided by different health service organisations.

Red tape reforms

Given the licensing framework set out in the Act and Regulations has now been operational for a number of years, it is timely to review the practical application of the prescribed fees to ensure that they meet their regulatory objective.

The Department has undertaken a review of licensing fees, and has consulted with all licensed services through the release of a consultation paper.

The consultation paper proposed different options for a new fee structure that can be transparently and consistently applied to health service establishments, in line with best practice regulatory principles.

Status of the red tape reform

Enacted and finalised.

DHHS conducted a targeted stakeholder consultation relating to the fees charged to private health service establishments under the Health Services Establishments Regulations. The Review of Fees paper was provided directly to licensees and industry stakeholders for consultation. Three submissions were received which supported the preferred option presented in the paper.

The amendments to the HSE Regulations were gazetted on 7 December 2016 and all annual fees for 2017 charged in accordance with the amended structure. All annual fees were paid on time and no concerns have been raised regarding the new fee structure with the Regulation Unit.

Simplification and standardisation of contracts and pre-qualification for community services providers

Red Tape Burden

Across the Department of Health and Department of Communities Tasmania, contract management with community service providers is complicated by duplicative, inconsistent or disproportionate administrative requirements, which create a burden for the community sector when time and resources could be better spent providing services to Tasmanians.

Regulator/agency

Department of Health and Department of Communities Tasmania

Act/regulatory instrument

Treasurer's Instruction FC12

Financial Management Act 2016

Background/consultation

The red tape concerns raised by the community sector relate to contracts with the Department of Health and Department of Communities Tasmania for the provision of community services. There are concerns that the contracts are not streamlined, do not provide flexibility and do not allow organisations to undertake long-term strategic planning. The requirement of organisations to undertake extensive, time consuming and sometimes duplicative reporting is also of concern. Contracts for three years or less also result in organisations having limited ongoing security and certainty. Additional complications arise for organisations that have multiple contracts.

Red tape reforms

Communities Tas has undertaken a Review of the Purchasing Framework, which reviewed administrative burden. The next stage of this work will be to extend the methodology to remaining grants administered by Communities Tas in Communities, Sport and Recreation. There are also two PESRAC recommendations that relate to this:

The State Government should immediately modify contracts with community service providers, where performance has met expectations, to extend their duration to provide appropriate funding certainty. Contracts should provide flexibility in the nature of service delivery, reflecting new models developed during COVID-19.

The previously reported trial of DEX will be considered in the response to these two recommendations that have been assigned to Communities Tas and will be actioned after the budget passes and full year funding is confirmed for community sector organisations for 2020-21. Priority will be given to looking at agreements due to expire from June 2021.

Status of the red tape reform

Enacted and Finalised

Communities Tas has reviewed key Community Services contracts and found many were already on a multi-year footing. Those that were due to expire in the prior year have all been renewed and extended for the maximum period possible, consistent with business plans and approved government funding across forward estimates. Communities Tasmania will continue to review contracts to align their duration with Government funding programs and policy.

The relevant PESRAC recommendations have been reported as *complete*.

Reducing paperwork and administrative burden for radiation licence holders

Red tape burden

Prior to the 2017-18 radiation licence renewal period, licence holders received paper applications for renewal of licence and paper invoices. Invoices could be paid online, but the paperwork needed to be signed and mailed back to the Radiation Protection Unit in Department of Health and Human Services.

Since licences can authorise many individuals, licence holders have to obtain all signatures of authorised people on the renewal application. This often required forms to be copied and circulated to staff.

Regulator/agency

Department of Health

Act/regulatory instrument

Radiation Protection Act 2005

Background/consultation

The Radiation Protection Unit administers the *Radiation Protection Act 2005* and issues around 500 licences authorising 3 500 people to use of around 3 000 radiation sources in Tasmania.

Most of the licences are “organisational based” and include all hospitals, where radiology is performed, radiology practices and the mining industry. Additionally, small businesses such as dentists, veterinary surgeons and the cosmetic industry (lasers and intense pulsed light) also hold licences for their equipment.

It is recognised that businesses predominantly use email and online services. Therefore, for the 2017-18 renewal of licences all licence holders were contacted via email asking if they would prefer to receive all documents and invoices electronically. Only a handful of the 500 requested paper documents and invoices.

Red tape reforms

The existing licensing system (GLIS) was configured to create pdf renewal documents using a \$20 add-on purchased for Microsoft Outlook. DHHS wrote a script to bulk email the invoices directly to licence holders, which has also allowed the form to be easily circulated within organisations.

The process has been very successful with licence holders returning renewal applications and making online payments in a more timely fashion than previously. Statistics kept in the GLIS can be analysed to demonstrate this.

Status of the red tape reform

Complete

In 2018 the Radiation Protection Unit moved to a fully paperless office with all correspondence and licence documents being delivered to licence holders via email.

In 2019 the Radiation Protection Unit deployed web based application forms that simplify the process for licence applications and applications for amendments to licences. These application forms can be submitted to the Radiation Protection Unit via email and an invoice from Finance 1 is emailed to the applicant upon receipt of the application.

Portfolio lease agreements with community organisations

Red tape burden

Previously an individual lease was required for each property a community organisation leases from Housing Tasmania. This meant that dozens of leases could be in place between Housing Tasmania and some organisations.

Regulator/agency

Department of Communities Tasmania

Act/regulatory instrument

Homes Act 1935

Background/consultation

Community organisations can lease multiple properties from Housing Tasmania. This can mean more than 50 leases for some organisations.

This means multiple individual leases, with different rents, various lease end/renewal dates, different payments across a number of accounts, etc.

This results in duplication of effort, paperwork and inefficiency. Housing Tasmania met with a number of community organisations (both individually and in forums) to consult on this issue and discuss possible solutions.

Red tape reforms

The reform has been to move from multiple leases with community organisations to a single 'portfolio' lease agreement for all properties leased to an organisation.

This results in the community housing organisations having one agreement for multiple properties and delivers a single rent payment, one end/renewal date and significant efficiencies for both Housing Tasmania and the community organisations.

These leases will also be aligned to existing Grant Deeds to simplify and better coordinate legal arrangements.

Status of the red tape reform

A new portfolio lease has been in use since 2018, taking the form of a head lease between the Director of Housing and the community organisation.

The new lease has been implemented for a number of organisations, which has involved ending the current multiple leases.

Rollout of the portfolio agreement is ongoing along with work on redrafting of a new head lease, which is needed because of changes to the Homes Act which make it clear that the Director of Housing is entering a commercial relationship, and not a residential tenancy, with community organisations who provide supported accommodation. The purpose of the head lease is to allow the community organisation to sub-lease a dwelling to eligible persons, who in turn must have the protection of a sub-lease which complies with the Residential Tenancy Act. A new head lease is expected by the end of 2019, and this will support the continued use of portfolio agreements in 2020.

Poisons Amendment Act 2017

Red tape burden

The reform of the *Poisons Act 1971* reduces red tape by making the regulatory process for approving access to restricted scheduled substances by first-aid providers quicker and less cumbersome.

Access by first aid providers was previously only granted through regulations that named the scheduled substances and the relevant organisations.

This is a time-consuming process and does not allow effective management of the scheme, as access can only be added or removed by amending or rescinding a regulation.

Regulator/agency

Department of Health and Human Services (DHHS)

Act/regulatory instrument

Poisons Amendment Act 2017

Background/consultation

Under the previous process, DHHS would firstly send Poisons inspectors to the service provider to assess the organisation's clinical governance processes and arrangements for storage of the scheduled substances in question.

If the organisation was approved by the DHHS, the *Poisons Regulations 2008* would need to be amended by the Governor-in-Council to name the relevant organisation and its access to scheduled substances. This could take up to six months.

Dissatisfaction was expressed by a number of service providers with the time required to grant access leading DHHS to plan for a reform to streamline the approval process.

Red tape reforms

To ensure timely granting and removal of access to drugs, the ability for first aid providers to access scheduled substances can now be granted by a licence issued by the Minister or delegate, specifying the conditions of use. There is no licence fee.

The reforms now allow service provider organisations to provide information on corporate governance arrangements and they are then issued with a licence that gives them immediate access to prescribed first aid substances, rather than the previous lengthy two part process.

There are still checks and balances. Licences will be subject to compliance inspections. If an organization breaches its licence it could lose access to the prescribed scheduled substances.

Status of the red tape reform

The legislation commenced on 13 June 2017.

Extension of family and sexual violence specialist service grant agreements to five years

Red Tape Burden

Five year contracts for specialist family and sexual violence services will provide not only funding certainty but reduce the requirements and resource burden on community sector organisations to re-bid for funding that they rely on to remain viable and provide critical services to the community. Frontline family and sexual violence services have been funded by the Tasmanian Government for over a decade. In addition to being able to fully utilise resources to deliver services, rather than undertaking administration associated with re-bidding for funding and executing new grant deeds, five year contracts also enables these services to enhance their employment desirability, build their workforces, ensure continuity of employment, and reduce staff turnover.

Regulator/agency

Department of Premier and Cabinet.

Act/regulatory instrument

Nil.

Background/consultation

This proposed red tape reduction initiative aligns with recommendations in:

- The Premiers Economic and Social Recovery Advisory Council Final Report;
- The State Service Review Final Report; and
- Community Services Industry Plan 2021-2031.

Five year contracts for specialist family and sexual violence services were announced as part of the 2022-23 State Budget. This announcement was received positively by family and sexual violence specialist services.

Red tape reforms

See below 'Status of red tape reform' section.

Status of the red tape reform

Committed to by the Government in the 2022-23 State Budget. The extended term arrangements will be implemented when funding is delivered through the 2023-24 State Budget enabling five years of funding, and the execution of five year contracts. The relevant budget allocation was agreed at Budget Committee on 23 November 2022.

Amalgamation of core and project funding for Community development peak bodies

Red Tape Burden

Currently Community Development Peak Bodies are required to enter into two grant agreements with the Tasmanian Government – core, and project funding, to finance their peak body functions. However, the core funding is inadequate to support the operational requirements of peak bodies, and project funding supplements core funding. Peak Bodies are required to report separately on each grant agreement. This arrangement is illogical and creates unnecessary administrative burdens for Community Service Peak Bodies. Rolling these two streams of funding together more accurately reflects a reasonable level of operational funding for Community Service Peak Bodies, reduces administration in executing and managing two grant deeds, and enables some flexibility for Peak Bodies in how they allocate their funding. Accountability can still be maintained through one combined Grant Agreement, by collaboratively identifying projects that the Peak Body will deliver in addition to funding their operations.

Regulator/agency

Department of Premier and Cabinet.

Act/regulatory instrument

Nil.

Background/consultation

This proposed red tape reduction initiative aligns with recommendations in:

- The Premiers Economic and Social Recovery Advisory Council Final Report;
- The State Service Review Final Report; and
- Community Services Industry Plan 2021-2031.

Extensive consultation through TasCOSS and directly with community sector and peak organisations indicates universal support for long-term contracts for community sector organisations, and the reduction of grant agreements, and unnecessary reporting requirements.

Red tape reforms

See below 'Status of red tape reform' section.

Status of the red tape reform

Proposal will be put to the Minister for Community Services and Development for consideration.

Mental Health Amendment Act 2023

Red Tape Burden

Separate formal offices of the Chief Civil Psychiatrist and Chief Forensic Psychiatrist, which have historically only been held by one person, led to duplicative guidelines, standing orders, forms, and arbitrary processes.

Processes for patient leave and patient transfer and readmission have been unnecessarily bureaucratic.

Regulator/agency

Department of Health

Act/regulatory instrument

Mental Health Act 2013

Background/consultation

A review of the *Mental Health Act 2013*, concluding in 2020, included a nine-week public consultation during which 33 submissions were received and incorporated into the Mental Health Act Review Implementation Review Outcomes report.

The feedback stressed the importance of simplifying the framework, specifically identifying applications for assessment orders and patient leave as unnecessary. Patient transfer provisions are restricted to medical purposes only and the readmission of a forensic patient who requires ongoing inpatient treatment (following the expiry of their sentence or order) was also found not to be operating effectively.

A consultation version of a Mental Health Amendment Bill, which proposed the merging of the Chief Psychiatrists as a significant simplification measure, was subject to four weeks of public consultation in 2022. 10 written submissions were received.

Red tape reforms

The Mental Health Amendment Act 2023 will make the following changes:

- establishing a new role of Chief Psychiatrist to replace the current statutory roles of Chief Civil and Chief Forensic Psychiatrist;
- removal of the requirement for the application of leave to be made in writing;
- facilitate intra-state patient transfers between approved hospitals;
- removal of the requirement to transfer a patient located in a Secure Mental Health Unit to an approved hospital in the first instance if they are assessed as needing to remain at that facility; and
- removal of the requirement for an Assessment Order application.

Status of the red tape reform

The Mental Health Amendment Act passed the Third Reading of the House of Assembly without amendment on 30 March 2023. Work is progressing to revoke, simplify and/or update all the forms, clinical guidelines, and standing orders that will be impacted by the amendments. The Act is currently expected to be proclaimed to commence in Spring 2023.



CROWNE PLAZA

Pumping WORLD

OPEN

P
POLICE VEHICLES EXEMPT

Red tape reduction issues for general application across all industries and other red tape reforms

Review of workers' compensation arrangements

Red tape burden

Certain aspects of Tasmania's workers rehabilitation and compensation scheme have been cumbersome for employers and unnecessarily burdensome for stakeholders, including workers and their dependents, employers, medical practitioners and insurers.

Regulator/agency

WorkSafe Tasmania, Department of Justice

Act/regulatory instrument

Workers Rehabilitation and Compensation Act 1988

Background/consultation

Comprehensive consultation with stakeholders has been undertaken in the development of the approved policy positions.

Red tape reforms

The amendments emphasise a movement away from administrative processes and focus instead on achieving positive outcomes for stakeholders.

They will reduce red tape involved with the administration of the Act and make other miscellaneous amendments that improve the operation of the WorkCover Tasmania Board, the operation of the Act, and the effectiveness of review provisions.

Status of the red tape reform

The Bill passed both Houses of Parliament in September 2017.

Local government traffic facilities approvals: remove the need for approval from the Department of State Growth

Red tape burden

It had been a long-standing convention that the Commissioner for Transport, through delegation of authority to departmental staff, approves all plans for installation of traffic control devices on roads in Tasmania, including roads managed by Local Government under the *Local Government (Highways) Act 1982*.

Councils were required to submit a set of plans for approval by the Commission. Up to six staff were involved in the processing of applications, with each application taking several days/weeks to progress and issue.

Applications from the north of the state generally took longer as hard copy drawings had to be sent to the south for signature by the delegate.

Regulator/agency

Transport Commission, Department of State Growth

Act/regulatory instrument

This has been a convention supported by a direction of the Commission under Section 59 of the *Traffic Act 1925* rather than a legislated requirement of the Act.

Background/consultation

The Local Government Association of Tasmania advised through its General Manager that Tasmania's Local Government General Managers supported the proposed change to traffic facilities approvals as it will allow councils, the road owners, to manage local roads to meet the needs of their communities.

Red tape reforms

Approvals are still provided by the Commission where explicitly required under the *Local Government (Highways) Act 1982* or *Traffic Act 1925*.

Status of the red tape reform

Transport Commission direction issued in 2014, effective 1 January 2015. No legislative change required.

Pre-approve road networks for a suite of Special Purpose Vehicles (SPVs) to remove the need for operators to obtain heavy vehicle permits

Red tape burden

SPV operators currently require a heavy vehicle permit in a large number of cases to access the Tasmanian road network. These permits cost \$70 and can take up to 28 days to obtain.

By publishing the most frequently used parts of the road network, open to access, under a gazetted Notice, operators may no longer require a permit saving both time and money.

Regulator/agency

Department of State Growth, National Heavy Vehicle Regulator (NHVR)

Act/regulatory instrument

Heavy Vehicle National Law (Tasmania) Act 2013

Background/consultation

SPVs service many critical parts of the Tasmanian economy, including construction, energy, mining, forestry, agriculture and in certain cases emergency management. Typical examples of an SPV include, particularly, mobile cranes and also concrete pumps and drill rigs.

Under the Heavy Vehicle National Law heavy vehicle operators must apply through the NHVR to the relevant road managers for access to the road network. Road managers, which includes not only the Department of State Growth but local councils and private road owners, must advise the NHVR of their consent to an application before a permit can be issued. Where a permit is required the approval process in certain cases can be protracted, leading to unacceptable delays.

Red tape reforms

Department of State Growth is working with local government road managers, the Local Government Association of Tasmania, the NHVR, the Crane Industry Operators and Engineering Consultants to assess the road network, particularly the bridge component, and its suitability for SPV access. The outputs of this assessment will be used to develop SPV networks and conditions under a Gazetted Notice, thus negating the need for the application for and issuing of a permit in as many cases as possible.

A 2017-18 State Roads budget allocation of \$300 000 together with a collective allocation of \$300 000 from northern and southern councils and an Australian Government allocation totaling approximately \$387 000 for the north west region have been made available and will be used to fund the Engineering Consultants to assist local road managers in the assessment of road network infrastructure.

Status of the red tape reform

Complete.

Planning reform – state planning provisions

Red Tape Burden

The variation and complexity in existing planning schemes across the State is a long standing impediment to streamlined and predictable development approvals requiring developers to work within different constraints for the same types of use and development. Expertise to determine the requirements from one council to another may be required.

Regulator/agency

Department of Justice

Act/regulatory instrument

Land Use Planning and Approvals Act 1993 (planning schemes)

Background/consultation

The Planning Reform Taskforce was established by the Minister in early 2014 to advise on a model for a single statewide planning scheme. This formed the basis of amendments to the Act to prepare the Tasmanian Planning Scheme consisting of 2 parts – State Planning Provisions (SPPs) and Local Provisions Schedules (LPS).

The Taskforce then prepared a set of draft SPPs including extensive consultation with stakeholders across industry, community and infrastructure sectors. These draft SPPs were then approved by the Minister for the statutory public consultation process and reporting by the Tasmanian Planning Commission.

The Commission reported on the draft SPPs on 9 December 2016. The Minister considered the report and accepted most of the recommendations and then made the final SPPs on 22 February 2017. The Minister published the reasons for his making the SPPs with modifications. The SPPs have been made available to local councils to prepare their LPSs. The Act provides for the LPSs to have limited variations from the SPPs where exceptional circumstances warrant that.

Red tape reforms

The making of the SPPs by the Minister presents a consistent and streamlined set of planning scheme provisions which have reduced unnecessary use and development applications by increasing exemptions, removed duplication in approvals processes, and rationalised the application of certain planning controls to areas consistent with the purpose of particular zones.

The draft SPPs were subject to extensive hearings and assessment by the Tasmanian Planning Commission providing the opportunity for scrutiny and enhancement based on representations including from local councils.

On completion of the Commission's report, the Minister sought further advice as he saw fit, including from the Planning Reform Taskforce and the Department of Justice's Planning Policy Unit, before determining what recommended modifications to accept.

Status of the red tape reform

Legislative changes enacted. and the reforms are in finalised, 'made' SPPs.

Delivery of the reforms through Local Provisions Schedules will be an ongoing process in association with local councils.

Planning reform – major projects

Red tape burden

The projects of regional significance assessment process under *Land Use Planning and Approvals Act 1993* LUPAA includes a limited number of planning and environment approvals, with proponents required to seek separate approval under several other Acts.

Proponents may invest significant time and resources in providing documentation with little certainty of whether planning or other approvals may be granted until the process is complete.

Regulator/agency

Department of Justice

Act/regulatory instrument

Land Use Planning and Approvals Act 1993 (LUPAA)

Background/consultation

In March 2015, the Planning Reform Taskforce provided advice to the Minister on proposed reforms to the projects of regional significance major projects assessment process in LUPAA. The Department of Justice developed a model assessment process for projects of regional significance, and prepared a draft Bill and Consultation Paper for public and stakeholder consultation.

The draft Bill was subject to two periods of public consultation, firstly in mid-2017 and secondly in early 2018. The second period of consultation was required due to significant amendments made to the Bill following the first period of consultation.

Red tape reforms

The new projects of regional significance assessment process will provide proponents with greater certainty, and establish a more rigorous and coordinated assessment process that encompasses regulator approvals under several Acts.

The State has engaged with the Australian Government and received in principle agreement that the proposed assessment process continues to be recognised under the Commonwealth Assessment Bilateral Agreement (made pursuant to the *Environment Protection and Biodiversity Conservation Act 1999*).

Status of the red tape reform

The Land Use Planning and Approvals Amendment (Major Projects) Act 2020, was proclaimed on 28 October 2020 and is now effective.

A single civil and administrative tribunal

Red tape burden

Tasmania is the only Australian state and territory that does not have a single tribunal and administrative appeals framework. Tasmania has over 25 different administrative decision making or review bodies.

A single tribunal could result in greater uniformity and consistency in processes across jurisdictions whilst retaining the important specialist features of the individual tribunals.

Reform of this kind to civil and administrative decision-making processes, has the potential to improve service delivery, provide better access to justice and reduce red tape and duplication.

Regulator/agency

Department of Justice

Act/regulatory instrument

Tasmanian Civil and Administrative Tribunal Bill 2020.

A Bill to provide for the statutory establishment of the Tasmanian Civil and Administrative Tribunal will be required together with changes to supporting legislation for each affected Tribunal.

Background/consultation

Each existing tribunal has its own administrative and legislative framework requiring a high level of resourcing and support that could be streamlined to deliver a more efficient and accessible service.

The Department of Justice developed and consulted on a Discussion Paper which examined the range of bodies suitable for amalgamation as well as possible structure, legislative requirements, governance and leadership of a single tribunal.

Extensive public and stakeholder consultation was undertaken on the legislation to establish the Tasmanian Civil and Administrative Tribunal.

Red tape reforms

Legislation permitting the establishment of the Tasmanian Civil and Administrative Tribunal has passed Parliament and the Tribunal is scheduled to commence on 1 July 2021.

Status of the red tape reform

During July 2020, nine existing Tribunals and Boards co-located at a new, purpose-built facility at 38 Barrack Street, Hobart. These Tribunals and Boards will amalgamate to form the Tasmanian Civil and Administrative Tribunal during 2021.

Reducing limitations on leasing and licensing crown land

Red tape burden

A red tape issue has arisen in relation to Government departments seeking to lease Crown land containing a dwelling. Present provisions of the *Crown Lands Act 1976* place limitations on portfolio Ministers leasing residential properties to non-departmental employees.

In particular, the limitations impact upon the Government's ability to provide greater security of tenure to non-government sector health service providers operating residential care facilities on Crown land.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Crown Lands Act 1976

Background/consultation

The *Crown Lands Act 1976* currently places restrictions on Government departments seeking to lease Crown land containing dwellings to non-departmental employees. At present, a portfolio Minister may lease 'residential portfolio land' to a departmental employee on such rental, terms and conditions as the Minister deems appropriate, or to a person, who is not an employee of that Minister's department, for a period of no longer than 12 months and at a market rate.

By contrast, a portfolio Minister has broader powers to lease all 'other portfolio land' under their department's control without the limitations which currently apply to properties containing a dwelling.

The inherent limitations on leasing 'residential portfolio land' to third parties (that is non-departmental employees) have created difficulties for the Department of Health and Human Services when seeking to lease Crown land to the non-government sector for the provision of residential health care services such as group homes and aged care facilities.

Red tape reforms

Amend the *Crown Lands Act 1976* to remove the distinction between 'residential portfolio land' and 'other portfolio land' by replacing these two categories with a single category of 'portfolio land'. As a result of the amendments, portfolio Ministers will be able to:

lease or license any Crown land managed by their departments without the limitations currently imposed by the Act with regard to 'residential portfolio land' lease, or
license all land under their department's management in accordance with the powers that already apply in relation to the existing category of 'other portfolio land'.

Status of the red tape reform

Enacted and finalised.

Reviewing model work health and safety laws

Red tape burden

National consistency in work health and safety laws is of particular importance for business.

Regulator/agency

WorkSafe Tasmania, Department of Justice

Act/regulatory instrument

Work Health and Safety Act 2012

Background/consultation

The model work health and safety (WHS) laws include the model WHS Act, model WHS Regulations and model Codes of Practice, supported by the *National Compliance and Enforcement Policy*. Safe Work Australia, an Australian government statutory body, has responsibility for national policy relating to WHS. Any proposed changes to the model WHS laws must be agreed upon by a two-third majority of Ministers responsible for work health and safety (WHS Ministers). Changes to the model WHS laws must be formally adopted before they have effect in Tasmania.

In 2018, a review of the national model WHS laws was undertaken by an independent reviewer. The review examined how the model WHS laws are operating in practice, whether they are achieving the objects stated in the model WHS Act, and if they have resulted in any unintended consequences. The final report of the review, which was publicly released in February 2019, found that the model WHS laws are largely operating as intended, and proposed 34 recommendations to improve clarity and consistency.

On 24 June 2019, Safe Work Australia released a Consultation Regulation Impact Statement (Consultation RIS) which invited stakeholder feedback on the anticipated impacts of implementing the recommendations. Safe Work Australia received 102 submissions to the Consultation RIS from a broad range of stakeholders including unions, industry representatives, WHS regulators, businesses and individuals. This feedback informed Safe Work Australia's preparation of a Decision Regulation Impact Statement (DRIS).

Red tape reforms

On 20 May 2021, WHS Ministers announced their decisions on each of the review's recommendations. For almost all of the review's 34 recommendations, WHS Ministers agreed to either implement the recommendation as it stands or adopt another approach taken from the DRIS to address the underlying issue. A table of WHS Ministers' decisions on each of the review's recommendations is available on the Federal Attorney-General's website on the following page: <https://www.ag.gov.au/industrial-relations/publications/work-health-and-safety-ministers-meetings>.

Status of the red tape reform

Enacted 2022.

Making it easier for businesses to register for government events

Red tape burden

Previously, businesses registering for Government events needed to ring or email Business Tasmania which would manually manage registrations.

Regulator/agency

N/A

Act/regulatory instrument

N/A

Background/consultation

N/A

Red tape reforms

Business Tasmania streamlining event registrations using Eventbrite. Businesses are able to register, pay and import the event into their diaries in one step.

In 2014-15 Business Tasmania handled 40 events across the state attended by 1 827 participants.

Refer to business.tas.gov.au/content/upcoming-events

Status of the red tape reform

Enacted and finalised.

Streamlined process for Tasmanian Government nominations for skilled migration

Red tape burden

The Business and Skilled Migration team within the Department of State Growth is integrating a customer relationship management (CRM) functionality into the Migration Tasmania website, which will result in a clearer and more streamlined process for skilled migrants to apply for state nomination.

Integrating the approval process is more efficient, resulting in reduced turnaround times for applications.

Regulator/agency

Department of State Growth

Act/regulatory instrument

Migration Act 1958

Background/consultation

All other Tasmanian Government departments that manage skilled migration nominations have CRM functionality integrated into their online application process. Applications for skilled migration to the Department of State Growth are increasing, and a streamlined process is necessary to ensure applications are processed quickly and efficiently without the need for duplication or further resourcing.

The new website also actively promotes Tasmania as a desirable place for skilled migrants to live, with a focus on lifestyle options and business and investment opportunities. It also promotes opportunities for international students who graduate in Tasmania to continue to live and work in the state.

The website aims to clearly explain the guidelines and requirements for state nomination, helping users to find relevant information and reduce the need to manage inquiries of a general nature.

Red tape reforms

The revised Migration Tasmania website was launched on 21 April 2016, which includes an online application process for potential overseas migrants, information about visa types and application processes, as well as information about living in Tasmania.

Status of the red tape reform

Completed.

Amendment of Local Government Act 1993 to abolish 29 individual code of conduct panels and replace with an independent state-wide code of conduct panel

Red tape burden

The new code of conduct framework replaces the 29 separate council code of conduct panels and the Local Government Association of Tasmania Standards Panel with a single and independent state-wide code of conduct panel.

This provides a strengthened and streamlined code of conduct framework.

Regulator/agency

Local Government Division, Department of Premier and Cabinet

Act/regulatory instrument

Local Government Act 1993, Local Government (Model Code of Conduct) Order 2016.

Background/consultation

A state-wide code of conduct framework applying to all elected councillors first commenced on 13 April 2016.

The framework was established through changes to the *Local Government Act 1993* and replaced a patchwork of previous code of conduct arrangements that were in place at the individual council level.

The framework was developed through extensive consultation with the local government sector and the Integrity Commission and provides for greater uniformity and enforceability than pre-2016 arrangements, which were widely seen as lacking consistency and credibility.

Red tape reforms

The code of conduct panel is constituted of three members derived from the pool of members appointed by the Minister responsible for Local Government. One member is an Australian lawyer, and the remaining two members are persons with experience in Local Government.

An Executive Officer is appointed by the Department of Premier and Cabinet to undertake the administrative functions of the panel. The panel is chaired by a member with experience in Local Government.

Status of the red tape reform

Completed. Legislative amendments were enacted in 2015. The new Model Code of Conduct was made by Ministerial Order in 2016.

Continuous improvement for the Model Code of Conduct framework and further red tape reform:

- In 2018, the Tasmanian Government and the local government sector completed a joint review of the state-wide code of conduct framework for elected members to ensure that it is operating as intended, following its implementation in 2016.
- In responding to the Review, the Government agreed to a package of improvements to the code of conduct framework, many of which are designed to improve the overall efficiency of the complaints-handling process.
- These changes are currently being implemented through a combination of minor legislative amendments, changes to the Model Code of Conduct, and targeted process and administrative improvements.
- Additional administrative guidance has been developed to support initial assessment decision-making by the Code of Conduct Panel to ensure that only those matters that warrant investigation are accepted by the Panel. Further administrative measures and minor legislative amendments are also under consideration to improve the efficiency and integrity of the complaint process.

Simplifying stamp duty on corporate restructures

Red tape burden

Currently, a corporate reconstruction or consolidation in Tasmania attracts a duty liability under the *Duties Act 2001* where a direct or indirect acquisition of land occurs.

Historically, the Treasurer has provided duty relief for internal corporate restructures through discretionary ex-gratia payments made under an administrative arrangement.

The Government considers that where it is a genuine internal corporate restructure and confined to members of the same corporate group, there should be an ability under the Act to provide an exemption from duty rather than using a more complex and costly administrative work-around through ex-gratia payments.

Regulator/agency

Department of Treasury and Finance

Act/regulatory instrument

Duties Act 2001

Background/consultation

All jurisdictions, with the exception of Tasmania, provide a legislative exemption from duty for corporate reconstructions.

Currently in Tasmania the Department of Treasury and Finance considers several principles when assessing whether ex-gratia relief should be granted for internal corporate restructures. These principles are generally consistent with the criteria that other jurisdictions have prescribed in legislation.

Red tape reforms

In order to provide transparency, certainty and a more streamlined process, the *Duties Act 2001* is to be amended so that the Commissioner of State Revenue can grant a full exemption from duty if satisfied that a corporate reconstruction or consolidation meets the specified statutory criteria.

Status of the red tape reform

The Duties Amendment (Landholder and Corporate Reconstruction and Consolidation) Bill 2016 was passed by the House of Assembly on 20 September 2016.
Enacted and finalised.

Provision of online forms for external clients for Mineral Tenement Processes

Red Tape Burden

Mining and exploration companies are required to submit exploration and production returns to Mineral Resources Tasmania (MRT) on a quarterly basis or annual basis.

These detail company exploration and/or production activities for the relevant period. Currently, MRT mails a hardcopy of the forms and most are completed by hand and sent by return mail.

Implementing an online process would streamline this process and reduce the administrative burden for both industry and MRT.

Regulator/agency

Mineral Resources Tasmania, Department of State Growth

Act/regulatory instrument

Mineral Resources Development Act 1995

Background/consultation

MRT is embarking on the digitisation and online provision of a number of Mineral Tenement forms to enable clients to fill out and lodge electronically via the MRT website. Evaluation of K2 software has demonstrated that it is the most likely platform to deliver online forms with payment provisions to an acceptable security level.

This process improvement is a timely development that will streamline distribution, collection and administration of data. In instances where companies or individuals prefer to be mailed out a physical form to complete, MRT will also continue to support a manual approach.

A critical issue in implementing this red tape reduction is cybersecurity. There is a risk that online forms could make MRT databases vulnerable to attack. Mining companies provide data to MRT 'commercial in confidence' and MRT has a statutory obligation to maintain data confidentially. A breach of security could result in MRT not meeting its statutory obligations.

Red tape reforms

In light of the cybersecurity issues identified, forms are currently available online in PDF format. Editable PDF forms were under development however, later evaluation concluded the K2 platform may provide an avenue for direct collection of data.

Status of the red tape reform

The K2 software platform was evaluated and found not to be fit for purpose or to meet the current stringent cyber security requirements, therefore this red tape matter is no longer a priority.

Professional Standards Act Amendments to remove section 27(c) and introduce mutual recognition provisions

Red tape burden

The existence of section 27(c) meant that the Tasmanian legislation differed from that in all other Australian jurisdictions, requiring Professional Associations to apply for separate professional standards schemes in Tasmania.

Regulator/agency

Department of Justice

Act/regulatory instrument

Professional Standards Act 2005

Background/consultation

A joint Department of Treasury and Finance and Department of Justice review of section 27(c) in 2014 resulted in a discussion paper being released to stakeholders. All submissions received requested the removal of section 27(c) and the introduction of mutual recognition provisions.

Red tape reforms

The *Professional Standards Amendment Bill 2016* has now passed both Houses of Parliament, and received Royal assent on 24 November 2016.

Status of the red tape reform

Enacted and finalised.

National business simplification initiative

Red tape burden

Representatives from the Tourism Industry approached the government to discuss concerns around regulatory hurdles faced by small tourism operators seeking to operate commercial tours in National Parks.

There is concern that if a business would like to operate a tour in Tasmania's National Parks, a number of approvals are needed, ranging from Commercial Visitor Services Licence to Commercial Passenger Vehicle Accreditation.

Regulator/agency

Department of State Growth

Act/regulatory instrument

NA

Background/consultation

The Tasmanian Government and the Australian Government have agreed to work together on this project as part of the National Business Simplification Initiative.

The project team has mapped the regulations covering the nature-based tourism sector and interviewed a range of operators to identify regulatory hurdles and unnecessary duplication of paperwork.

Red tape reforms

The first phase will facilitate immediate improvements to the small business client experience by streamlining the current processes through a digital solution.

A new webpage will be established through the Business Tasmania website providing a single point of reference for the permits required to commence a tour operation or business in Tasmanian National Parks.

The work will be coordinated by the Information, Communication Technology and Spatial Services Branch with the Department of State Growth in association with the relevant state agencies.

Status of the red tape reform

The platform intended for the National Business Simplification Initiative was used to deliver the Travel Vouchers program. State Growth ran multiple rounds of the Travel Vouchers program and delivered a solution that was able to be adapted to meet changing business requirements.

Finalised.

Abolition of registration labels from heavy vehicles

Red tape burden

From an industry perspective, registration labels create an unnecessary level of administration for vehicle operators and both the Tasmanian Transport Association and the Australian Trucking Association have been supportive of the removal of labels from heavy vehicles.

Regulator/agency

Department of State Growth

Act/regulatory instrument

Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2010

Background/consultation

In 2016 the Australian Government established a Heavy Vehicle Strategy Group (HVSG) to consider matters pursuant to achieving heavy vehicle regulatory reform. This group comprises representatives from the Commonwealth, State and Territory transport authorities, the National Heavy Vehicle Regulator, the National Transport Commission and industry.

The role of the HVSG is to consider a range of initiatives aimed at providing benefits for industry. As a result all jurisdictions have now committed to removing labels from heavy vehicles by July 2018.

For Tasmania, the removal of labels for heavy vehicles supports other work being carried out on digital transactions and in particular the use of electronic forms.

It is expected that there will be productivity savings for industry as a result of no longer needing to attach registration labels to heavy vehicles (particularly for larger fleet operators who currently have to manage logistical issues associated with regularly replacing registration labels).

Red tape reforms

An amendment was made to the relevant legislation to remove the requirement to display or issue a registration label to a heavy vehicle. System changes were made to the Motor Registry System and a review undertaken of forms and website information to reflect the changes.

In addition, inserts have been included with registration renewal notices advising of the change and Public Notices were included in all major Tasmanian newspapers. Advice was also provided to enforcement agencies in all jurisdictions.

Status of the red tape reform

Enacted and finalised (effective 1 September 2017).

Cutting red tape for the mining industry

Red tape burden

The *Mineral Resources Development Act 1995* provides for the development of mineral resources in Tasmania. Amendments to the Act were necessary to remove regulatory duplication, streamline processes and reduce red tape.

Regulator/agency

Mineral Resources Tasmania, Department of State Growth

Act/regulatory instrument

Mineral Resources Development Act 1995

Background/consultation

Consultation was undertaken with industry and relevant agencies to identify amendments that would remove regulatory duplication, streamline processes under the Act, reduce red tape and clarify the intent of the Act and remove instances of ambiguity.

Red tape reforms

The Mineral Resources Development Amendments Bill was tabled in Parliament in June 2017.

The Bill revised reporting requirements for tenement holders, removing the need for mandatory quarterly reporting from licensees. The Bill also removed the need for an applicant for a mining lease to provide environmental information as part of an application.

The environmental dimension of mining activities is not regulated under the Mineral Resources Development Act nor by the Director of Mines, as this information is required separately as part of the land use decision making process.

The Bill also removed red tape in relation to categories of minerals provided for under a mining lease and by the efficient administration of security deposits.

Further, prospecting licenses now only need to be renewed every five years, rather than annually, as is had been the case.

Status of the red tape reform

Complete. The Bill passed both Houses of Parliament in September 2017 and became law on 21 November 2017.

Review of Tasmania's local government legislation

Red tape burden

2018 marked the 25th anniversary of the introduction of the *Local Government Act 1993*. The past quarter of a century has seen significant social, economic and technological changes. The role of councils and community expectations have expanded in line with these changes.

A number of provisions in the Act have become outmoded or made redundant by more recent advances in telecommunications and digital technologies. Due to these changes over time, some of the current provisions place an unnecessary administrative burden on councils, particularly in relation to consultation and the provision of information.

Regulator/agency

Department of Premier and Cabinet (Director of Local Government) Local councils

Tasmanian Electoral Commission

Tasmania Auditor-General

Act/regulatory instrument

Local Government Act 1993

Background/consultation

On 26 June 2018, the Minister for Local Government announced a major review into Tasmania's local government legislation. Removing unnecessary red tape and reducing the administrative burden where possible, are part of the Terms of Reference for this review.

It is intended that proposed reforms will provide councils with flexibility, where possible, through principles-based legislation. They will also allow methods to move over time with changes in technology and social expectations, while still maintaining public accountability.

Public consultation occurred between December 2018 and March 2019 on areas for reform, as well through a Reference Group between April 2019 – May 2019 which included local government elected members, local government staff, business and representative groups and members of the community.

Red tape reforms

A number of reforms were approved for public consultation in 2019-2020 including:

- introducing a principles-based Act that will remove unnecessary prescriptive processes, leaving these decisions as the discretion of councils
- removing prescriptive consultation requirements, instead requiring councils to engage with their communities in ways that best suit that communities' needs
- removing prescriptive annual report processes in favour of more accessible, timely information
- developing model by-laws to reduce the administrative burden on councils and provide consistency for individuals and businesses operating across different municipal areas
- simplifying the complaints framework to streamline the process and reduce confusion.

Status of the red tape reform

The COVID-19 pandemic emergency has impacted on the timeframes for drafting and consulting on the new local government legislation. However, there is now an opportunity to reflect on the pandemic response experience and consult with councils and the broader community on how this might influence and shape the final legislative package before bringing it into the Parliament.

The Government will release draft legislation for public consultation in 2021.

Wildlife Regulations Review

Red Tape Burden

Sub-ordinate legislation under the *Nature Conservation Act 2002* regulates the taking, possession and trading of wildlife and wildlife products, hunting, and wildlife exhibition and display. Licensees are required to undertake a large number of administrative tasks to obtain and retain licences and permits for their activities.

Regulator/agency

Department of Natural Resources and Environment Tasmania.

Act/regulatory instrument

Nature Conservation (Wildlife) Regulations 2021

Background/consultation

The remaking of the regulations has identified opportunities to reduce the inefficiency of some administrative processes – including reducing the administrative burden on stakeholders – while strengthening their effectiveness. While the intent of the regulations remains the same, the draft regulations have been updated to reflect contemporary wildlife management, improve efficiency and cut unnecessary red tape.

The Department completed targeted consultation during 2019, which provided peak bodies, business, industry and wildlife conservation organisations with the opportunity to identify possible reforms.

Following development of draft regulations, the Department carried out a public consultation period from 1 – 30 September 2021. Fifty-four submissions were received during the consultation period, from a wide range of stakeholders and individuals. Public consultation was a key part of the review process, and feedback from the Tasmanian public has been considered in finalising the regulations.

Red tape reforms

The Nature Conservation (Wildlife) Regulations 2021 were significantly reformed to combine the former Wildlife (General) Regulations 2010 and the Wildlife (Exhibited Animals) Regulations 2010, thereby reducing the total number of statutory rules.

Several notable changes were made to the newly remade regulations, including:

Capacity for granting sub-authorisation of selected permit types to significantly reduce the number of permits required, and empowering permit holders to better manage their business.

Simplified requirements relating to commercial use of wildlife to reduce the total number of permits being required.

Creation of a new permit type for wildlife rehabilitation which can cover multiple species and individuals of wildlife, reducing the number of permits required by rehabilitators.

Removed the requirement for local government to seek permits to possess and remove roadkill from public roads for public safety.

Improved clarity of what constitutes wildlife products, thereby reducing the number of activities that require permitting.

Simplified scientific/research permits to reduce the total number of permits being issued.

Removed the requirement to physically surrender cancelled permits and licences.

Status of the red tape reform

The revised regulations are now in effect and are being implemented.

Refining the Leasing and Licencing Functions for the Parks and Wildlife

Red Tape Burden

The Parks and Wildlife Service (PWS) will reduce the administrative burden for its stakeholders in relation to leasing and licencing activities, by providing consistency in the management of the Department of Natural Resources and Environment Tasmania's (NRE Tasmania) land and assets, under the *Crown Lands Act 1976* and the *National Parks and Reserves Management Act 2002*.

Modernising resources and management procedures across NRE Tasmania will increase the efficiency and effectiveness of activities associated with the leasing and licencing of Crown land, reserved land, and commercial visitor services.

Regulator/agency

Department of Natural Resources and Environment Tasmania.

Act/regulatory instrument

Crown Lands Act 1976

National Parks and Reserves Management Act 2002

Forestry (Rebuilding the Forest Industry) Act 2014

Background/consultation

The PWS has centralised the staff involved in the assessment of leases and licences for the use of PWS-managed land and is currently progressing a program of initiatives to streamline workflow in this area and create efficiency for customers.

Red tape reforms

- Co-location and pooling of resources across NRE Tasmania – complete.
- Assessment of lease and licence applications under a land tenure blind system – complete.
- Review of policies to improve consistency – in progress, but significantly progressed.
- Development of a Customer Service Charter – in progress, but significantly progressed.
- Enhancement and streamlining of application forms and public interface documents and platforms – in progress.
- Working with key stakeholders such as the Office of the Valuer-General to standardise requests and information – in progress, but significantly progressed, almost complete.

Status of the red tape reform

Due to the wide range of activities, some items have been completed, and others are in progress, however significant progress has been made.

Small Business Regulatory and Process Reform Project

Red Tape Burden

The Northern Midlands Business Association (NMBA) and Kentish and Latrobe Independent Business Association (KaLIBA) have written to the government seeking support for a project titled 'Small Business Regulatory and Process Reform'. The aim of the project is to identify complicated policies and regulation that hamper the operations of small business and or the capacity to grow.

Regulator/agency

Department of State Growth

Act/regulatory instrument

To be confirmed based on issues identified through stakeholder engagement.

Background/consultation

The NMBA are currently undertaking a survey of their 1000 plus members and wider Tasmanian Chamber Alliance community to identify regulatory issues and potential reforms for small business.

The NMBA has briefed the Minister for Small Business, Business Tasmania and is working with the Small Business Advocate.

Red tape reforms

Potential regulatory reforms from the project will be published in paper by the NMBA and presented to the government for consideration.

Status of the red tape reform

Completed.

Reduction in the requirement for road network access permits for the Australian Defence Force (ADF) heavy vehicle fleet

Red Tape Burden

Australian Defence Force (ADF) vehicles are a potential key provider in the theatre of emergency management and disaster recovery operations.

As with most states and territories in Australia, the ADF utilises the ADF Road Transport Exemption Framework to access approved routes. However, these approved routes are currently inflexible and the ADF have managed the additional network access required to respond to critical events through permits issued through the National Heavy Vehicle Regulator (NHVR). Application and issuance of these permits suffer from significant red tape and can take many days to process in time-sensitive scenarios.

Regulator/agency

National Heavy Vehicle Regulator/Department of State Growth/Local Government

Act/regulatory instrument

Heavy Vehicle National Law (Tasmania) Act 2013

Background/consultation

Permits can induce delays to the safe and contained emergency management and disaster recovery response times of the ADF heavy vehicle fleet as they react to incidents in the community, but also as they might conduct their activities more generally.

Extensive consultation has resulted in strong collaboration and alignment with the Department of Defence and the ADF to reduce this red tape burden, as it was jointly recognised that these safety and containment requirements cannot be optimised by responding with a permit-based access system.

Red tape reforms

The Department of State Growth has developed an online self-serve network access system for the ADF. The system, known as the Heavy Vehicle Access Management System (HVAMS), is available 24/7 and is the first of its kind in Australia.

HVAMS facilitates network access for ADF vehicles without the need for a permit (except in a few extraordinary cases), by utilising a robust, data-driven approach that displays networks that are matched/suited to ADF vehicles. The development approach taken with HVAMS has also allowed similar red tape reduction benefits to be enjoyed by certain segments of the commercial heavy vehicle fleet.

Status of the red tape reform

HVAMS is the established and accepted heavy vehicle access management system operating in Tasmania for the majority of the ADF fleet, uniting state and local road managers to effectively present one road network to the ADF.

Completed.

Reduction in the requirement for a Special Purpose Vehicle access permit

Red Tape Burden

Heavy vehicles are a key enabler of the Tasmanian economy, providing an essential service to many of its critical parts, including agriculture, communications, construction, defense, energy, forestry, manufacturing, mining, retail, and transport systems. The level of success achieved in enabling heavy vehicles to appropriately navigate the road network, both safely and productively, is critical to economic development and critical to avoiding economic stagnation. These safety and productivity requirements cannot be optimised by responding with a permit-based access system.

Regulator/agency

National Heavy Vehicle Regulator/Department of State Growth/Local government

Act/regulatory instrument

Heavy Vehicle National Law (Tasmania) Act 2013

Background/consultation

Permits induce delays to the efficient servicing of heavy vehicle industry clients and reduces the potential for optimised heavy vehicle productivity. Permit based access frameworks, perversely, also support the business models of those operators who are prepared to evade the permit request and consent process, thus enabling them to immediately respond to a client's request, albeit unlawfully.

Extensive consultation has resulted in strong collaboration and alignment with the heavy vehicle industry and its associations and with local road managers and their association has occurred to facilitate the significant reduction of this red tape burden.

Red tape reforms

The Department of State Growth has developed an online and on demand self-serve access system. The system, known as the Heavy Vehicle Access Management System, or HVAMS for short, is available 24/7 and is the first of its kind in Australia. HVAMS facilitates access predominantly under Notice without the need for a permit (permits are utilised in a minority of cases).

Status of the red tape reform

HVAMS is the established and accepted heavy vehicle access management system operating in Tasmania for Special Purpose Vehicles (SPV), e.g., mobile cranes, uniting multiple road managers to effectively present one road network to the Heavy Vehicle Industry.

HVAMS provides for 95% of SPV access under a Notice, harmonised across all State and Local roads since August 2019, and is available in real time self-serve 24/7. There is now no permit requirement for 95% of SPV activity.

Completed.

Reduction in the requirement for an Over Size Over Mass heavy vehicle access permit

Red Tape Burden

Heavy vehicles are a key enabler of the Tasmanian economy, providing an essential service to many of its critical parts, including agriculture, communications, construction, defence, energy, forestry, manufacturing, mining, retail, and transport systems. The level of success achieved in enabling heavy vehicles to appropriately navigate the road network, both safely and productively, is critical to economic development and critical to avoiding economic stagnation. These safety and productivity requirements cannot be optimised by responding with a permit-based access system.

Regulator/agency

National Heavy Vehicle Regulator/Department of State Growth/Local Government

Act/regulatory instrument

Heavy Vehicle National Law (Tasmania) Act 2013

Background/consultation

Permits induce delays to the efficient servicing of heavy vehicle industry clients and reduces the potential for optimised heavy vehicle productivity. Permit based access frameworks, perversely, also support the business models of those operators who are prepared to evade the permit request and consent process, thus enabling them to immediately respond to a client's request, albeit unlawfully.

Extensive consultation has resulted in strong collaboration and alignment with the heavy vehicle industry and its associations and with local road managers and their association has occurred to facilitate the significant reduction of this red tape burden.

Red tape reforms

The Department of State Growth has developed an online and on demand self-serve access system. The system, known as the Heavy Vehicle Access Management System, or HVAMS for short, is available 24/7 and is the first of its kind in Australia. HVAMS facilitates access predominantly under Notice without the need for a permit (permits are utilised in a minority of cases).

Status of the red tape reform

HVAMS is the established and accepted heavy vehicle access management system operating in Tasmania for Over Size Over Mass (OSOM) load carrying heavy vehicles, uniting multiple road managers to effectively present one road network to the Heavy Vehicle Industry.

HVAMS provides for 80% of OSOM access under a Notice, harmonised across all State and Local roads since 2016, and is available in real time self-serve 24/7. There is now no permit requirement for 80% of OSOM activity.

Completed.

Further reduction in the requirement for a heavy vehicle access permit

Red Tape Burden

Heavy vehicles are a key enabler of the Tasmanian economy, providing essential services to industries including agriculture, communications, construction, defence, energy, forestry, manufacturing, mining, retail, and transport systems. The ability to efficiently optimise access for heavy vehicles to navigate safely and productively across the state's road network is critical.

Regulator/agency

National Heavy Vehicle Regulator/Department of State Growth/Local Government

Act/regulatory instrument

Heavy Vehicle National Law (Tasmania) Act 2013

Background/consultation

Permits induce delays to the efficient servicing of heavy vehicle industry clients and reduce the potential for optimised heavy vehicle productivity. Permit based access frameworks, perversely, also support the business models of those operators who are prepared to evade the permit request and consent process, thus enabling them to immediately respond to a client's request, albeit unlawfully.

Extensive consultation and strong collaboration and alignment with the heavy vehicle industry and its associations, as well as with local road managers and their association is occurring to facilitate the significant reduction of this red tape burden.

The Department of State Growth is working with several other mainland jurisdictions with a view to enabling Tasmania's Heavy Vehicle Access Management System (HVAMS) to be implemented outside of Tasmania. This collaboration includes ensuring that the next iteration of HVAMS accommodates the requirements for this wider implementation.

Red tape reforms

The Department of State Growth has developed an online and on demand self-serve access system. The system, known as HVAMS is available 24/7 and is the first of its kind in Australia.

The HVAMS has been developed in collaboration with local governments and industry. HVAMS is an end-to-end system designed to assist road managers to manage heavy vehicle access and to provide industry with access certainty. It has been in operation since 2016 for Overs Size Over Mass (OSOM) vehicles, and currently provides for 80 per cent of OSOM and 95 per cent of Special Purpose Vehicles (SPV) e.g. mobile cranes, concrete pumps, drill rigs and the defence fleet, access across all state and local roads with no requirement for a permit.

Tasmania is working on the next version of HVAMS, which will provide automatic access assessment for all restricted heavy vehicles, for both existing and future vehicles e.g. electric heavy vehicles fleets. This will aim to take OSOM and SPV to 98 per cent access, and freight vehicles, including Performance Based Standards (PBS) vehicles, and future vehicles to the 95 per cent access mark with no requirement for a permit.

HVAMS also facilitates network access for Australian Defence Force (ADF) vehicles without the need for a permit (except in a few extraordinary cases), by utilising a robust, data-driven approach that displays networks that are matched/suited to ADF vehicles. The system will also be ready to use when the amendments to the ADF Road Transport Exemption Framework commence, further reducing red tape and optimising the effectiveness and intent of the Commonwealth's Defence (Road Transport Legislation Exemption) Act 2006.

A report prepared for the Department of State Growth in November 2022 by HoustonKemp (transport economists) found that there were significant economic benefits, beyond the initial red tape permit reductions, for the Special Purpose Vehicle (SPV) service industry operators. Over the evaluation period and in present value terms, it is estimated that by extending HVAMS to SPVs, the improvements are expected to:

- deliver economic benefits of between \$74.1 million and \$212.2 million;
- cost \$4.6 million
- deliver a net present value of between \$69.5 million and \$207.6 million, with a benefit cost ratio of between 16.2 to 46.3.

Status of the red tape reform

HVAMS is now the established and accepted heavy vehicle access management system operating in Tasmania for load carrying heavy vehicles across the State and Local Government road network, uniting multiple road managers to effectively present one road network to the Heavy Vehicle Industry for the following heavy vehicles:

Over Size Over Mass (OSOM) load carrying heavy vehicles

Special Purpose Vehicles (SPV), e.g. mobile cranes and ADF land 121 fleet

HVAMS provides for 80 per cent of OSOM access under a Notice, harmonised across all State and Local roads since 2016, and is available in real time self-serve 24/7 i.e. there is no permit requirement for 80 per cent of OSOM activity.

HVAMS provides for 95 per cent of SPV access under a Notice, harmonised across all State and Local roads since August 2019, and is available in real time self-serve 24/7 i.e. there is no permit requirement for 95 per cent of SPV activity.

HVAMS currently provides real time self-serve 24/7 harmonised access for the ADF fleet across all State and Local roads. This is particularly important when considering the emergency management and disaster recovery role that the ADF can be called upon to fulfill anywhere across Tasmania.

Release of the Economic evaluation of the impact of this initiative shown in the release of the HoustonKemp report "Cost benefit analysis of extending the Heavy Vehicle Access Management System to Special Purpose Vehicles – November 2022".

Quicker turnaround for processing of Prospecting Licence applications and extension of licence period from 1 year to 5 years

Red Tape Burden

Completion and issuing of prospecting licence applications is a very manual and handwritten process. The original licence provided was paper based and handwritten and prone to durability issues, especially given that it was required to be produced should it be requested by a Mineral Resources Tasmania (MRT) Inspector. Furthermore, there was also some confusion on the term of a licence.

Regulator/agency

Department of State Growth, Mineral Resources Tasmania

Act/regulatory instrument

Mineral Resources Development Act 1995 (MRDA)

Background/consultation

With a growing number of prospecting licence applications and some confusion about the licence terms, MRT undertook a review of the process. After analysis, it was concluded that the application process could be more streamlined and there were significant long-term benefits for the introduction of a plastic licence card.

Changing the process to include more electronic input would reduce time and the licence could be in a form similar to other government licence cards, such as a driver's licence.

Other state and territory licence application processes were also reviewed, in particular the term of the licence and then assessed relative to the Tasmanian situation.

Red tape reforms

The tenement administration team introduced an electronic system which enables processing of applications more quickly. The applicant now receives a durable, plastic licence card which is printed by MRT. Time taken to process an application has been reduced, licence durability has improved significantly, and the term of a prospecting licence has been increased from 1 year to a standard 5 years without a change in licence fees.

The changes undertaken have enjoyed widespread acceptance in the prospecting community.

Status of the red tape reform

Enacted and Finalised

Making it easier for businesses to apply for loans assistance and ongoing management of loans

Red Tape Burden

Previously, businesses requiring loan assistance needed to ring or email Business Tasmania who would manually manage loan applications. Borrowers with existing loans receive instalment and other notices by mail and have limited options for making loan repayments.

Regulator/agency

Tasmania Development and Resources (TDR) and Department of State Growth

Act/regulatory instrument

Tasmanian Development Act 1983, Cultural and Creative Industries Act 2017

Background/consultation

Manual processes, primarily the use of word documents and spreadsheets, have previously been used to compile and present loan application information to approving authorities. This methodology was time consuming and inefficient, both from the borrower's and the lender's perspectives. Feedback received from borrowers indicated the need for a wider range of loan payment channels such as direct debit, and electronic access to loan information.

Red tape reforms

An interim solution to inefficiencies in loan application handling was provided by adapting the electronic grant application system for loan applications. During 2022 a new modern electronic loan system was procured and current loans are being migrated to that system, which will provide for electronic communication with borrowers and additional loan repayment options through direct debit and BPay. Early in 2023 on-line loan applications will be made available, along with a borrower portal for real time access to loan status and information.

Status of the red tape reform

Interim loan applications through grant system enacted

New loan system procured, configured and tested

Migration of existing loans to new loan system currently under way

New loan system on-line applications and borrower portal to be introduced early 2023

Pepperberry (permit and licence) System one to two years

Red Tape Burden

Applicants can currently print, complete and post the requisite application form or complete and email a web enabled form. An application made via a public interface directly to the permitting or licence system would reduce processing steps (both internally and externally) and reduce assessment timeframes. In the instance the holder of a permit or licence is authorised to allow another person to undertake activities as if they were the permit holder, the format is hard copy only, even if the permit or licence has been dispatched electronically.

Regulator/agency

Department of Natural Resources and Environment Tasmania

Act/regulatory instrument

Nature Conservation Act 2002 and supporting regulations

Threatened Species Protection Act 1995 and supporting regulations

Whales Protection Act 1998

Background/consultation

Technological advancements have resulted in more clients wishing to apply online and receive their permits and licences online, particularly via an app suitable for use on a mobile phone. Clients have also indicated they would like to authorise another person to undertake activities electronically (via a paperless process).

NRE Tas is introducing a new software system called Pepperberry to facilitate electronic issuing of licences and permits. Development of a public interface has not yet occurred.

Red tape reforms

Resources are required to support the development of a public interface and supporting websites and applications. The Pepperberry Project to date has focused on the integration of permits and licences to cease reliance on previous software (Filemaker) databases for the issuance of permits and licences. The new system has significantly benefited the public through improved processing times for these permits and licences.

Status of the red tape reform

Work has commenced on the single remaining Filemaker database, anticipated to be completed during 2023. Additional resourcing will enable the development of the public interface, website and app.



Red tape reduction issues for the community

Reduced place of assembly licensing requirements

Red tape burden

Under the Guidelines for Places of Assembly owners/operators of public buildings such as cinemas and theatres, night clubs, public swimming pools and convenors of large outdoor events were required to hold a place of assembly licence issued by local councils for a fee.

The requirements under the guidelines largely related to building operation and safety requirements which have been separately regulated under the National Construction Code for many years. This duplication imposed an unnecessary regulatory burden on owners/operators of public buildings, including licensing costs. The duplication also resulted in an unnecessary compliance burden on councils.

Regulator/agency

Department of Health and Human Services Local
Government

Act/regulatory instrument

Public Health Act 1997

Background/consultation

The red tape issues pertaining to places of assembly regulations have been long standing issues for building owners/operators, event organisers and councils.

The Department of Health and Human Services' Public Health Services unit has been in active consultation with councils on this issue and chaired a working group with representatives from both rural and urban councils. The working group unanimously supported this change.

WorkSafe Tasmania has been fully consulted on the change.

Red tape reforms

The acting Director of Public Health amended a notice under section 75A of the *Public Health Act 1997* to restrict the class of place to which a place of assembly licence is required to only a 'mass outdoor public event'. In the revised section 75A notice, 'mass' will be defined to mean 1 000 people or more, present for two hours or more; and 'public event' will include (but is not limited to) any performance, exhibition, circus, festival, food festival, pageant, regatta, sports event, dance and publicly advertised lecture.

Status of the red tape reform

The acting Director of Public Health issued a direction to revoke all pre-existing notices issued under section 75A of the *Public Health Act 1997* and to specify that a place of assembly licence is only required for mass public events. The direction was published in the *Tasmanian Government Gazette* on 22 July 2015.

Removing duplication of regulatory requirements in the child care industry

Red tape burden

The *Registration to Work with Vulnerable People Act 2013* provides for a centralised system for the background checking and registration of people who work, or wish to work, in various regulated activities with vulnerable people, including children.

The Act created a red tape burden for some workers in the child care industry already subject to regulation and background checking under the *Child Care Act 2001*. The *Child Care Amendment Bill 2014* incorporated the Registration to Work with Vulnerable People Act's checks into the *Child Care Act* to remove duplication of regulatory requirements and overcome inconsistencies in legislation.

Regulator/agency

Building Standards and Occupation Licensing Division, Department of Justice Secretary,
Department of Education

Act/regulatory instrument

Child Care Amendment Bill 2014

Background/consultation

A red tape issue pertaining to the registration of workers in the child care industry was created with the implementation of the *Registration to Work with Vulnerable People Act 2013* and regulations.

This created a new process of registration for some workers in the child care industry already subject to regulation under the *Child Care Act 2001*.

The *Registration to Work with Vulnerable People Act 2013* provides for a centralised system for the background checking and registration of people who work, or wish to work, in various regulated activities with vulnerable people, including children.

The *Child Care Amendment Bill 2014* proposed amendments to the *Child Care Act 2001* as a consequence of and to facilitate the implementation of the *Registration to Work with Vulnerable People Act 2013*. The Education and Care Unit (Department of Education) and Building Standards and Occupational Licensing (Department of Justice – screening unit) were consulted on the Bill.

Red tape reforms

The *Child Care Amendment Bill 2014* replaced these criminal history checks with a requirement that the person be registered under the *Registration to Work with Vulnerable People Act 2013*.

The checks done under the *Registration to Work with Vulnerable People Act 2013* are more extensive than the criminal history matters taken into account in the fit and proper person test under the *Child Care Act 2001*.

The red tape burdens were unnecessary and costly duplication of regulation and inconsistencies in legislation.

Status of the red tape reform

Enacted and finalised.

Introduce online transfer of vehicle service for clients, removing the need to attend a Service Tasmania shop to undertake this transaction

Red tape burden

Clients are now able to complete the transfer of vehicle registration online when purchasing a vehicle without the need to visit a Service Tasmania shop. This complements the vehicle registration disposal transaction when selling a vehicle which is also available online.

In addition to client convenience and time saving, there is the additional benefit of registration details being updated in a timelier fashion on the Motor Registry System.

Regulator/agency

Department of State Growth

Act/regulatory instrument

Vehicle and Traffic Act 1999

Background/consultation

Tasmanians undertake over 110 000 registration transfer transactions every year. Prior to implementation of the online option there was a requirement to attend a Service Tasmania shop to complete the transaction.

The timely updating of registered operator details enables improved customer service ensuring renewal reminder notices and other correspondence are delivered to the correct operator.

Red tape reforms

The issue was addressed by the development of an online application that uses web browsers and mobile devices enabling payment by credit card.

This is linked to and accessible from both Service Tasmania and the Department of State Growth web pages. Renewal notices have been adapted to inform customers of the new service.

Status of the red tape reform

The application went live in July 2014.

Abolish the requirement for drivers over the age of 75 to have compulsory medical assessments, if they do not have a medical condition that could impact on their ability to drive safely

Red tape burden

Drivers over the age of 75 were required to undertake mandatory annual medical assessments to maintain their driver licence. The need to undertake a mandatory medical assessment on the basis of age alone is discriminatory as drivers aged 75 years or more are not over represented in crash statistics.

Normal ageing does not increase crash risk as older drivers compensate for any gradual decline in driving abilities. The community perceived this requirement as burdensome and discriminatory.

Regulator/agency

Registrar of Motor Vehicles, Department of State Growth

Act/regulatory instrument

Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2010

Background/consultation

A review of the Older Driver Licensing System found no evidence that older drivers are more likely to cause a crash and that older drivers are under-represented in crash statistics. Older drivers are generally very good at self-assessing their driving skills and are driving within their capacity.

Prior to removing this requirement extensive consultation with stakeholders was undertaken including medical practitioners, relevant associations and support groups. In addition, a campaign was undertaken to increase awareness around the importance of individuals self-assessing their fitness to drive.

Red tape reforms

The requirement for drivers over the age of 75 to have compulsory medical assessments if they did not have a medical condition that could impact on their ability to drive safely was abolished in October 2014.

Government resources are now being utilised to assess the 18 000 drivers with existing medical conditions that may impact on their driving, rather than the blanket assessing of healthy older drivers.

Status of the reform

Revised policy was implemented in October 2014.

Electronic Service of Police Infringement Notices (ESOP)

Red tape burden

Previous legislation restricted Police Infringement Notices being sent electronically.

Regulator/agency

Department of Police, Fire and Emergency Management (DPFEM)

Act/regulatory instrument

Acts Interpretation Act 1931 (Administrator of Act – Minister for Justice)

Background/consultation

The Police Infringement Notice System (PINS) introduced in June, 2014, was a first of its kind mobile application for Tasmania Police to issue infringement notices electronically on their tablet computers instead of continuing to utilise a paper-based system.

About 900 000 infringement notices are issued by Tasmania Police every year.

An amendment to legislation was required to allow the notices to be sent electronically, with the consent of the recipient.

Red tape reforms

A bill was introduced to Parliament to amend Section 30A of the *Acts Interpretation Act 1931* (Tas) to enable infringement notices to be served electronically.

Status of the red tape reform

Completed.

The enhancement to PINS went live on 19 September 2016. It provides for the option of receiving PINS electronically via email once verbal consent is provided to the issuing officer.

Simplification the quarantine procedures for passengers arriving in Tasmania on the *Spirits of Tasmania*

Red tape burden

Implementation of new quarantine clearance process to ensure passengers travelling to Tasmania on the *Spirit of Tasmania* spend less time in queues. After a successful trial, passengers now enjoy faster disembarkation in Devonport with the quarantine clearance undertaken at the Port of Melbourne.

Passengers now receive information on legal obligations and Tasmanian biosecurity requirements when booking, during the loading process and while on board. These changes strengthen the biosecurity and quarantine arrangements.

Regulator/agency

TT-Line

Biosecurity Tasmania

Act/regulatory instrument

Memorandum of Understanding between Biosecurity Tasmania and TT-Line

Background/consultation

Under a memorandum of understanding between Biosecurity Tasmania and TT-Line a new quarantine clearance process was trialled at the Port of Melbourne and is now in operation reducing frustration for passengers disembarking in Devonport.

The new process reduces offloading times for passengers at Devonport and strengthens Tasmania's biosecurity frontline.

Red tape reforms

Quarantine inspections now involve a three-stage process that begins in the port of Melbourne rather than when people are already in Tasmania.

Food, plant and other materials that may be harmful to the state's primary industries and environment can be identified and removed before arrival in Tasmania, with the quarantine message beginning at the start of and continuing during the journey.

Targeted inspections can then be undertaken by Biosecurity Tasmania staff as required on arrival.

In its first 30 months, implementation of the new off-shore biosecurity clearance system has screened more than 262 000 vehicles and more than 59 000 passengers arriving by foot have been screened. More than 47 tonnes of biosecurity risk material have been seized and more than 10 000 items were referred to Biosecurity Tasmania for inspection on arrival in Devonport.

Importantly this new way of working has very significantly increased the volume of seized material and streamlined the process. It has been welcomed by passengers with the typical disembarkation time reduced from a two hour process previously to an average time now of 30 minutes.

Status of the red tape reform

Implemented.

Improve Fitness-to-Drive management processes

Red tape burden

Streamline Fitness-to-Drive assessment processes.

Regulator/agency

Department of State Growth

Act/regulatory instrument

Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2010

Background/consultation

The red tape issues around the Fitness-to-Drive processes have been identified from a range of sources, including client feedback, consultation with and feedback from stakeholders, such as medical practitioners and Tasmania Police. A review of current processes will ensure that we can provide a customer-focused approach aimed at supporting both road safety and keeping people within the licensing system for as long as it is reasonable to do so.

The review will consult with a range of stakeholders including:

medical practitioners

Tasmania Police

interest groups

support groups (Diabetes Tasmania, National Heart Foundation etc.)

our clients with the aim of creating a clear, streamlined and supportive process for clients.

Red tape reforms

A review of all current Fitness-to-Drive processes and practices has been completed with a key focus on providing the right balance between road safety, regulatory responsibilities and client focus.

Outcomes that have been implemented are:

new Medical Fitness-to-Drive Decision Making Guidelines have been developed and are in use

new Returning Driver Decision Making Guidelines; Fitness-to-Drive (driving capability) Decision Making Guidelines; and Public Passenger Vehicle Ancillary Certificate (adjunct to driver licence) Decision Making Guidelines have also been developed and are now in use

a new streamlined process between Transport Access Scheme and driver licensing to support medical Fitness-to-Drive decisions has been successfully implemented

new internal process for efficient processing of initial medical advice has been developed and implemented

new Medical Fitness-to-Drive Assessment form has been developed. Consultation undertaken with medical practitioners and communication completed. Form now in use and

a case management approach for all aspects of Fitness-to-Drive has been implemented, including multi-skilling of Driver Licensing team and moving to client-based workloads as opposed to activity specific workloads, ensuring a better customer experience for our clients.

Status of the red tape reform

Complete.

Introduce a new driver assessment booking system to enable clients to book and pay for an assessment online

Red tape burden

Clients are required to visit a Service Tasmania centre to book and pay for a Driver Assessment.

Regulator/agency

Department of State Growth

Act/regulatory instrument

Vehicle and Traffic Act 1999

Background/consultation

Driver assessment bookings and payments were only available by visiting a Service Tasmania centre and clients had to revisit if they wanted to change an appointment.

This was time consuming and inconvenient, especially for people living in remote or rural areas.

If clients were unsuccessful in gaining their licence, they were required to wait a further 28 days before resitting an assessment for a provisional licence, resulting in long wait times for people to gain their PI licence.

Red tape reforms

A new online application is now accessible by the public to book, pay and change Driver Assessments. It allows assessments for L2 and PI licences to be booked, paid for and moved online 24 hours a day.

Further, the 28 day waiting period has now been removed and assessors now provide feedback to unsuccessful clients, prior to their next assessment.

Status of the red tape reform

Complete.

Holders of permits to keep reptiles to be able to increase the number of animals they keep

Red tape burden

Members of the community who collected and kept reptiles and amphibians were limited by permit conditions on the number and type of animals they could have in their collections.

This affected their ability to breed animals and engage in legitimate trade.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Wildlife (General) Regulations 2010

Background/consultation

During recent stakeholder consultation on the Department's Wildlife Import Policy conditions around the keeping of reptiles and amphibians were discussed.

Interest groups called for a review of existing policy relating to permit and licence conditions and redrafting of some conditions.

Red tape reforms

A new and streamlined *Policy on Importing (and Keeping) Vertebrate Wildlife in Tasmania* has been developed by the Department.

New arrangements have been finalised that allow businesses that display reptiles for educational purposes to import a small number of moderate and serious threat reptiles.

These include Central Bearded Dragons (*Pogona vitticeps*), Children's Pythons (*Antaresia spp.*) Carpet pythons (*Morelia spilota*) and Black headed pythons (*Aspidites meloncephalus*).

The Department has assessed the biosecurity risk of these species, and considers them to be suitable for handling and interacting with the public provided strict requirements are met.

Conditions on possession will apply to ensure the residual biosecurity risk is low. The species have been listed as Restricted (Special Purpose) Wildlife so that the conditions can be enforced if necessary.

Status of the red tape reform

Enacted and finalised.

Removal of the moratorium on bird and reptile imports while maintaining biosecurity

Red tape burden

During the past few years there has been increasing interest within the community to import exotic species of birds and reptiles, particularly from aviculture and herpetological clubs and societies.

These groups felt that the Department's previous Wildlife Import Policy had an overly conservative approach to the importation of exotic species of birds and reptiles and they expressed a strong desire for this to be reconsidered.

Regulator/agency

Department of Primary Industries, Parks, Water and Environment

Act/regulatory instrument

Wildlife (General) Regulations 2010

Background/consultation

Tasmania has had a long standing policy of prohibiting importation of exotic species, including birds and reptiles, to protect the state's favourable biosecurity status, environment and industries.

Recent consultation during the review of the Wildlife Import Policy highlighted a strong desire from collectors to be able to import a wider range of species.

Along with this feedback, the Tasmanian Farmers & Graziers Association and other stakeholders also noted the importance of biosecurity and supported a considered approach to any new imports of exotic wildlife.

Red tape reforms

An updated and streamlined *Policy on Importing (and Keeping) Vertebrate Wildlife in Tasmania* has been developed by the Department.

The Policy has been informed by feedback from the TFGA, wildlife parks, zoos, clubs, organisations and individuals that are interested in importing and keeping vertebrate wildlife.

The new Policy maintains a risk assessment model, and introduces case management to assist applicants, reduces assessment timeframes, includes consultation requirements and an appeal process. These changes make the process for importing wildlife simpler, but do not compromise Tasmania's biosecurity.

The Department has also made changes to assist the State's wildlife parks and zoos reporting, including reduced reporting arrangements and changing reporting timeframes to avoid peak business periods.

Status of the red tape reform

Enacted and finalised.

Review of small passenger vehicle regulation

Red Tape Burden

Prior to 2016, ride-sourcing service providers such as Uber were not considered in Tasmanian legislation, preventing their entry into the passenger transport market.

The Tasmanian taxi and hire vehicle industries are subject to a complex range of Government regulatory requirements, which include restrictions on the overall number and distribution of taxis, the fares that taxis can charge, and various driver and vehicle standards.

Regulator/agency

Department of State Growth

Act/regulatory instrument

Taxi and Hire Vehicle Industries Act 2008 and Taxi Industry Regulations 2018, Luxury Hire Car Regulations 2018 and Restricted Hire Vehicle Industry Regulations 2013

Passenger Transport Services Act 2011 and Passenger Transport Services Regulations 2013

Vehicle and Traffic Act 1999 and Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2020.

On-Demand Passenger Transport Services Industry (Miscellaneous Amendments) Act 2020

Background/consultation

In October 2015 the Government committed to modernising the regulatory framework for the taxi and hire vehicle industries via a two-stage process, which included:

Introducing legislation in 2016 to enable the lawful operation of ride-sourcing services such as Uber in Tasmania; and

Undertaking a comprehensive review of the current legislative framework for taxi and hire vehicle services in Tasmania.

Legislation to facilitate the operation of ride-sourcing services, subject to a range of regulatory controls, passed the Tasmanian Parliament in August 2016, delivering on the first part of the Government's commitment.

Red tape reforms

The On-Demand Passenger Transport Services Industry (Miscellaneous Amendments) Act 2020 contains new laws arising out of the stage 2 review through extensive consultation with the on-demand sector, including ride-sourcing providers and the taxi industry.

The new framework provides for a safe, competitive and accessible operation of the on-demand passenger transport industry. In particular, the framework is designed to respond to emerging technology and service models, streamline regulatory arrangements, and administrative costs that have historically only been associated with the taxi and hire vehicle industry, is now shared across all operators.

Status of the red tape reform

Enacted 2020.

New Place Names Act

Red tape burden

Tasmania's system of naming places was established more than 60 years ago, and no longer provides for contemporary digital data management, different administrative arrangements and community expectations with respect to consultation and representation. The processes for establishing the Nomenclature Board are cumbersome and did not provide for adequate skills representation, and local government was also constrained in its powers to name roads and streets.

Regulator/agency

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

Act/regulatory instrument

Survey Coordination Act 1944 (Nomenclature Clauses)

Background/consultation

An issues paper was released to industry and stakeholders and views collated.

A Departmental summary report and preferred position was prepared and circulated to stakeholder groups for additional consultation.

A very high degree of uniformity with the Department's preferred position was apparent from stakeholder submissions.

A draft amendment Bill was released to stakeholders, and feedback was accommodated in the final Bill.

Briefings were made to stakeholders during the Bill consultation period.

Red tape reforms

The reforms modernises outdated sections of the *Survey Coordination Act 1944* that pertain to Nomenclature and provides for a new Place Names Advisory Panel that better represents community expectations.

The reform empowers local government to be the responsible authority for road and street naming which will remove red tape from addressing processes and greatly assist the Tasmanian Community.

Councils will no longer have to wait for the Nomenclature Board to meet to approve some of their road name submissions as the new Act will remove that restriction.

Therefore road names can be approved by Councils at the Development Application stage and submitted via the new portal which will flow through to more efficient address allocation processes.

This outcome will result in developments being ready for service providers (such as phone, power, communications) to establish contracts with developers much earlier than at present.

The proposal will also abolish the existing prescriptive Nomenclature Board and establish a skills based panel for assessment of submissions. The reforms also increase the opportunity for public consultation on naming proposals and ensure that the panel will be making recommendations in full knowledge of the opinion of the community. The new Place Names portal will also allow the public to search for the history of names without having to contact a departmental officer to undertake research.

Status of the red tape reform

The Place Names Bill 2019 was introduced to parliament on 10 September 2019. The Bill passed the House of Assembly on 17 October 2019, and was debated by the Legislative Council on 28 November 2019. The Bill passed the second reading unamended.

The Place Names Act 2020 commenced 1 July 2020.

Streamlining legislative provisions relating to Anzac Day activities

Red tape burden

The *Anzac Day Observance Act 1929* provides for how Anzac Day is observed, helping to ensure its significance is appropriately protected.

The Act restricts a range of activities from being undertaken before 12:30pm on Anzac Day but was silent on shop trading. The *Shop Trading Hours Act 1984* regulates shop trading hours including on Anzac Day. Shops found to have traded on Anzac Day in breach of that Act can be fined up to 200 penalty units (\$31 800).

Shop traders reported that it was confusing and frustrating for them to have to refer to two Acts in relation to trading on Anzac Day.

Regulator/agency

Department of Communities Tasmania

Act/regulatory instrument

Anzac Day Observance Act 1929

Background/consultation

In 2015, as part of the Government's red-tape reduction policy, the Treasurer, the Hon Peter Gutwein MP, requested WorkSafe Tasmania to undertake a review of the Anzac Day trading restrictions.

Following the review, the Treasurer recommended that the provisions dealing with the Anzac Day shop trading restrictions be transferred to the *Anzac Day Observance Act*.

The Independent Grocers of Tasmania and the Returned and Services League Tasmania Branch were consulted during the review of the Act. Both supported the proposed amendments.

Red tape reforms

Consolidating the relevant provisions of the Acts made it easier for Tasmanians to better understand their obligations. In addition, the legislation also streamlined the process for approving exemptions where they are appropriate.

Under the *Shop Trading Hours Act*, exemptions are made by Order – which requires drafting by the Office of Parliamentary Council, ministerial approval and gazetting. This can be challenging in any year but particularly so when Anzac Day falls within the Easter period. The legislation now allows for approving exemptions through notice, which has the same effect and approval process but takes less time.

Status of the red tape reform

Enacted and finalised.

Removal of library fines for late returns

Red Tape Burden

The cessation of fines for the late return of books and other library items was initiated to improve the experience of library users, while reducing costs associated with the issuing and chasing of debts and other required administrative tasks.

Regulator/agency

Department of Education

Act/regulatory instrument

Libraries Act 1984

Libraries Regulations 2012

Background/consultation

Previously, library members were imposed with financial penalties for overdue items which, if left unpaid, resulted in loss of library membership and referral to a debt collection agency.

The Libraries Tasmania lending fees and fines, and associated negative communication relating to their return were a significant barrier to access for many. Negative feedback was continually received from clients about overdue fines they had incurred.

The administrative costs incurred by Libraries Tasmania in issuing fees and fines, including referral to a debt collection agency, cost more than the revenue gained from this process.

No changes to the Act were needed to initiate this change.

Red tape reforms

The new model was launched in December 2018 with no late fees, no referral to the debt collector, and no associated administrative and processing fees.

Instead, if borrowed items are not returned in a timely manner, members lose lending privileges. Library members simply need to return any overdue items to reinstate their membership. If items are lost or not returned at all, they are still asked to pay the fair replacement cost based on the item's age and condition.

The new model has not negatively impacted on the borrowing habits of library members.

The reduction of red tape with respect to library membership has supported an increase in library members and reduced the time and cost associated with debt collection.

Status of the red tape reform

Policy approved by Minister for Education and new approach initiated in December 2018.

Fire and emergency service act reform

Red Tape Burden

Some existing arrangements for the funding, governance and operation of the Tasmania Fire Service (TFS) and State Emergency Service (SES), and associated emergency management activities, are complex. This can make it difficult to understand fees, approvals processes and other matters.

Regulator/agency

Department of Police, Fire and Emergency Management
Department of Premier and Cabinet

Act/regulatory instrument

Forest Practices Act 1985
Threatened Species Protection Act 1995
Land Use Planning and Approvals Act 1993
National Parks and Reserves Management Act 2002
Wellington Park Act 1993
Weed Management Act 1999
Nature Conservation Act 2002
Environment Management and Pollution Control Act 1994
Aboriginal Heritage Act 1975
Historic Cultural Heritage Act 1995
Crown Lands Act 1976
Fire Service Act 1979
Emergency Management Act 2006

Background/consultation

In 2016 the House of Assembly Standing Committee on Community Development's Inquiry into the State Fire Commission recommended a review of the Fire Service Act 1979. After around six years of comprehensive reviews and public consultation the Government is establishing new legislation to replace the Fire Service Act. The new legislation will unite the TFS and SES as the Tasmania Fire and Emergency Service (TFES) and implement appropriate governance and funding arrangements. The development of the new legislation will also consider the range of important matters raised in the public consultation on the draft Bushfire Mitigation Measures Bill 2020.

Red tape reforms

The new legislation to replace the Fire Service Act 1979 will establish a sustainable, stable and equitable funding system. It will also consider opportunities to improve operational activities and approval processes.

Status of the red tape reform

Legislative reform is currently being drafted.

Airports and protection of airspace regulations

Red Tape Burden

The Airports (Protection of Airspace Regulations) 1996 contain a requirement to observe the Safeguarding of Airports Code. The Clarence City Council is the permit authority with responsibility for observing the code because the Hobart Airport is within its municipality.

The regulatory issue is a significant area of land around the airport has natural ground levels above the obstacle limitation surface (OLS) prescribed by the code. The impact of the code is there are approximately 1600 lots that are above the specified OLS and therefore cannot be developed without express approval from the Commonwealth.

Regulator/agency

Department of State Growth.

Act/regulatory instrument

Airport Act 1996

Background/consultation

The government is working with Clarence City Council and the Commonwealth to resolve the OLS issue.

Red tape reforms

The Commonwealth have acknowledged the regulatory issue associated with the OLS and indicated they are prepared to work with the Clarence City Council to streamline the permit approval process.

Status of the red tape reform

No future action required by state government.

Future of Local Government Review

Red Tape Burden

The role of local government is becoming more important amid growing evidence that many complex social, economic, and environmental problems require local solutions. Communities want their councils to succeed, but the current system and structures make this increasingly difficult for many councils, particularly in regional and rural communities.

Regulator/agency

Local Government Board

Councils

Department of Premier and Cabinet (Office of Local Government)

Act/regulatory instrument

Local Government Act 1993

Background/consultation

In December 2021, the Government established the Local Government Board to review the way Tasmanian councils work and make recommendations about how the current system needs to change so that councils can meet the future challenges and opportunities the community will face. The scope of the Future of Local Government Review included “the optimal future design for the Tasmanian local government sector to support the delivery of local government’s proposed roles, functions, features and capabilities, individually and collectively, across representative and administrative roles and functions”.

The Review is due to finish in September 2023. It has involved significant consultation and engagement, including through regional workshops with councils and the community. At the end of the Review, the Government will consider the Board’s recommendations and decide how it wants to respond.

Red tape reforms

In its December 2022 Options Paper, the Board identified 33 specific reform options for the key pressure points councils are facing now and in the future. The Options Paper also identified structural reform pathways for ensuring councils have the necessary scale, resources, capability, and capacity to deliver their critical functions.

A number of the options being considered have implications for red tape reduction. These include:

- Establish a public-facing performance reporting, monitoring, and management framework with performance-based benchmarks and review ‘triggers’;
- Establish ‘virtual’ regional teams of regulatory staff to provide a shared regulatory capability;
- Transfer councillors’ responsibility for determining development applications to council planning officers or an independent panel;
- Increase transparency and consistency of councils’ resourcing and implementation of regulatory functions; and
- Increase State Government support for the implementation of regulatory processes.

Status of the red tape reform

The Board will present its report to the Minister by September 2023. As well as any recommendations on revised boundaries and administrative structures for local government, the final report is likely to include specific reform recommendations for red tape reduction initiatives. Any legislative amendments needed would then be developed and progressed with those already agreed by the Government through the Review of Tasmania’s local government legislation.

Automatic conversion of surrendered driver's license to personal Information card

Red Tape Burden

Drivers who surrender their driver's licence card when they are no longer able to drive a vehicle lose a valuable form of identification. Service Tasmania staff currently recommend that the driver applies for a Personal Information Card, however this requires additional application forms and a \$29 application fee.

Regulator/agency

Department of Premier and Cabinet

Act/regulatory instrument

Background/consultation

To improve the customer experience, the Department of Premier and Cabinet and the Department of State Growth are investigating the feasibility of establishing an automatic conversion process from a driver's licence to a Personal Information Card at the point the driver's licence is handed in.

This would remove the requirement for customers to complete additional forms and identity checks. As part of the proposal, the \$29 fee would be waived.

Red tape reforms

This would streamline the process for 800 drivers per year and ensure that these Tasmanians still have a valid form of identification for future uses.

Status of the red tape reform

Scoping and feasibility assessment is underway between the Department of Premier and Cabinet and the Department of State Growth.

myServiceTas digital services portal developments

Red Tape Burden

Finding and accessing government services can be difficult for a number of Tasmanians. Many services require people to fill in paper forms, attend a Service Tasmania shop and present hard copies of identity documents. Services are not connected, so Tasmanians can expect to present the same information to different government agencies at different times.

Regulator/agency

Department of Premier and Cabinet (Service Tasmania)

Act/regulatory instrument

N/A

Background/consultation

The Independent Review of the Tasmanian State Service (TSS) recognises Service Tasmania as an asset to the TSS and all Tasmanians, whilst advocating renewal of the organisation to keep pace with contemporary service approaches. Key recommendations included:

- organising services around 'life events'
- enhancement of service delivery partnerships with all levels of government
- investing in digital services to become the single digital service delivery agent for the TSS.

Red tape reforms

Government has committed \$4.3m over four years from 2021 to begin development of a digital Service Tasmania portal (myServiceTas) to provide Tasmanians with a secure and easy-to-use access point for Government services, accessed through a single login.

Specific actions are:

- Service Tasmania released a new website in July 2022, which makes it easier to find and access government services.
- Service Tasmania published the first two basic 'life events' in 2022, around 'moving to Tasmania' and 'what to do when someone dies', organising services around citizen needs.
- Develop Stage I of the myServiceTas portal, through a Request for Tender process to procure key foundational tools such as client accounts and citizen login, and develop the first digital services (driver licence renewals and vehicle registration).
- Development of the Customer Service Transformation business case which proposes further investment in the myServiceTas platform and associated enablers including:
 - Evolution of digital identity – including individual and business identities
 - Digital licensing and certification – foundations for digital driver and other licensing
 - Forms digitisation – allowing a consistent application experience reducing duplication and allowing greater visibility of the status and timeframes involved in applications
 - Life/business events – streamlining workflows for applications and renewals
 - Integration of existing government services with the portal to provide a joined-up customer experience.

Status of the red tape reform

The new Service Tasmania website was delivered July 2022 and included two pilot life events – “Moving to Tasmania” and “What to do when someone dies”

Stage I of the myServiceTas Digital Services Portal has been out to tender and contract negotiations are underway with the preferred vendor.

It is anticipated that Stage I of myServiceTas will be released to the public in November 2023.

The Customer Service Transformation business case is under development which proposes funding for future stages of the myServiceTas portal and the associated whole-of-government customer service transformation. The business case will be submitted in support of a budget bid for the 2023/24 budget cycle.

Improve the licensing and registration service provided to firearms community and related industries

Red Tape Burden

Services provided by Firearm Services are mostly paper based with accompanying manual processes. Firearms licence holders, owners and dealers can become frustrated at the lack of consistent and contemporary services.

Regulator/agency

Department of Police, Fire and Emergency Management (DPFEM)

Act/regulatory instrument

These reforms are achieved through technology and business process improvements, and do not require any legislative or regulatory change.

Background/consultation

Several reviews and inquiries have been conducted over many years seeking solutions to improve the effectiveness of firearms management in Tasmania. Most recently the House of Assembly Select Committee on Firearms Legislation and Policy in 2019 recommended that the Tasmanian Government, through Firearm Services, investigate the efficiencies, accountability, privacy and security risks involved in an online licencing system.

Under the auspices of Project Unify, Project Recharge was formed in response to this recommendation and aims to:

- improve interactions between DPFEM Firearm Services and firearms owners and those involved in the firearms community and related industry
- improve the timeliness and consistency of advice and decision making
- provide better reporting to highlight areas of risk and the accompanying police response

Project Recharge undertook a survey of the firearms community which has shown overwhelming support for the introduction of an online portal to improve transactions with Firearms Services.

Project Recharge will implement a new firearms management system, including an online portal for licence holders and dealers, which will provide an accessible, consistent and contemporary service to the firearms community. The transition of existing manual processes to a contemporary system will also decrease the administrative burden on Firearms Service staff, allowing more timely responses to the community.

Red tape reforms

Project Recharge has

- completed an extensive workshop process with Firearms Services to develop comprehensive process mapping and business requirements.
- undertaken firearms community engagement to establish stakeholder interest in an online portal, and the functionality it may provide
- engaged with the market to establish vendor capability to implement a suitable firearms management solution, the anticipated effort and an estimate of costs.

The project is currently preparing an options paper to obtain Steering Committee approval to proceed to procurement. Pending approval, it is anticipated that the procured firearms management solution will be implemented during 2023/2024.

Status of the red tape reform

Project Recharge is preparing options analysis and accompanying funding allocation request to be submitted via internal governance arrangements.

Improve the way in which the Tasmanian community can report minor crime and offences to Tasmania Police

Red Tape Burden

Reporting minor crime is generally limited to face-to-face interaction with police, a process which is not commensurate with community expectations in a digital world and is generally an inefficient experience for both the community and police.

Regulator/agency

Department of Police, Fire and Emergency Management

Act/regulatory instrument

These reforms are achieved through technology and business process improvements, and do not require any legislative or regulatory change.

Background/consultation

DPFEM currently has minimal online engagement, generally offering static information, downloadable documentation and printable forms. Most application processes require the manual completion of hard copy forms obtained at the counter or, at best, downloaded from the Tasmania Police website. This model assumes community access to 'bricks and mortar' services. Modern communities are accustomed to conducting business online and at their convenience, with government and private services alike.

Under the auspices of Project Unify, Project Link will address this situation by:

- implementing a publicly accessible online platform that delivers, at a minimum, an online portal for the public to report minor crime

- providing an improved and trusted experience for the public when reporting issues, providing information and undertaking transactions

- facilitating faster, simpler and more efficient management of public requests and reports to reduce the resourcing impacts on operational policing and administrative burden on transactional business units.

Red tape reforms

Project Link has:

- completed workshops with relevant stakeholders to develop process mapping and business requirements

- examined opportunities to strategically align and deliver consistent and contemporary services

- consulted with national jurisdictions to understand the benefits and challenges of other online reporting portal implementations

- engaged with other government agencies to identify and evaluate opportunities for whole-of-government collaborative solutions

The project is developing an approach to market to determine market capability, solution cost, and options for a solution procurement. An options paper will then be submitted to the Policing and Justice Solutions Steering Committee for approval to proceed with procurement.

Pending approval it is anticipated that the procured online crime reporting solution will be implemented during 2023/2024.

Status of the red tape reform

Project establishing solution options and cost requirements, prior to seeking approval to procure.

Foreign arrangements scheme – Commonwealth – Department of Foreign Affairs and Trade

Red Tape Burden

The Tasmanian Museum and Art Gallery (TMAG) is a 'core' entity under the Foreign Arrangements Scheme. It is therefore required to report 'arrangements' between TMAG and foreign government entities, which predominantly capture incoming and outgoing loans for exhibition and research. The result is additional internal administration, delay in despatch of artefact loans and reputational risk.

Regulator/agency

Department of Foreign Affairs and Trade (DFAT)/Department of State Growth

Act/regulatory instrument

Australia's Foreign Relations (State and Territory Arrangements) Act 2020

Background/consultation

The scheme imposed obligations on the Tasmanian Government to notify the Minister of Foreign Affairs of pre-existing arrangements, and from 10 March 2021, all prospective arrangements. TMAG is advised it is required to report as a State Government Authority and a statutory authority. However, other state-run museums and cultural institutions are statutory authorities (e.g. the Australian Museum) and are not required to report.

Consultation with and advice regarding the scheme was provided by the Department of State Growth in conjunction with DFAT.

The scheme's purpose is to support a systematic and consistent approach to Australia's international engagement to ensure arrangements are aligned with Australian foreign policy.

We believe that TMAG is the only cultural institution in Australia required to be part of the scheme. The greatest volume of items impacted are scientific reference specimens with no commercial value and the main aim is to exchange scientific knowledge.

Red tape reforms

This red tape issue is still progressing.

When advised of the scheme, TMAG consulted with DFAT in conjunction with the Department of State Growth but was unable to reach agreement that it should be exempt under the scheme. TMAG also consulted colleagues from museums and galleries, and the Council of Australasian Museum Directors (CAMD).

TMAG understands that the Business and Trade unit of the Department of State Growth will continue ongoing liaison with DFAT, DPAC and regular state and territory forums regarding interpretation and implementation of the legislation.

CAMD has agreed in principle that an exemption for the museum and gallery sector from this scheme should be sought.

TMAG continues to raise this issue with government agencies, CAMD, Commonwealth Heads of Australian Faunal Collections, and colleagues from museums and galleries, highlighting the following points:

- The inconsistency that other National Collecting Institutions / museums are not subject to any notification obligations under the Act but arrangements between TMAG and foreign entities are required to be reported.
- Possible impact on applications for research grants which depend on unhindered passage of specimens between researchers in other countries.
- Possible reputational risk, due to delay in sending loans as an allowance for the possibility of non-approval of arrangements must be factored in.
- The possibility and impact of an arrangement (loan) not being approved.
- Should there be a review of this legislation, DFAT should be advised that museums, galleries and collecting institutions should not have to report and question whether this was an 'unintended consequence' of the legislation due to the corporate governance of TMAG as a State Authority.

Status of the red tape reform

This Red Tape reform is being processed by the Department of State Growth with relevant agencies.

Copyright notice and disclaimer

Copyright in this publication is owned by the Crown in Right of Tasmania, represented by the Department of State Growth.

Information in this publication is intended for general information only and does not constitute professional advice and should not be relied upon as such. No representation or warranty is made as to the accuracy, reliability or completeness of any information in this publication.

Readers should make their own enquiries and seek independent professional advice before acting on or relying upon any of the information provided.

The Crown, its officers, employees and agents do not accept liability however arising, including liability for negligence, for any loss resulting from the use of or reliance upon information in this publication.

Images used within this publication remain the property of the copyright holder.

Images courtesy of the Tasmanian Government, Tourism Tasmania, Adam Gibson, Heath Holden, Josh, Lamont and Stuart Gibson.

© State of Tasmania April 2023.



Office of the Coordinator-General

GPO Box 1186

Launceston TAS 7250 Australia

Phone: 6777 2786

Email: cg@cg.tas.gov.au

Web: www.cg.tas.gov.au

© State of Tasmania May 2023