

**Wednesday 21 November 2018**

The Speaker, **Ms Hickey**, took the Chair at 10 a.m., acknowledged the Traditional People, and read Prayers.

## **RECOGNITION OF VISITORS**

**Madam SPEAKER** - Honourable members, I welcome to the Chamber today the research officers from the Parliament of Samoa, whom the parliament is hosting this week through the United Nations Development Program as part of our parliament's twinning relationship with the Parliament of Samoa. Talofa and welcome to parliament.

**Members** - Hear, hear.

## **STATEMENT BY SPEAKER**

### **Support for the Liberal Government**

**Madam SPEAKER** - Honourable members, I have a statement to make to the House. As I have indicated very clearly to the House previously I have guaranteed support for a majority Liberal Government for the term of this parliament on matters of supply and confidence. That remains the case.

I also indicated at the outset that on all other matters I will consider my position on legislation on the merits of the argument, which is what I did yesterday. Nothing has changed with my position. The Liberal Government was elected with a mandate to deliver on its plan and I have voted with the Government on every piece of legislation in its plan to deliver on its agenda. Whilst I may have disagreed with the Government on social issues debated yesterday my guarantee on supply and confidence remains in place and there is no minority Government.

## **QUESTIONS**

### **Majority Liberal Government**

**Ms WHITE question to PREMIER, Mr HODGMAN**

[10.04 a.m.]

In December last year when you delivered the CEDA state of the state address you said, and I quote:

I said my party would not govern in minority and we would never enter into any deals with any political party.

On 28 January this year at an election campaign event in New Norfolk you said, and I quote again:

We will govern in majority or not at all.

On 25 January 2018 in an ABC interview you said, and I quote:

I have said we will govern alone or not govern at all.

After your Government was defeated on the floor of this House no less than 11 times last night how can you still say that you are leading a majority Liberal Government?

## **ANSWER**

I welcome the question from the Leader of the Opposition who, I will say through you, Madam Speaker, sadly did not respect you enough to listen to what you have just told the House, which is consistent with what you have stated publicly and which is consistent with the reality: that is, we are governing in majority and will continue to do so.

That is exactly what Tasmanians elected us to do, just 263 days ago. The Tasmanian people said they wanted a continuation of a stable majority Liberal Government delivering its plan that is delivering results. Just 263 days ago. That is the same time they delivered the Labor Party their third worst election result in its history. Yet they come in here and seem to think that it would be so simple that you could get into government by pointing to mistruths and things that are clearly unfounded as the Speaker has outlined.

There is a sense over there that they can slide into government without any policies, without an alternative budget, without saying what they stand for.

The only way they could do it and they would do it is in combination with the Greens. That is what we saw very clearly yesterday. While we are delivering on our commitment to provide stable majority government, the Leader of the Opposition, who dares ask me that question, is not delivering on hers. The Leader of the Opposition said they would do no deals with the Greens. They would not associate themselves with the Greens. They would govern in majority. We have seen time in and time out and most dramatically yesterday that they are very much still in coalition with the Greens.

One of the most disturbing things that has come out of the debate and the lack of leadership shown by Ms White is that they are completely and utterly an owned and controlled subsidiary of the Greens.

**Ms O'CONNOR** - Point of order, Madam Speaker. The Premier is honour bound to tell the truth in this place. You have devolved into dishonest hyperbole. Answer the question.

**Madam SPEAKER** - Thank you. Unfortunately, Ms O'Connor that is not a point of order.

**Members** interjecting.

**Mr HODGMAN** - The truth hurts, clearly. What we have seen in the public debate on the matter that was before the House last night -

**Members** interjecting.

**Madam SPEAKER** - Order. I remind the House what a lovely day it was yesterday. Nobody was disciplined, nobody was thrown out and it was a wonderful day for everyone in the parliament. Let us continue in the same vein and remember we are lovely, well behaved parliamentarians.

**Mr HODGMAN** - What we have seen happen over the last week or two in the public discourse is a real demonstration and insight into the mechanics that is the Labor-Greens coalition 2018. We have seen the Leader of the Greens controlling Labor on this debate. They have exposed the fact that despite what the Leader of the Opposition Ms White said, that they would not do deals with the Greens, they have been.

**Ms O'CONNOR** - Point of order, Madam Speaker. I am concerned for vulnerable people, the transgender and intersex Tasmanians. The Premier is trying to make a point of the debate yesterday that is potentially going to marginalise them and make them feel hurt. Try telling the truth. You are devolving.

**Madam SPEAKER** - That is not a point of order either. Premier, if you could avoid that sensitive issue, that would be good.

**Mr HODGMAN** - Certainly, Madam Speaker. The point is, that the Leader of the Greens exposed what was happening between their respective parties whilst this matter was being considered and amendments being drafted, which they would not release publicly but were prepared to have discussions about behind closed doors. Where is the transparency? Where is the leadership and the toughness in that? Most tellingly, when the Leader of the Opposition declared this lot to be dishonest and weak, that is when the Leader of the Opposition jumped up. That was a classic case of the Greens bullying Labor into submission and forcing them to get to the position that they wanted and that is where we arrived at yesterday.

**Ms White** - What are you talking about?

**Mr HODGMAN** - It is a classic case of the Greens tail wagging the Labor dog again. The Leader of the Opposition is too weak to stand up to sectional interests and indeed too weak to stand up to the Greens. That was demonstrated very clearly yesterday.

I can assure Tasmanians that despite their being lazy, good on stunts, good on one-liners, and they lack substance, that we will not be distracted by delivering what Tasmanians asked us to do 263 days ago. We respect that fact, we honour Tasmanians and the honour they have provided to us to get on with the job of giving them stable and consistent certain majority Government and not de-stabilising the strong position that our state is now in. It is only members opposite who want to create uncertainty and instability, who want to talk Tasmania down. They have no policies and no plans of their own. The only thing they can do is stunts. How much time does the Leader of the Opposition have on her hands that she could go out to the front of Parliament House and plant little cut-out faces on our parliament lawn? I refer that to the Waste Watch committee of the Labor Party. How much money was spent on that? How much money was spent on colour copies? How much time do you have?

**Members** interjecting.

**Madam SPEAKER** - Order. Seriously, just listen to yourselves.

**Mr HODGMAN** - Madam Speaker, we are totally committed to delivering on what Tasmanians asked us to do 263 days ago. That is to give them strong stable majority government; we will continue to deliver on our plan. All I can say to Leader of the Opposition is 'you wish'.

### **Majority Liberal Government**

**Ms WHITE question to PREMIER, Mr HODGMAN**

[10.12 a.m.]

Since you have said repeatedly that you will not govern in minority, will you give undertaking today that you intend to remain the Leader of the Liberal Party in what is now clearly a minority Government, or will you step aside as Premier?

### **ANSWER**

Madam Speaker, I thank the Leader of the Opposition for the repeated question, which again points to a lack of substance, a lack of concern for what Tasmanians elected us to do and that is to deliver some certainty and stability and the continuation of our state's strong progress that is happening under a majority Liberal Government.

My commitments remain. Tasmanians know, my colleagues with their strong support know that I am if nothing, determined and committed. I will continue to lead a team that remains focused on Tasmanians and what is important to them - our economic performance, more jobs, 15 000 more jobs than when you were last in government, the strongest business conditions. We have seen another report come out just today, the ANZ Stateometer, which says that we are the best performing economy in the country. That is something to be proud of and to celebrate; not talk down. These are the things that Tasmanians elected us to continue to do: to invest in essential services; to rebuild our health system; to improve school outcomes and results; to support the most vulnerable in our community; to keep cost of living pressures down; to keep cost of business pressures down; and to continue our state moving in the right direction.

The Leader of the Opposition was told very clearly that we are in majority government and that will continue, yet all we have seen today from here are the same inane questions which point to nothing but more stunts and once again show the Leader of the Opposition to be all stunts, no substance.

### **Patriarch and Sons - Logging Practices**

**Ms O'CONNOR question to MINISTER for RESOURCES, Ms COURTNEY**

[10.14 a.m.]

Just days after you took over the portfolio, it was revealed Patriarch and Sons, a company with clear links to environmental vandals, Shin Yang, were planning to begin logging native forest in Tasmania and establish a processing facility in the Tamar Valley.

**Mr Hodgman** - More racism, isn't it?

**Ms O'CONNOR** - What?

**Mr O'Byrne** - He called you a racist.

**Mr Hodgman** - One of your colleagues said you were racist in your undertones. Dog whistling.

**Ms O'CONNOR** - What?

**Madam SPEAKER** - Premier, I ask you to withdraw that. Thank you.

**Ms O'CONNOR** - Yes, absolutely.

**Mr Hodgman** - Certainly, I will, Madam Speaker, if she is offended by what her Greens colleagues said.

**Members** interjecting.

**Madam SPEAKER** - Enough. Please continue.

**Ms O'BYRNE** - Point of order, Madam Speaker. If the Premier is withdrawing that, he needs to stand so *Hansard* records it.

**Ms O'CONNOR** - I ask the Premier to withdraw it.

**Madam SPEAKER** - I ask the Premier to stand and withdraw it, please.

**Mr HODGMAN** - I withdraw.

**Ms O'CONNOR** - Keep sucking up to the Chinese government.

**Members** interjecting.

**Ms O'CONNOR** - Of course I took offence. The problem is that you people cannot tell the difference.

Minister, satellite imagery of Shin Yang's logging operations in Borneo reveal illegal logging on steep slopes and intensified logging in an area slated for national park. Patriarch and Sons' parent company, Shin Yang, is notorious for illegal rainforest logging and human rights violations. Is this the company your Government's open-for-business mantra supports operating in Tasmania's forests? Will Patriarch and Sons source their timber from the 356 000 hectares of high-conservation-value forest set aside for reserves or the rainforest reserves and conservation areas your Government is opening up to the loggers?

## **ANSWER**

Madam Speaker, the Hodgman Liberal Government is unashamedly proud of our forestry industry, unlike some of those in this room. We have a strong industry. It is adding value to timber processing which, I understand, is what the Greens called upon all along: downstream processing in Tasmania, adding value here, ensuring we have the best value products in Tasmania to create jobs for Tasmanians. The Hodgman Government is unashamed of creating jobs, supporting industry to create jobs and making sure we have the right investment environment.

We have supported the creation of 15 000 new jobs. That is in stark contrast -

**Ms O'CONNOR** - Point of order, Madam Speaker, on relevance. This has nothing to do with the question. The question to the minister is: will this company of rampant loggers from Borneo be sourcing their timber out of high-conservation-value forests?

**Madam SPEAKER** - That is not a point of order. The minister has heard your question.

**Ms COURTNEY** - Thank you, Madam Speaker.

Confidence is up, investment is up, prices are up, production has more than doubled, jobs are flowing and exports are at a 10-year high. The industry is one of the best in the world. Companies like Patriarch are coming to Tasmania because of what we do. I am advised Patriarch is looking to process, at Bell Bay, wood that is exported either as woodchips or whole logs. In other words, rather than exporting, the value-adding opportunity is being created here in Tasmania, creating Tasmanian jobs in northern Tasmania.

The Greens always criticise - the hypocrisy of them with regard to forestry.

**Ms O'Connor** - We do criticise illegal loggers. Yes, someone in here has to.

**Ms COURTNEY** - We stand up for jobs in Tasmania, Ms O'Connor.

**Madam SPEAKER** - Through the Chair, please.

**Ms COURTNEY** - If they are concerned about practices in Asia they should be welcoming companies here where we have good standards in Tasmania. Ms O'Connor knows that the wood harvested in Tasmania has to comply with world-class standards. That will continue. To suggest otherwise is trying to mudrake a company that is trying invest here and create jobs in northern Tasmania. It is the same old Greens and they are going to be followed by the same old Labor.

### **Commissioner for Children and Young People - Recruitment**

**Ms WHITE question to MINISTER for HUMAN SERVICES, Mr JAENSCH**

[10.18 a.m.]

Now that you have confirmed you were given two candidates to choose from to appoint a new commissioner for children and young people and chose a long-time political staffer, who until last week was chief of staff to the Deputy Premier, can you confirm the alternative choice for the commissioner's role was the eminently qualified, widely respected and highly experienced Mission Australia's state director, Noel Mundy? Why didn't you take both names to Cabinet? Do you agree that in choosing to only take one candidate, you have now compromised the integrity of the commissioner's role?

**Members** interjecting.

**Madam SPEAKER** - Order. Please allow the minister to be heard.

## **ANSWER**

Madam Speaker, I thank the member for her question. I have said all I can about the selection and appointment process for this important, independent position. The Opposition and the Greens have had a briefing from the independent panel members. I stand by my decision to accept their advice and recommend the best person for this job.

Madam Speaker, I believe Labor is suggesting that they would have expected me to intervene in an independent selection process to exclude a candidate not on their merit, but because of what their last job was. That to me is discrimination. We do not discriminate. We are better than that and we do not -

**Ms WHITE** - Point of order, Madam Speaker.

**Madam SPEAKER** - Minister, we have a point of order - and I will bet it is 45.

**Ms WHITE** - It is, Madam Speaker, and it goes to the question and relevance. I remind the minister the question was why he chose not to take both names to Cabinet; that was the point of the question.

**Madam SPEAKER** - Okay. The minister will attempt to address the answer.

**Mr JAENSCH** - Madam Speaker, I have said all I can to explain and describe the independent, rigorous selection and appointment process. I stand by my decision to accept the advice of the independent panel and to recommend the best person for this job. I will not be discussing the identity or any matters to do with any of the other candidates in this process, which Labor would have no compunction in doing. We are better than that and we make no apology for appointing the best person for this important job.

## **Ms Sarah Courtney - Breach of Ministerial Code of Conduct**

### **Ms O'BYRNE question to MINISTER for RESOURCES, Ms COURTNEY**

[10.21 a.m.]

Before and during the investigation into your breach of the ministerial code of conduct over your relationship with departmental secretary, Dr Whittington, will you confirm that you used the secret encrypted messenger service WhatsApp within your office and to communicate with the Premier's office, in a deliberate attempt to avoid scrutiny?

## **ANSWER**

Madam Speaker, we are seeing again from Labor more conspiracy theories. We have been through this and the Premier has outlined and released a full investigation. It has been made quite clear by the Premier and Mr Bugg that there were no constraints on the way he investigated this matter. We have had a full investigation from the secretary of the Department of Premier and Cabinet, Jenny Gale. She commissioned her own independent investigation -

**Ms O'BYRNE** - Point of order, Madam Speaker. I would not want the minister to inadvertently mislead the House. I know she is very focused on this issue but she did say then that the Premier had released a full report. I am not aware of that, so the minister needs to -

**Mr Ferguson** - That is a third question.

**Ms O'BYRNE** - It is not another question. I am genuinely concerned that the minister has inadvertently misled the House and therefore should review it.

**Members** interjecting.

**Madam SPEAKER** - Order. It is not a point of order but perhaps we could have clarification of that please, minister?

**Ms COURTNEY** - Thank you, Madam Speaker. Yes, the report that was released by the Premier, I think it was three weeks ago, was published - Mr Bugg's statement.

**Ms O'Byrne** - You said a full report.

**Opposition members** interjecting.

**Ms COURTNEY** - Madam Speaker, again, conspiracy theories from Labor. The Premier has been completely transparent and he has shown what Mr Bugg has said. He has shown advice from Ms Gale. Mr Bugg put out his own statement telling Labor not to politicise this. It has been quite clear that what Mr Bugg provided to the Premier has been released. Labor has so little to offer so we are seeing this. We are getting to the final few weeks of parliament for the year and they are yet to come up with some substantive policies that are going to help the people of Tasmania. It is just more hypocrisy -

**Ms O'BYRNE** - Madam Speaker, my original point of order was around the misleading of the House that the minister was just responsible for, but my original question was about whether the minister used WhatsApp in her conversations with the Premier and his staff to deliberately avoid scrutiny.

**Madam SPEAKER** - As you would be aware, standing order 45 does not give me the power to insist that the minister that question. She is entitled to answer as she pleases.

**Ms COURTNEY** - Thank you, Madam Speaker. I believe the member's question referred to the period around the relationship. I cannot remember the exact words but it was a reference to the relationship and so that was the framework within which I was answering, and this has been fully investigated.

### **Marine Farm Planning Review Panel - Resignation of Members**

**Dr WOODRUFF** question to **MINISTER** for **PRIMARY INDUSTRIES and WATER**,  
**Mr BARNETT**

[10.25 a.m.]

You admitted yesterday that Professor Barbara Novak and Ms Louise Cherry had written to you outlining their reasons for resigning from the Marine Farm Planning Review Panel. Is it true



that one reason they gave was that the Storm Bay assessment lacked basic relevant scientific information, and was another reason that the panel only exists for the operational convenience of the fish farming industry?

**Ms O'Connor** - Why are you so Smuggy McSmugface?

## **ANSWER**

Madam Speaker, I will not comment on that offensive remark from the member for Clark.

I am happy to respond to the question from the member for Franklin because it is very similar to the two questions I received yesterday with respect to the role of the panel. I want to make it very clear that I have confidence in the Marine Farm Planning Review Panel. I met with the chairman last week specifically to discuss the work of the panel. I put on record my thanks on behalf of the Government for the work and service of the panel and the service of those two members who have just been referred to. I want to put on the record again my thanks for the service and support of Professor Barbara Novak and Louise Cherry working on the panel.

I note that those members of the Marine Farm Planning Review Panel who recently resigned, as has been noted, were part of the process recommending the two plan amendments recently approved for Storm Bay for Tassal and Huon Aquaculture. That independent advice obviously came forward and has been approved. If it does go ahead there are benefits in terms of 180 additional jobs in the salmon sector and across the economy, but it is always subject to and conditional upon further applications to gain a marine farm planning licence, a marine farm lease and EPA approval.

**Dr WOODRUFF** - Point of order, Madam Speaker, under standing order 45, relevance. The minister slithered out of answering either question yesterday. I asked a specific question: did their reasons contain the fact that the assessment had a lack of basic scientific information and that the panel only exists for the operational convenience of the fish farming industry? That is the question, minister. Please answer it.

**Madam SPEAKER** - Thank you very much. It is not a point of order but I understand the question and I ask the minister to respond.

**Mr BARNETT** - Thank you very much, Madam Speaker. I am delighted to respond again and confirm that I have received a letter from those members of the panel who have resigned. There was a letter sent to the Governor some time ago and a letter sent to me last week. I responded very swiftly to that letter. In fact, on Friday, I signed the letter going back to those two members and noted and acknowledged their concerns and the issues they raised in their letter.

**Ms O'Connor** - Aha - 'their concerns'.

**Mr BARNETT** - Yes, I acknowledged their concerns and the issues they raised in their letter and I acknowledged that in writing. I wrote to them personally and I organised and asked for the secretary of my department to make himself available to those two members to discuss those concerns and issues. That is underway, I understand, and I am looking forward to the feedback I receive from the department secretary from that meeting.

**Dr WOODRUFF** - Madam Speaker, point of order under standing order 45, relevance. None of the information the minister has provided is relevant to the question I asked. He is abusing the time of the House. This is not about him having an opportunity to avoid answering the question. This is a serious question and the minister refuses to answer. Can he just say 'no' and sit down if he will not do it?

**Madam SPEAKER** - I thank you for the sincerity of your point of order. However, I have been advised that if we continue to keep taking points of order under standing order 45 it becomes disruptive to the House and that is not acceptable either. I will ask the minister to wind up and perhaps you will get the answer.

**Mr BARNETT** - Thank you very much, Madam Speaker. It gives me the opportunity to highlight the importance of the independence of the Marine Farm Planning Review Panel and hence I met with the chairman. I am confident in the role of the panel and the work that they undertake.

Under our Government we have increased the role of the EPA as an independent entity. We have given further strength. We have toughened the rules and have increased the penalties with respect to the salmon industry. We have full confidence, unlike the Greens, who every day, have tried to criticise and undermine the salmon industry as they have done for forestry, other industries, and tourism. This is form for the Greens.

The big question I asked yesterday: why is Labor so silent? Why do they remain silent when it comes to the salmon industry? Why cannot they stand up and support the salmon industry?

### **Tourism Industry - Government Support**

**Mr HIDDING question to MINISTER for TOURISM, Mr HODGMAN**

[10.30 a.m.]

Can the minister please outline the Hodgman Liberal Government's policies to promote and support our tourism industry and is he aware of any alternative approaches?

### **ANSWER**

Madam Speaker, I thank the member for his question and his strong interest and that of all my colleagues in the strong growth in our tourism sector that is continuing and fuelling the growth in our economy.

The ANZ Stateometer stated today that Tasmania is the best performing economy in the country. That is great and I largely attribute that to the boom in our tourism industry and our visitor economy more broadly. It helps sustain business confidence. That means more investment and more jobs for Tasmanians. Household consumption is up, retail trade is up and the recent data released into our international tourism shows that Tasmania is far outstripping and outpacing the rest of the country in the growth of international tourists.

There can be no doubt that this Government has invested significantly into our visitor economy and as a result, in conjunction and collaboration with that industry, we are seeing dramatic growth. The positive state of Tasmania's tourism industry is wonderful.

We established Tourism Tasmania as a statutory authority and gave it more independence. We have increased marketing and are investing in tourism infrastructure and experiences that our tourists expect into our attractions and into tourism roads so that they can travel safely across our state. We are investing more into our festivals and events which are such an important part of our visitor economy as well. It is a \$3 billion industry, supports about 38 000 jobs and we have seen more created, not only in that sector but 15 000 more Tasmanians employed now than when we came into Government in 2014.

We need to continue the momentum. We cannot do what some suggest and take our foot off the brake, or worse still as others suggest, find ways to deter tourists from coming to our state. We do need to capitalise on what are the things that bring visitors to Tasmania in the first place.

**Ms O'Connor** - Keep blowing up the balloon. Quantity over quality, that is what you are about.

**Mr HODGMAN** - Yes, our natural environment is one of those things.

**Ms O'Connor** - That is the one you are trashing in the World Heritage area.

**Mr HODGMAN** - We do know from our data and research that people want to come and see our wonderful wilderness and natural areas. These are well-preserved, protected and are world class, which all Tasmanians celebrate, and our visitors want to have access to, as indeed do many Tasmanians. It is a great thing that more Tasmanians are now able to get out on a walk or to visit our national parks. Our seniors can now do it at a cheaper rate. They can do it for free under a policy we took to the election. This is helping sustain the growth in our tourism industry but also enhance our reputation as ecotourism leaders. We have to protect all that is special about our wilderness areas that we can as we so often do, set a very high standard for operators.

We have a Parks and Wildlife Service that is an award-winning agency in ecotourism, celebrated across the nation and they are a wonderful partner as well in our visitor economy. It is all about improving sustainability, the resilience of our natural environment with more investment and under this Government, there is more investment into supporting our natural environment and our national parks so they can sustain increased visitation.

Early in the first term of Government we invited tourism operators to come forward with their ideas as to how they can operate sensitively and sustainably in our natural areas. They are expected and required to pass all regulatory tests, environmental standards, the support of the processes that are put up by local, state and, on occasions, national governments.

It is our very firm view, as I have stated publicly, that if a proponent comes forward and invests their time, their money, their capital, their passion into our tourism industry in a way that has to pass all those tests and jump all those hurdles, then they deserve the support of the Government and I believe they get it from the Tasmanian community. That is what we stand for. We are prepared to back those people who put those ideas forward, their passion and their commitment. If they pass all the tests that government throw up then they should be supported. We are seeing from opposition parties a shifting of the goalposts and for a party like the Greens that preach to us about process who then when the process supports a proposal coming through, they want to change the goalpost. It is that sort of thing that will deter investment.

**Ms O'CONNOR** - Point of order, Madam Speaker. The Premier is at risk of misleading the House. The process was subverted when his Government excised Lake Malbena and declared it not wilderness in the world heritage management plan.

**Madam SPEAKER** - I do not think that is a point of order. Please continue, Premier.

**Mr HODGMAN** - I will conclude, Madam Speaker, but it is a classic case of Greens hypocrisy. When they do not like the result of the process they attack the process and they want to change the goalposts. That will deter investment, that will deter our operators bringing forward world-class proposals that keep us at the top of the pack with respect to our tourism industry. They want to tax tourists as well, which will discourage people from visiting our state. That is the Greens' agenda.

As for Labor, it is anybody's guess, because although the Leader of the Opposition took on responsibility for being the shadow minister for tourism, we have heard very little on this subject at all. We do not know what Labor stands for with respect to our EOI process, whether or not you support the proposals that are coming forward.

Justine Keay, the Labor member for Braddon, said she has real concerns about the project at Lake Malbena. Is that the position of state Labor? Who would know? Are you supporting Tasmania's operators and our industry? Is your position to back those that pass those processes or are you prepared to again stand alongside the Greens and talk down those proposals to cause concern in local communities, to damage business confidence and investment? It is little wonder that the Greens Leader described the Opposition as dishonest and weak when they cannot even state a policy position on tourism.

### **Ms Sarah Courtney - Breach of Ministerial Code of Conduct**

#### **Ms O'BYRNE question to MINISTER for RESOURCES, Ms COURTNEY**

[10.38 a.m.]

Can you confirm if the secretary of the Department of Premier and Cabinet, Ms Gale, examined the use of the secretive encrypted messenger service, WhatsApp, in conducting the inquiry into your breach of the ministerial code of conduct? Did you use WhatsApp to communicate with your former head of department, John Whittington, during the investigation into your confirmed breach of the ministerial code of conduct and are you prepared to hand over your WhatsApp messages to the Integrity Commission?

#### **ANSWER**

Madam Speaker, I will start answering this question at the end, and it is shameful to see again the Labor Party politicising the Integrity Commission. It was only in their annual report earlier this year that they reflected on the unfortunate nature of the fact that it was increasingly being politicised. This is an important agency that does important work for Tasmanians and it is disappointing that this continues to happen.

It is also interesting that the member somehow wants me to reflect on how other people conducted their investigations when they were done at arm's length from Government. It would be

completely inappropriate for me to have an understanding, to somehow direct. If we look to the statement Damian Bugg made, he said in his statement that was released on Sunday 4 November:

The Premier authorised me to undertake the necessary inquiries to inform my advice and when I completed my enquiries to the extent which I regarded as necessary I reported to the Premier with my conclusions, which have been published. If I had required further time or information I would have requested it.

**Ms O'BYRNE** - Point of order, Madam Speaker, relevance 45. One of the questions was did you communicate using WhatsApp and the question is was that investigated? The minister would know if she handed over her WhatsApp data. She would know that, Madam Speaker, so she is deliberately avoiding the question.

**Mr FERGUSON** - On the point of order, Madam Speaker, I have not risen on any of these many points of order which you have been consistently ruling are not even points of order, just repeating the question. You have warned them it is disorderly.

**Madam SPEAKER** - Yes, it is ruled out of order. Please continue, minister.

**Ms COURTNEY** - Thank you, Madam Speaker. There was a range of questions within the long question from the member for Bass and I am attempting to answer them. With regard to investigations, we had pre-eminent Tasmanians undertaking these at arm's length from Government. The nature of those investigations is for those people who conducted it, and this Government is going to get on with the job of delivering for Tasmanians.

### **Electronic Monitoring - Family Violence Offenders**

**Mr SHELTON question to MINISTER for POLICE, FIRE and EMERGENCY SERVICES, Mr FERGUSON**

[10.40 a.m.]

Can the minister please update the House on the progress of the Hodgman majority Liberal Government's commitment to undertake a trial of the electronic monitoring of high-risk family violence offenders?

### **ANSWER**

Madam Speaker, this is a vitally important subject and the Hodgman Liberal Government is committed to making sure Tasmanian communities are safe. We want people to feel comfortable and safe living in our state, free from violence. Therefore, eliminating family violence must be a top priority for us. It is. Violence against anyone in any form is completely unacceptable. We know that the impact of family violence is particularly devastating. It damages the physical and mental health of the people who experience it and it has massive impacts on children.

On behalf of the Hodgman Liberal Government I am pleased to report that this morning I have announced the commencement of our trial of electronic monitoring of high-risk family violence offenders. The Hodgman Liberal Government is partnering with the Morrison Coalition government to run this trial -

**Ms O'Byrne** - Neither in majority.

**Mr FERGUSON** - to find clever ways to protect women in our state, without being flippant about it, to protect their interests and to look after children.

**Opposition members** interjecting.

**Madam SPEAKER** - Order.

**Mr FERGUSON** - I do not want to hear silly political chatter on this subject. This delivers on action 23 -

**Ms O'Byrne** - Shout a woman down in the process, good on you.

**Madam SPEAKER** - Order, that is not appropriate.

**Mr FERGUSON** - That is woeful.

**Ms O'Byrne** - Yes, you are quite woeful.

**Mr O'Byrne** - The irony of you being aggressive towards a woman on this answer is outrageous.

**Madam SPEAKER** - Order, Mr O'Byrne.

**Mr FERGUSON** - Thank you, Madam Speaker. This delivers on what we have promised to do in action 23 of our Family Violence Action Plan and the trial will determine if this kind of technology can make a positive impact on family violence in Tasmania and a difference to people's lives.

This is a trial of electronic monitoring devices that uses technology to let police track the location of a person's precise GPS location. Electronic monitoring will only occur if it is approved by a court as a condition of a family violence order, and in that regard I am talking about perpetrators.

The key objectives of the trial are to reduce or deter family violence from occurring and enhance the safety of victims and their children by increasing the accountability of perpetrators. Exclusion zones such as addresses are entered into the monitoring system and alerts are generated if a person enters into an area where they are not allowed to go and will send an immediate notification to authorities.

At this early stage of the trial there are currently three perpetrators participating in the program, with plans to incrementally increase the number over time. It is hoped that through the use of electronic monitoring Tasmania Police will have a better ability to provide early warning of potential breaches, even to victims themselves to allow them to protect themselves. This will provide extra comfort and safety to victims. Electronic monitoring of family violence perpetrators will reduce the ongoing impact of family violence on victims by providing additional evidence in court. It will also allow us to corroborate truthful versions of events of what happened and, in some instances, we believe this may even allow some victims to not have to attend court and give evidence at all because sufficient other evidence will be in place.

The purpose of electronic monitoring is to make the perpetrator aware that even a minor breach of an order will be detected. This is designed to assist in the prevention of behaviour that may lead to more serious offending, such as harassing the victim or attempting to re-establish the relationship when they have been told not to.

At the conclusion of the trial, the results will be evaluated to ensure this new project enhances the safety and wellbeing of victims and affected children of family violence. If they wish, victims of family violence can also have access to this technology so that their location can be monitored as well. That is optional.

The Hodgman Liberal Government is serious about our responsibility and will prioritise the safety and wellbeing of those affected by family violence, particularly women and children. We have a very full plan of training at the Police Academy for 125 more police officers through 10 intake courses over the life of this Parliament, and that is about building our police resources up to what they need to be. We have reversed all of the Labor cuts. We have established 113 extra police over the 109 that were cut, and with the 125 extra we know that our successful restoration will mean an even safer Tasmania.

### **Acute Health Services - Release of KPMG Report**

**Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON**

[10.46 a.m.]

Yesterday the upper House inquiry into acute health services in Tasmania was forced to release another interim report because you have refused to supply them with the information they need to do their job and keep Tasmanians informed about the true state of the health crisis. Specifically, the upper House subcommittee had hoped to release a final report this year but is unable to, because you refuse to provide a copy of the KPMG consultancy report which we know shows \$100 million black hole in health funding along with other key financial and operational documents. When will you finally release this crucial report and the other documents the health committee requires, or do you intend to keep it hidden away from the public for good?

### **ANSWER**

Madam Speaker, I thank the Leader of the Opposition for her question. It is always important that this Government wants to talk about what we are doing in health. I cannot help but notice that the Leader of the Opposition has brought up a bit of history here that will be inconvenient for her party and the member sitting next to her.

We have participated in the Legislative Council's interest in health and took it on face value. One of the Legislative Council standing committees wanted to look into acute health services and we said, 'Absolutely, let us help you do that'. We have constructively engaged with that committee.

**Ms White** - That is contrary to what they've said in their interim report.

**Madam SPEAKER** - It would be good to hear the minister, please.

**Mr FERGUSON** - I would like to be able to be heard. You asked the question, please allow me to answer it. We have engaged constructively and in good faith with that committee. Members

opposite maybe surprised to learn that I have provided three submissions to that inquiry. I have appeared and given evidence three separate times to that inquiry, and this is in a context where we have lifted the Health budget by \$1.7 billion.

I am surprised that the Leader of the Opposition would dare to ask a question about ministers for health willingly helping out a Legislative Council inquiry into health, because the former failed health minister crossed her arms and said 'No, not going to attend', and you refused. That is because you were slashing Health by half a billion dollars at the time. The then Legislative Council asked Ms O'Byrne if she would be good enough to go along and talk to them about her \$500 million in budget cuts and she said 'no'.

**Ms O'Byrne** interjecting.

**Mr FERGUSON** - You said you would not go. I have tried to be reasonable with the committee and have been very constructive in providing information. You know the report you have mentioned in your question is a part of budget management. You know it is part of confidential government documents and you know that it has been exempted from release under RTI, which is an independent process from me. You know all that.

I will say we are very committed to delivering our plan. People voted for it 263 days ago when the people of Tasmania -

**Ms White** - Was that the end of the Government you thought was going to happen last night so you counted all the days since you have been in government?

**Mr FERGUSON** - Lots to say, but if I could just be heard. The fact is just 260 days ago Tasmanians rejected your health plan, which was \$200 million less than ours, and they voted for a plan that will open nearly 300 more beds, finish the construction of the Royal Hobart Hospital -

**Opposition members** interjecting.

**Madam SPEAKER** - Order, the minister will be heard in silence.

**Mr FERGUSON** - which we started building, not you, and we will not be distracted by silly political games from you, Ms White, as we deliver what Tasmanians expect us to do.

### **Royal Hobart Hospital - Level 4 Events**

**Ms WHITE question to MINISTER FOR HEALTH, Mr FERGUSON.**

[10.50 a.m.]

Yesterday a code yellow internal emergency was declared at the Royal Hobart Hospital. Prior to that the hospital was already at escalation Level 4 meaning that ambulances were ramped and sick people were unable to proceed past the emergency room. Since the election in March, over the past eight months, how many times and for what period of time in each incident has the Royal Hobart Hospital been at escalation Level 4?

**ANSWER**

Madam Speaker, I thank the member for Lyons for her question. The member has asked an important question that allows me to first of all make it really clear: this Government commends



and thanks our staff for managing through very difficult circumstances. It is not anyone's fault. It is important that we put that on record. They need to be shown that we support them, and I do. I am grateful to our hardworking staff for their work. They deliver exceptional care to patients during periods of increased demand.

Yesterday, an internal emergency code was called - a code yellow - because a severe odour affected a part of the emergency department. I understand that was a fault with the grease trap located in the environs. Whose fault is that? It is no-one's fault but they have to manage through these difficult external circumstances and I want to thank them for doing that.

I am also advised that there was no risk to patients or staff themselves but, nonetheless, we had to manage through that. Patients were decanted to other areas of the hospital and staff were deployed to support their care; that is improvising in a very caring way and I thank them for doing that. Our staff did a great job, everybody worked together yesterday, and by the afternoon the area was clear and it was safe to resume, and the code yellow was stood down.

I do not like to see Labor Party politicians revelling in the discomfort of patients or staff. It serves no purpose; it benefits no-one. It is offensive when Labor politicians draw in and revel in the discomfort of patients and staff and that is what I see that you are doing.

I will also say that the escalation codes which the former minister refused to allow our hospitals to have, I have enabled and I have supported them. They write those codes, they write them -

**Members** interjecting.

**Madam SPEAKER** - Order, order.

**Mr FERGUSON** - As you can see there is a lot of politics going on.

We have enabled it, we believe it is a clinical call and also with our policy to give increased autonomy and local decision-making capacity at the local level. If they call an escalation Level 1, 2, 3 or 4, I respect their judgment on that, and that is how it must be. They are not performance measures. They are enablers to support -

**Ms O'Byrne** - Where does the Level 4 come from. Have they created a new code? Can you provide the information to the House?

**Mr FERGUSON** - If I could please be heard? They are enablers to support patient care, not political opportunity but patient care.

### **Solar Feed-In Tariffs Scheme - New Arrangements**

**Mr SHELTON question to MINISTER for ENERGY, Mr BARNETT**

[10.53 a.m.]

Can the minister outline the new arrangements for the solar feed-in tariffs scheme and the benefits to energy consumers?

## ANSWER

Madam Speaker, I thank the member for Lyons for his question. Since coming to government in 2014, the Hodgman Liberal Government has sought at every stage to try to ease the cost of living, ease the cost of doing business, and we have delivered on that for four-and-a-half years. Tasmania is now identified as having the lowest regulated prices for residential customers and for business. We are very pleased with that outcome.

We have had to be proactive. We have capped our power prices for the two consecutive years and that has delivered in spades. There have been crippling power price rises and experiences on the mainland. In comparison to the seven years prior to our Government, when Labor were in power, power prices went up 65 per cent. In addition to that, we have been able to deliver some -

**Members interjecting.**

**Madam SPEAKER** - Mr O'Byrne, warning number one.

**Mr BARNETT** - I was about to indicate that under our Government we have delivered some of the best concessions in Australia for more than 80 000 Tasmanians with \$42 million worth of concessions. The cost of living is very important.

At the last election we promised to hold a review of the solar-feed-in tariff arrangements. We have done that. The feed-in tariffs are paid to customers who generate electricity which is sold into the power grid from sources such as roof-top solar, when they generate an excess of electricity over and above customers own use.

Currently there is a two-tiered arrangement and some 30 000 solar customers receiving a much higher premium rate with others receiving the feed-in tariff set by the Tasmanian Economic Regulator. That two-tiered arrangement came about because back in 2012-13 the Labor government at the time joined with all the other states across Australia to close that premium feed-in tariff scheme. This led to Tasmanian legislation which closed the premium rate. From 31 December this year that would conclude and from 1 January all grandfathered solar customers revert to the standard regulated rate.

I am pleased to announce that the Government has decided to allow a further transition of 12 months from 1 January 2019 for these customers so that they will receive the standard rate plus a bonus of 5 cents per kilowatt hour to ease with this final transition. That is a further 12 months of transition more than Labor would have provided. From January 2020, all solar customers will then be on the rate set by the Economic Regulator. We believe this is fair. We have the most generous premium rate but it was never meant to last and was due to expire at the end of this year.

The rate is no arbitrary figure. The Tasmanian Economic Regulator sets the regulated rate, which is currently 8.5 cents per kilowatt hour. In 2019 the Regulator will also investigate the merits of a time-of-use feed-in tariff and will report back later next year.

Many in this Chamber know the Tasmanian Energy Efficiency Loan Scheme well. It continues to play a very important role in supporting residential and small-business customers investing in energy efficiency initiatives including solar panels. Since 2017 some 3500 Tasmanians have benefited from the Energy Efficiency Loan Scheme, no interest loans, with \$28 million of

investment, including not only solar systems, battery storage but other energy efficiency initiatives, for example, air-conditioning, double and triple glazing, building insulation and the like.

**Mr O'Byrne** - Any rebate this year?

**Mr BARNETT** - Madam Speaker, I am trying to answer the question.

**Madam SPEAKER** - Mr O'Byrne, that is warning number two.

**Mr BARNETT** - Thank you Madam Speaker.

In terms of energy efficiency, this is where Aurora Energy steps in. I would like Aurora Energy to up the ante when it comes to energy efficiency and providing that advice. It is consumer empowerment for Tasmanians. They provide very important advice when it comes to energy efficiency and help guide Tasmanians with their energy use to maximise the benefits of renewable energy such as solar.

Their number is 1300 132 003. They have a website and you have the power. They will be available for Tasmanians to call to get energy efficiency advice.

At the end of the day, compared to Labor, 65 per cent increase under our watch. It has come down in real terms. We do not just deliver sound policies and commitments, we deliver outcomes.

### **Post-Traumatic Stress Disorder - Worker's Compensation**

**Mr HIDDING question to MINISTER for BUILDING and CONSTRUCTION, Ms COURTNEY.**

[10.59 a.m.]

Can you update the House on the latest developments in the majority Hodgman Liberal Government's plans for nation-leading reform of post-traumatic stress disorder which has the warm support of the entire House?

### **ANSWER**

Madam Speaker, I thank the member for the question. I am proud that this Government will be introducing legislation to ensure that the cause of post-traumatic stress disorder is automatically presumed to be work related when it comes to public sector workers compensation claims.

As a community, we depend on those who put themselves on the line for others. As a Government, we are working to make sure they are looked after in return. Paramedics, police, firefighters, prison guards and other emergency service workers keep our community safe in often stressful and traumatic situations. It is our first responders who put themselves forward, experiencing what most of us rarely see. We know from listening and working with our first responders that they are regularly confronted by tragedies and horrifying scenes that are not forgotten when they return home at the end of their shifts.

We understand that post-traumatic stress disorder can be difficult to diagnose and may be secondary to an initial injury. It may also be an underlying factor resulting from prolonged exposure

to incidents over an extended period of time, which can be the case for emergency service personnel and first responders. With these reforms, government agencies will have to prove that a diagnosis of PTSD is not work related in order to refute the claim. This will help to remove any barriers first responders and other government workers may have in making their claim.

The reversal of the traditional onus of proof is the right thing to do to support our first responders and other public service workers suffering from PTSD. The legislative presumption will apply to the public sector in the first instance. All government business enterprises and state-owned companies will be requested to adopt the presumption in determining any PTSD claims made by their employees.

I am pleased to advise the House that on 30 October, an administrative employment direction was made to government agencies, meaning that as of this date government agencies are to accept diagnosed claims for PTSD as work related as if the presumption already applies. The Department of Justice has begun the process of drafting a legislative amendment to be introduced in the autumn 2019 session.

The presumption will not change the process of making claim or impact the ability of workers to secure a diagnosis to make a claim. Further, the changes will not remove the ability of an employer to dispute the claim if there is sufficient reason to believe that the injury or disease is not work related.

The earlier someone seeks help and intervention, the better their chances for a full recovery and return to their careers. There has been a significant shift in attitudes over the past decades towards identifying and addressing mental health issues, particularly PTSD. We are proud of our record to protect employees from the hazards of their duties. We supported the firefighters through the amendments to the Workers Rehabilitation and Compensation Act last year, which removed barriers to firefighter volunteers in accessing compensation for certain cancers. We also launched the Keep Your Hands off Our Ambos campaign in an effort to prevent the violent and aggressive behaviour towards paramedics and ambulance workers.

The reforms around PTSD are a further example of the steps we are taking to make sure that our first responders and all state service workers are protected. We now look forward to support in Parliament for this important legislation on behalf of all Tasmanians.

### **Access to Reproductive Health Services**

**Ms O'BYRNE question to MINISTER for HEALTH, Mr FERGUSON**

[11.03 a.m.]

Can you confirm that you continue to place obstacles in the path of Tasmanian women seeking terminations? The interim termination of pregnancy service that your Government will provide whilst the permanent site is upgraded to be used will only allow procedures to be carried out at the end of the surgical list in the evening procedures, which means that women will be discharged very late, in the night.

### **ANSWER**

Madam Speaker, the Government has a strong record on delivering more resources for our health system and the Government has been working in this regard. I can now announce in this

House that we have been working with Hampton Park Women's Health Care. That agreement has been reached between Government and that provider some time ago, but the provider asked to have their name withheld from public commentary until more recently.

That service has now commenced. It is taking referrals for terminations of pregnancy in our state. It has been held up only because of the delay between that individual and their clinic and the private surgical facility. With that matter now resolved that service is operational. I am advised that Hampton Park Women's Health Care Centre is a respected service provider with significant experience managing, scheduling and delivering those services. Referrals will be-

**Ms O'Byrne** - Can you confirm that it is going to be a twilight service?

**Mr FERGUSON** - If I can be allowed to answer. Referrals will be taken from GPs and also from other medical specialists as well as the prescribed health services. Women will also be able to directly refer themselves.

In relation to scheduling, that is not something I am involved with. Those are plainly clinical judgments and decisions to be made by the provider. However, I am aware of the member's public commentary on this and I am advised it is unhelpful and the member should not attempt to interfere with clinical decisions.

**Ms O'BYRNE** - Point of order, Madam Speaker. My question was to do with the fact that in the interim women and going to be on a twilight service and discharged into the evening because this minister has not negotiated an outcome that has them being appropriately dealt with. The minister did not address the issue of the late surgical list.

**Madam SPEAKER** - I appreciate that but question time is over and that is now in *Hansard*.

**Time expired.**

## **COMMUNITY, HEALTH, HUMAN SERVICES AND RELATED LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2018 (No. 58)**

### **First Reading**

Bill presented by **Mr Ferguson** and read the first time.

## **LITTER AMENDMENT BILL 2018 (No. 60)**

### **First Reading**

Bill presented by **Ms Archer** and read the first time.

## **MATTER OF PUBLIC IMPORTANCE**

### **Health**

**Ms WHITE** (Lyons - Leader of the Opposition - Motion) - Madam Speaker, I move:

That the House takes note of the following matter: health.

The Labor Party brings forward this matter of public importance today given the events that have continued to occur in our health system and remain unresolved. Yesterday, an internal emergency was declared at the Royal Hobart Hospital at a time when the hospital was at Level 4 escalation. Outpatients queued in ambulances outside and patients were unable to access the emergency department because of the internal emergency. Unfortunately, this is not a new situation. Over the weekend it was very busy and I understand on Monday there were 10 ambulances ramped and numerous patients waiting in the ED who should have been admitted to a ward but were unable to because there were no beds and a level 4 escalation in the hospital.

Yesterday, the Legislative Council inquiry into acute care also handed down its interim report - interim because they could not finish their final report due to the fact that the Minister for Health refused to provide them with the information they requested of him. Despite the minister getting up in the House today and saying he had been present at the table to speak with the committee, he did not share with them the information they were asking for. It is no good, minister, to argue that you have done enough because you were in the room, if you do not actually give the answers to the questions the committee is seeking. They have been unable to file their final report, having instead again provided an interim report awaiting the provision of that further information from you.

The question is why the minister is refusing to provide that information to the committee. We know that KPMG report demonstrates a \$100 million black hole in health funding in Tasmania because the RDME Consulting report that was leaked provides an executive summary of that KPMG report. We also know there is another report the minister is refusing to provide, and that is the Deloitte report. This minister has sat on numerous reports now that have looked at the crisis in the health system and has refused to provide them, not only to the committee but to the people of Tasmania.

How are we supposed to make judgments about the best strategy to support the health system when we do not have all the information? That is why we sought to work with the Government to address some of the problems we see in the health system and find solutions - again, a request from the Labor Party that has been denied by the Government.

When I look at the problems in the health system, I see a number of flashpoints for this Government linked to the Minister for Health. The Minister for Health said today that they have been in government now for 263 days. For half of the time this Government has been in place there has been industrial action taken by nurses outside the Launceston General Hospital. That is not a proud legacy for this Premier, Will Hodgman. For half of the time he has been Premier in this term of parliament there has been industrial action taken by nurses at the LGH and the Minister for Health refuses to speak with them.

This Minister for Health has had internal emergencies declared at hospitals, loss of accreditation for training at more than one hospital, and industrial action occurring across all hospitals. Termination services have not been provided in Tasmania and women are still being forced to fly to the mainland to access a legal health procedure. There have been no details about when we are going to have information provided to a committee that has rightfully sought that information, as they are able to under the Constitution and their work as members of a Legislative Council.

This minister has also shown his mismanagement of this House. If you look at the flashpoints with this Government, they all come back to the Minister for Health and Leader of Government Business. It is because of his mismanagement of his portfolio, the mismanagement of his relationships within the caucus, and the mismanagement of his relationships with the stakeholders in his portfolio, whether they be clinicians or doctors, such as Dr O'Keeffe, speaking up and raising concern about how the minister is handling his responsibilities. Nurses are taking industrial action and speaking openly to the media about the issues they are facing. Ambulance paramedics are now taking industrial action and writing on the side of their ambulance trucks to demonstrate to the public that there are not enough resources in the community because they are ramped at the hospital.

It comes back to a minister who is arrogant and out of touch. He is not consultative. He has taken the clinicians, nurses, doctors, allied health professionals, paramedics and frontline staff for fools and denied information to the Legislative Council that they have rightfully sought to obtain. In this House he has been the leader of chaos. Have a look at the blue today, Mr Deputy Speaker. Actually, it started -

**Ms O'Byrne** - Which one?

**Ms WHITE** - That is right, Deputy Leader - which one? The chaos in this House is led by the Leader of Government Business. A list of bills that were due for debate today and circulated last night is completely different to the list of bills that are coming on for debate right now. A list of bills that were due for debate last session on Thursday four weeks ago was completely rearranged. Why is this happening? There is a common denominator. It is the member for Bass, Michael Ferguson. The common denominator where you find chaos, dysfunction and mismanagement is Michael Ferguson, the member for Bass, whether it be in his portfolios, managing this House and the business before it, or the provision of essential care and services for people of Tasmania, the waiting lists, the painful stories that people are sharing, staff under pressure, lack of resources in the hospital system, and of course complete chaos in this House and inability to manage government business.

**Time expired.**

[11.16 a.m.]

**Mr FERGUSON** (Bass - Minister for Health) - Mr Deputy Speaker, that was just a giant whinge from the Leader of the Opposition. How many people did the Leader of the Opposition just help? Zero. Once again the Leader of the Opposition only revels when people are going through difficult times. She is only happy when some other person, patients and staff often, are struggling with their health, want access to healthcare, or where the hospital has experienced a blocked drain and the stink has gone through the ED.

The Leader of the Opposition is a terrible hypocrite in this area. Just recently, because she was under pressure for being too disconnected to the rest of policy makers in Health, she started to make noises about us having to work together. Yet what does the Leader of the Opposition do? She runs her juvenile petitions, plants pictures in the parliamentary lawns and even got -

**Ms White** - I got a letter from your Premier rejecting the offer.

**Mr DEPUTY SPEAKER** - Order, Ms White.

**Mr FERGUSON** - Ms White recently wrote a letter to me on behalf of a constituent where the constituent had challenged her for refusing to ever work with the Government, and she said, 'Oh well, I suppose I'll give you a chance to work with me', I mean, honestly, the forked tongue is unbelievable.

**Ms White** - You refused.

**Mr FERGUSON** - I listened to you and I would like you to listen to me. We have been investing -

**Ms White** - You interjected on me. You were having a good old conversation.

**Mr DEPUTY SPEAKER** - Order, Ms White.

**Mr FERGUSON** - We have been investing in Health. Two years ago we should have had the Royal redevelopment built. Ms O'Byrne stuffed it up. It should have been open two years ago. We have started building it, we will finish building it, but it ought to have been built two years ago. If we had had it built -

**Ms O'Byrne** - How is it going? We started building it. You cannot even tell the truth about that. He stands in this House and lies.

**Mr DEPUTY SPEAKER** - Order, Ms O'Byrne. You are officially warned for constantly interjecting.

**Mr FERGUSON** - Thank you - very unparliamentary. If we had had it built on time we would be able to be using those extra spaces.

**Ms White** - You delayed it for 12 months, minister.

**Ms O'Byrne** - He still lies.

**Mr FERGUSON** - I ask that to be withdrawn.

**Ms O'Byrne** - I withdraw the word 'lie' but remind the House that the building was actually commenced under Labor.

**Mr DEPUTY SPEAKER** - Ms O'Byrne, without qualification, thank you.

**Mr FERGUSON** - You failed. If we had had it built on time two years ago we would have 250 more beds. What is our biggest constraint right now? Is it government funding? No.

**Ms White** - It's you.

**Mr FERGUSON** - See, this is the Labor Party verbalising how they want to work together. If we had had the redevelopment up and running we would be in there. It is now less than one year away. That is a good thing because it is the Hodgman Liberal Government that has built it, no other government - it is the Hodgman Liberal Government - and we have a policy to resource it. How many beds did the Labor Party promise at the Royal Hobart Hospital or the LGH at the election?



There is no number. They did not promise to open a single extra bed in any of their many drafts - seven versions - of their health policy.

As to the health inquiry that has been going on in the other House, I am pretty careful in this area because it is in the other House, but I will say the other House wanted to do an inquiry into health and I said we will be constructive with you on that. That is very different to the former minister, Michelle O'Byrne - the same minister who slashed half a billion dollars from the Health budget, shut down ward 4D, shut down the Nell Williams Unit, slashed mental health, slashed elective surgery funding, and refused to attend the Legislative Council inquiry. I went three times at their request. I offered to go and they took up my offer to go three times. I have made three submissions. They are on the website and if you care to have a look at them you can read about our plans. I wish we could fix all of our problems in Health overnight but life is just not like that.

What we can do is invest and we have invested. We have reversed Labor's cuts and we have \$757 million in the budget over the next six years. It is employing people, like the neurology service and the endocrinology service at Launceston - two full-timers in the public service. We have not had even one full-timer for many years, going back as far as the Giddings' era.

Honestly, the Labor Party claims to care about health but they do not. Any reasonable person would look at what Rebecca White, the Leader of the Opposition, has just uttered and find it rude, offensive and personal. It does not help anybody. The Leader of the Opposition is operating on hate and personal character assassination. The people of Tasmania are seeing straight through you. You do not have a plan for health; all you have is insults.

Mr Deputy Speaker, our record shows that we have been improving the waiting times for people who need our care. We have reduced the longest waiting patient by 80 per cent. We have reduced the reduction of 2900 days for the longest waiting patients. That is an 80 per cent reduction. We have saved the Mersey; we have our One Health System, our hospitals working together. We have our helicopter service, which will be fully operational in the middle of next year. We have 42 more paramedics for regional areas and we have reduced response times in the last year as well. Patients are receiving better care, but do we think that is good enough? Do we think that the job is done? No, we do not.

I will not be distracted by Ms White's personal insults and attacks which are not founded in policy; they are founded in politics. The Government will maintain our focus on doing everything we can to support people, including with our community rapid response service which is taking nurses to people's homes and not expecting them to come to hospital. We care; we get it. We are picking up the legacy of issues that we were left with and we are looking to the future as we invest and employ even more staff. If we employ more staff, we will open more beds.

A reasonable person would say that we are full and if we want to open more beds, we have to build more buildings. I am building the buildings that Ms O'Byrne failed to build. I am sorry that I cannot make them come up overnight. We are building these buildings. It will be open next year and the first mental health inpatient beds for children will be open in September of next year. That should be welcomed.

For the Labor Party, this is all politics; it is all personal. It is hate based and it is not constructive. If the Labor Party had tried in government to be as consultative as I have been around the state, with open community meetings, every year -

**Members** interjecting.

**Mr FERGUSON** - We have had the most extensive consultation process where even Ms White put in a submission way back in the day when she was pretending to be constructive. Everybody has had their say. We will continue to listen and work constructively. In the end, somebody has to lead; somebody has to fund and that is what we are doing.

**Ms O'BYRNE** (Bass) - Mr Deputy Speaker, Mr Ferguson is accusing other people of 'hate-based politics'. That, from this minister with the views that he holds and the way he behaved in this House yesterday? The way he managed the debate yesterday? This minister and the way he behaved over access to terminations? This minister and the way he acts about marriage? Do not dare stand in the House and accuse the other side of hate-based politics.

We know exactly what motivates you every single day in this House. The minister is such a defensive soul. When we look at this Government's problems and the trouble this Government is in, every single road leads back to Mr Ferguson - the health crisis, the attack on women and groups trying to get equality, his inability to manage the business of this House and his relationship with his own caucus members. That shows the inability of this minister to do pretty much anything.

**Mr Ferguson** - We are getting results; you failed.

**Ms O'BYRNE** - He was dishonest again, just then, about the Royal Hobart Hospital. He stands in this House and says things that are untrue all of the time. The funding for the Royal Hobart Hospital build was achieved by Labor. The build was started under Labor. It was this minister who delayed it by 12 months and this minister, who was overseeing crisis after crisis after crisis in the build. How on earth does this minister expect us to believe that no-one in the Government realised they might need plasterers for the hospital and end up in crisis with the labour they employed and the failure to pay staff? There are occupational health and safety issues that have wrecked that process. This minister oversees that. How dare he stand here and pretend that he has done anything decent in that space?

**Mr Ferguson** - We are building it, you failed. How many bricks did you lay?

**Mr DEPUTY SPEAKER** - Order.

**Ms O'BYRNE** - How dare he say that? He gets up here and says, 'I have opened wards'. That is not what the nurses say. They are begging him to open up some of those beds on 4D.

**Mr Ferguson** - How could you mention 4D? You closed it.

**Ms O'BYRNE** - This is exactly it. You open a ward but you do not staff the beds. That is your problem. If you do not staff the beds then that is a problem. That is the problem at the LGH.

Nurses have been out on the streets every day. Every day they stand out there on the streets and this minister refuses to talk to them. He refuses to engage with them. They have decent responses that could help with the crisis but he is so arrogant and so out of touch that he will not even listen to them.

Let us go to the other issue of the termination services, the question that was asked in parliament today that this minister once again failed to answer. In January, after the closure of the service, this

minister said they were immediately investigating a response. Then he said, still in January, that services have been restored. That was also not true. Then he told his federal colleagues that the services had been restored. Once again, they said this in the public media. It took until 13 June this year when this House dragged this minister kicking and screaming into this House to get a commitment to provide a service.

Let us talk about the motion that was before the House that day. It recognised that Tasmanian women require full access to reproductive health services. They still do not have it. It noted that international research found that jurisdictions where terminations are difficult to access are associated with high maternal mortality and unsafe abortion rates. Barriers to abortion access in Australia particularly affects young women, rural women and women of low socio-economic status. None of that has changed. It called on the minister to act immediately to ensure women are not forced to leave the state to access services. That is still happening. The minister refused to accept the motion that would require him to implement the service and report back to the House. He put in an amendment saying that they would investigate and report back to this House. In that report back, he committed to provide the service by October. This minister failed again to deliver on a commitment to this House.

Did he then provide it in October? No. No services were provided in October. It took until November for a contract to be signed but this contract will not meet the needs of Tasmanian women. It will meet a portion of the need, if you can afford to go to Hobart. Mr Ferguson might have lots of friends who can afford the trip but there are women across the state who cannot afford \$475 to pay for the service. They cannot afford to upfront their travel costs in the hope that they will be able to get some travel assistance later on. If you are a regional woman in Tasmania, you are still disadvantaged. If you are a young woman in Tasmania, you are still disadvantaged. If you are a woman with other children who cannot get to Hobart, you are still disadvantaged. This minister has failed even on the motion that was agreed by this House.

What we need from the minister now is a confirmation. Will women be on the twilight list at the hospital that is temporarily providing this service and therefore being discharged after their procedure? Their procedure cannot commence till after 5.30 p.m. and they will be discharged into the dead of the night. Is that what the minister wants for women? They have a termination service and sneak off home in the dead of the night. Does that make him feel a little better? Will they be discharged late at night? Will it provide procedures after 16 weeks? Has the contract allowed for the full provision of termination services, or just some provision of termination services? Does this minister believe that \$475 is affordable in the golden age of the Hodgman Government when we apparently cannot afford to give public servants the decent wages that they deserve? When we cannot afford to ensure that people who are on low wages in our service industries get penalty rates?

Every single thing this Government does impacts on the lowest income people in this state. You cannot get a decent salary. 'We will do everything we can to undermine you. If you want a health service I disapprove of, I am going to make you try and find nearly \$500 for your sins.' That is exactly what is going on. It is appalling. This minister needs to clarify what the service will be. The provision of a service deed, the doctor who now has the private contract, does provide a good service in Victoria and it will meet the needs of a small number of women, women who can get to Hobart, women who can afford it. But all the women we have been talking about are still being denied access.

**Time expired.**

[11.30 a.m.]

**Dr WOODRUFF** (Franklin) - Mr Deputy Speaker, we have been here before and I hope we will not be here talking about these issues for too much longer. I object to the personalisation of this issue. It is clear that what is at play in Tasmania is a structural underfunding by the Liberal Party of the health system. That has now been substantiated through evidence presented by a number of reports, particularly by the KPMG report which the Government has still not released.

This is a central problem for this Government. Its secrecy, obfuscation on RTI requests, denial to provide information which should be in the public domain about how public monies are used in the public health system to create services that will keep people well for longer. That is what we are here for. Our job should be to keep people well for longer so they can live happier, healthier lives. Let us not get into costing the productivity of a life and that focus on the value of a person as a productive asset in the economic system. Let us go back to what human beings want: we want to live happy, healthy lives.

The principle here is the structural underfunding of the health system by this Government. That has been obvious to those of us who looked at the \$210 million that came out in the 2014 state budget that was removed out of the health system; \$100 million went back in the next year and still \$110 million down. There is no surprise at all that the KPMG report, which has been leaked, points to a persistent structural deficit, 'Structural deficit at \$96.4 million in 2015-16 rising to \$100 million in 2016-17.'

The Health minister is on record for saying numbers of times that the figures in the KPMG report do not take into account the spending increases in the last state Budget. Show us the figures. Show us the report, minister and stop hiding because we cannot make any sense of statements you make like that when you refuse to hide the underlying analysis that has been done of the structural deficit of an independent auditing body, an internationally-respected body, such as KPMG.

The other problem this Government has, the same problem in another area, again, refusing to release very important documents that clearly ought to be made public, this time about the functioning of the operations of the Tasmanian Health Service executive and the Deloitte report which the minister refused to release, clearly because it contained damning information about the poor senior management culture within the Tasmanian Health Service executive.

The minister and the Government have undertaken a structural review and changed the functioning of the Tasmanian Health Service and that no longer exists in the form it was and that is fine. There seems to be some things which are dealing with the problems people have been loudly talking about for two years beforehand but what has not happened is that report has not been released.

People who care about and are involved in the operations of the Tasmanian health system, the hospital system, can look and see whether all the matters raised in that report have been attended to. There may well be other things which the minister, the department, for whatever reason, decided they did not want to undertake. That should be something that everyone in Tasmania who is interested, gets to have a look at. I doubt everyone will want to read that report -

**Mr Ferguson** - Let me help you out. A very frank summary of that report has been released. I am not sure if you have seen it?

**Dr WOODRUFF** - Minister, we get summaries and we also get media releases from your department about matters that really should be in the public domain.

We have a health inquiry that the upper House has reported to the media about yesterday including the fact that your Government is refusing to release two central reports to that inquiry. The upper House does not hold public inquiries to investigate a matter and expect the government of the day to resist releasing information that should be in the public domain. It really is a disgrace. There are some things in health that cost money and there are some things that do not. I suggest that being open and transparent does not cost anything, especially if you have the confidence of your convictions and you have some confidence in the department that you are running.

It signals to Tasmania that the minister does not have confidence in the manner in which his department is being run. It signals that he does not have confidence in the operations that he is in charge of, otherwise, why else would he be hiding it? At the end, if the other two things are not true, it signals that the minister does not have confidence in his convictions.

If the Liberal Party has particular convictions that they are using to choose to run our health system in the way they are, then they should have the guts to stand up to their convictions and be open about what they are doing.

One of the worst things for a chronically underfunded health system, is not to include as many people as possible to be able to be involved in repairing it.

**Time expired.**

[11.37 a.m.]

**Mr HIDDING** (Lyons) - Mr Deputy Speaker, as a Government, we are proud of a very strong health record and we have rightfully been assessed and this minister has been assessed as being a particularly capable minister. To listen to the low standard of the attack by the Opposition spokesperson reminds us that the Labor Leader has the wrong person in that job.

It was not that long ago when Ms O'Byrne was the minister the health in Tasmania. A petition was presented to the member who is now minister, signed by over 25 000 Tasmanians in relation to Labor's devastating health cuts: 25 000 people signed a petition about Ms O'Byrne's management of the health portfolio in Tasmania.

As it happened, the Liberals were on the road, not in the big clunky red bus but in the nice smooth blue bus being driven by either Mr Shelton or myself and we drove into the Burnie Hospital and what did we have there, a huge demonstration. There was a sea of placards. Guess what the placards said, 'How can you sleep when our beds are O'Byrning'? One thousand placards wobbling around Burnie and at the Burnie Hospitals, 'How can you sleep when our beds are O'Byrning'?

Now, that person, that minister with that shocking record, is the spokesperson and the Opposition critic, to use the Canadian term, of a health minister who has turned all that around. That is particularly galling.

What we have seen from this minister is a rescue of not only a stalled project but the project was in the toilet. It was rubbish. It could not go ahead. It was uncontractable. Neither the head contractor or any of the developers, no-one could do anything with that project and it had to be very substantially rebuilt to the point where the project itself could start being built.

Guess what? Here we are, in 2018 we are looking at 2019 with one of the biggest openings of one of the biggest developments in the City of Hobart for many years.

**Mr Ferguson** - Probably ever.

**Mr HIDDING** - Ever. It is a massive development in the CBD. I was interested to see the other day that former premier Paul Lennon has trotted himself out having a bit of a go about how he still believes it should have been built at Macquarie Point.

**Mr Ferguson** - Ask Ms White; she wants it there too. She doesn't support the current redevelopment.

**Mr HIDDING** - No. She probably wants it pulled down brick by brick and marched down to Macquarie Point, where another previous Labor premier who was then the minister wasted \$10 million on a proposal to build it at Macquarie Point and did not do it.

We have announced only very recently a very exciting resolution of a commitment we made to build a helipad. Imagine that. In a capital city in a modern country like Australia, we can have a helipad on our hospital. Labor was not going to have a helipad. They did not believe in it. They did not think they needed one.

**Mr Ferguson** - It was in it and then they took it out.

**Mr HIDDING** - They took it out. You could have a case in Launceston, Devonport or Burnie where you have a terribly touchy neonatal in struggling circumstances. One of the best neonatal hospitals in Australia is here in Hobart and we are putting in a network of helipads and a helipad on top of one of the best neonatal hospitals in Australia. What you will get is a transfer within the golden hour from one of the hospitals there to the hospital here in Hobart, down the lift, straight into the neonatal ward - first class treatment all the way for that little Tasmanian newborn who has hours to be dealt with and taken into care to save their life. That is what we have been doing on this side of the House. That is what we have been delivering and we are proud of it. I commend the minister for his terrific work in this portfolio. We should all be proud of him.

**Matter noted.**

## **MENTAL HEALTH AMENDMENT BILL 2018 (No. 43)**

### **Second Reading**

**Resumed from 17 October 2018 (page 46)**

[11.43 a.m.]

**Ms ARCHER** (Clark - Minister for Justice - 2R) - Mr Deputy Speaker, I will resume where I left off.

The act provides for the tribunal to sit in divisions of one member, or three or more members chosen by the president. However, section 181(1)(f) currently requires that any review of a treatment order must be conducted by a division of three members. While the tribunal can effectively conduct a one-member review within its existing resources, convening a three-member

panel requires payment of a full four-hour fee to two additional members who work on a sessional basis.

Section 47A was introduced into the act through amendments that were made under the Mental Health Amendment Act 2016. The Mental Health Tribunal has advised that in the 12-month period since those amendments came into effect on 1 July 2017, the tribunal held 82 three-member panel hearings for patients admitted under section 47A. The cost to the tribunal to run these hearings with a three-member panel was approximately \$29 500. In some cases, these hearings occurred shortly after a mandatory 60-day or 180-day review of the treatment order under the act.

The tribunal has advised that where a patient has complied with their treatment order and the decision to admit the patient is a clinical one to prevent possible harm, there are no compliance issues that require the tribunal's consideration. In most cases such a review can be effectively undertaken by single member of the tribunal. In fact, prior to the commencement of section 47A last year, where a patient required readmission but was not in breach of their treatment order, all readmissions were reviewed by a single member of the tribunal and the order varied to reflect the change in treatment setting.

The tribunal has also advised that a significant number of patients find three-member hearings arising from a readmission to hospital very distressing, particularly given that periodic reviews are already mandated by the act. In its submission during consultation on proposed changes to the act, the Mental Health Council of Tasmania noted that this process is often incredibly stressful for patients and, in many cases, detrimental to their treatment and recovery during a period of already heightened stress and ill health.

This bill addresses the issues I have just outlined. It amends section 181(1)(f) of the act to provide that where a patient has been admitted to an approved facility pursuant to section 47A to prevent possible harm, the mandatory review of that patient's treatment order in accordance with section 181(1)(d) of the act may be conducted by a division of either one member or three or more members of the Mental Health Tribunal.

This amendment will provide the president of the Mental Health Tribunal with the flexibility to appoint, where appropriate, a division of one tribunal member to review treatment orders for section 47A admissions. This will assist in reducing costs where matters are likely to be straightforward, as the tribunal can conduct a one-member review within existing resources. One-member hearings are likely to be perceived as less confronting to admitted patients, who may already be feeling vulnerable at a stressful time.

I would like to emphasise that the requirement for a mandatory tribunal review within three days of admission under section 47A will remain in place. During consultation, a number of stakeholders expressed the view that mandatory reviews serve as an important safeguard by allowing the tribunal to consider the appropriateness and effectiveness of treatment, even where compliance with a treatment order is not an issue. The Government shares that view, and that is reflected in this bill.

It is also important to note that the amendment does not affect reviews of treatment orders conducted for any other reason, including mandatory reviews following admission under section 47, mandatory reviews 60 days or 180 days after a treatment order is made, or reviews requested by a person with standing or initiated by the tribunal at any other time. These will remain unchanged and will continue to be conducted by a three-member panel.

Mr Deputy Speaker, in developing the Mental Health Act 2013, which commenced in early 2014, great care was taken to ensure a balance between consumer rights and the need for treatment, while also recognising the important role played by carers and family members of people with a mental illness.

The act contains a significant focus on the rights of patients and has an extensive review regime to ensure that those rights are protected. Section 47A and the review functions of the tribunal have been, and will continue to be, consistent with the United Nations Principles for the Protection of Persons with Mental Illness and the Improvement of Mental Health Care.

Finally, I would like to take this opportunity to thank those stakeholders who provided submissions during the Government's consultation process, and whose valuable input has been taken into account in preparing the bill. The Government is committed to ensuring that people with a mental illness can receive the assistance they need and are treated with dignity, respect and care.

I commend the bill to the House.

[11.49 a.m.]

**Ms HADDAD** (Clark) - Mr Deputy Speaker, the Opposition will be supporting the Mental Health Amendment Bill 2018. I thank the Attorney-General's office and department for the very thorough briefing they provided to us some weeks ago now that was attended by a number of members of the Labor caucus.

I intend to speak fairly briefly because the minister has indicated in her second reading speech that the changes made in this bill are procedural and straightforward and will ultimately be better for patients admitted to approved facilities under compulsory treatment orders. My colleague, Jen Butler, the member for Lyons, will also be making a contribution on the second reading debate of this bill as the lower House spokesperson for Labor on issues concerning mental health.

I note that the bill amends section 181(1) of the act and will provide that where a patient has been admitted to an approved facility under section 47A of the act to prevent possible harm that the mandatory review of that patient's treatment order in accordance with section 181(1)(d) of the act may be conducted by division of either one member or a division of three members of the tribunal.

It is important to allow the tribunal to continue to have that discretion to decide whether a three-member tribunal is appropriate in the circumstances. I anticipate, and the minister said she does as well, that the majority of those reviews will be suitable to be conducted by a tribunal constituted of just one member.

I note that there has been significant consultation on this bill and that the changes being made at the request of members of the tribunal and has the support of practitioners and of the Mental Health Council, of advocates, families and carers and patients undergoing mental health treatment. It will make the review process for those compulsory reviews conducted under that part of the act less traumatic for patients, especially as these are reviews which are required that they are reviews of patients who are compliant with those compulsory orders.

It is also important to note that the minister has pointed out the extra cost that is involved with conducting a three-member tribunal when one is arguably not necessary. That is important to



reiterate as well as the fact that in addition to that extra cost a three-member tribunal can in many cases be quite confronting and traumatic for patients.

It is important to reiterate that mandatory reviews serve as an important safeguard for patients and for their families. This bill ensures that Tasmanian legislation will continue to balance the needs of treatments and practitioners alongside the rights of the consumer and the mental health patients themselves.

Having worked previously in the alcohol and drug sector in the community sector which has close ties with the mental health sector, given that there are often co-morbidities between patients suffering mental ill health and substance addiction, it is imperative that where legislation can, it ensures the rights of consumers and the rights of patients are foremost when making legislation that affects those people's lives and that patients and consumers of services do have a say in the treatment that they receive.

With those brief comments I indicate support for the bill from the Labor Opposition.

[11.53 a.m.]

**Dr WOODRUFF** (Franklin) - Mr Deputy Speaker, on behalf of the Greens I add our support to the Mental Health Amendment Bill. It sounds like it is a change that is important and needed, initiated by the Mental Health Tribunal, supported by the Mental Health Council, mental health consumers and other mental health advocates. We support these changes.

It gives me cause to reflect on issues to do with the capacity for people to have control over their own treatment regimes and the very fine balance that must be struck between their own personal safety and the need for safety of others in certain circumstances when those individuals lack the decision-making capacity themselves to determine what appropriate treatment is for them.

I want to raise with the minister something I have raised repeatedly in budget Estimates about the functioning of the Mental Health Tribunal and the relationships we have with other states. I raised this on behalf of mental health consumers in 2015 or 2016 with the previous Attorney-General, Vanessa Goodwin. I believe I raised it with the current Attorney-General at the following Estimates.

I am not sure whether this matter has been proceeded but in order for people in Tasmania, our tribunal to be able to determine what appropriate treatment ought to be for people, there needs to be a capacity to have clear communication with other states. There are circumstances where people leave the island. They leave of their own behest and travel interstate, whether or not they are in the right mental state to be able to safely do that for themselves. It has happened that people leave the state and do not have access to treatment when they go interstate.

I am personally aware of two cases where there has been harm that has come from this lack of information between state bodies. One was the case of a woman whose child absconded. She says her child was released from the psychiatric services at the Royal Hobart Hospital, not into housing nor into care. That person ultimately became homeless. She chose to leave the state. In so doing she lost access to her treatment which had been ordered for her. When she was in Victoria, she ended up living in a car in a very poor state of mental health for many months. Her physical health declined severely and her mental health declined very severely. Fortunately, the mother was able to track down and find her daughter and bring her back to the state. What was apparent was the

relationship with the Victorian Health Department and the Tasmanian Health Department was not clearly articulated, the tribunals of both those states.

I come to another far more serious matter which was the murder by the son of two very loving parents in a loving family in Mountain River in 2012. I happened to know the couple; they were well known in the Huon Valley community. They were well respected for their contributions as academics, wonderful people with wonderful children, but unfortunately, one was schizophrenic. He had been living in Western Australia and had been under treatment orders in Western Australia. However, the son came back to Tasmania. The Western Australian minister responsible for mental health lost track of the ability, through a lack of procedure articulated between the two states, to be able to order that person to have access to the drugs they needed in Tasmania. The son was happily living with them, but when he went into a dark place, the parents desperately tried to get him onto the medication he had been on in Western Australia. They could not access that treatment order from Western Australia. They were not granted it in Tasmania.

They repeatedly went in desperation to the Royal Hobart Hospital. This is all documented in media and a very sad coroner's report. Another child went to Western Australia to try to get that information and access to the script; however, the parents were beaten to death by the son at home in Mountain River. It was a really horrific failure of process, a bureaucratic failure.

In the context of this bill before us today, minister, could you please follow up on those issues because there was a commitment by Dr Goodwin to look into these matters and I have not heard anything. Maybe they have been attended to, but I understand that what is required is an MOU between states.

**Ms Archer** - Did you write to Vanessa about it?

**Dr WOODRUFF** - I spoke about it and laid the cases out and she promised to look into it. I did not think I needed to write to her as well.

**Ms Archer** - No, I was just asking in case there is a paper trail.

**Dr WOODRUFF** - There would be a paper trail. I can go back and look at the details if we need to; I am very happy to follow this up.

The Western Australian mental health minister said that she had 'lost track' of the mentally ill man who killed his parents in Tasmania. This is something we can fix. There are not many things that we can fix in this space quite so easily but this is something that can be done and it would certainly make it easier for the parents of children under treatment orders or trying to make sure that they keep people they love safe, not just children, but partners, friends, whoever it is.

That is all I wanted to say on this bill and I am very pleased that this change has been made.

[12.02 p.m.]

**Ms BUTLER** (Lyons) - Mr Deputy Speaker, when the amended act was introduced in 2014, it presented a significantly different framework for treatment and assessment than had applied previously. Before the amended act's commencement, decisions about treatment were made under the Guardianship and Administration Act 1995 and the Mental Health Act 1996. Decisions about treatment are now made at the same time by one body and under one act and it is a lot more efficient and beneficial to the patient.

Changes to the framework meant decisions about serious mental health plans were made by a three-person tribunal. The amendments were made in 2016 and were really focusing on a rights-based framework for assessment and treatment. I believe that was very much the intent of the Leader for Government Business in the upper House at the time, Dr Goodwin.

Section 47A of the Mental Health Amendment Bill 2018 deals with a patient's failure to comply with a treatment order. The changes introduced in 2016 under the Mental Health Amendment Bill only came into effect, I believe, in July 2017, so they have only been in place and operational for just over 12 months. I believe also since the introduction of the changes to the tribunal, there have been 82 three-member panel hearings for patients admitted under section 47A. My question is why were the specifications of a three-panel tribunal introduced in 2016? Why were they introduced in the first place? Was there originally a single-person tribunal prior to 2016, and was there a trigger case which led to the 2016 amendments being placed in the act?

I have had a look through the Legislative Council *Hansard* debate to try to find out more about why the amendments were put into place but then changed a little over 12 months later. The then Leader for Government Business in the upper House said this about the three-person tribunal:

These amendments have been recommended by clinicians and are supported by the Mental Health Tribunal and other stakeholders. The amendments are not intended to alter the act's fundamental principles or provisions, rather they are designed to clarify processes and to ensure the act's improved operation.

That was in 2016 and as far as I can see; that was to improve operations.

Administration costs have been stated as one of the reasons for the change to the make-up of the three-person tribunal. It is not efficient and quite expensive as well. Money costs and efficiency is one thing, but the original intent of the framework was to make sure it was rights-based for the patients and the patient's best interests were at the forefront of the treatment plans or the tribunal's operation.

I have another quote from the Leader for Government Business in the upper House to do with the review. She says:

The act requires the Minister for Health to complete a comprehensive review of the act's operation by February 2020. The 2020 review will provide an opportunity to consider the act's fundamental features in detail, including concepts of decision-making capacity.

I am not sure why we are amending an act in relation to the tribunal make-up when it needs to be reviewed by the Health minister in 2020 anyway. I am seeking some clarification on why, 12 months after the three-person tribunal's inception, we are wanting to amend that now when it can potentially be done in 2020.

Community Legal Centres Tasmania raised the objection to the proposed amendments to section 181(1)(d) of the Mental Health Act 2013 which mandates that the Mental Health Tribunal must review a treatment order within three days of being notified of the patient's admission in circumstances where the patient has failed to comply with the treatment order, or the patient has

complied with the treatment order but the treating medical practitioner believes they should be admitted to prevent possible harm.

The advice from Legal Tasmania states:

We acknowledge that the proposed amendment will continue to provide the tribunal with the capacity to review a treatment order at any time, either on its own motion or on the application of the patient or any person withstanding. Nevertheless, we believe that the current mandatory review within three days of being notified of the patient's admission is an important safeguard, even in circumstances where the patient has complied with the treatment order. This is because the tribunal is required to consider whether the treatment is appropriate and effective for the patient and cannot be adequately given except under a treatment order.

It goes on to state:

Involuntary detention in a locked hospital ward must be an option of last resort, particularly when less onerous options such as treatment in a community setting may be available.

It also states:

An independent tribunal to review the order provides an additional level of protection to the patient and provides reassurance that the order will be proportional, best tailored to the patient's circumstances, and apply for the shortest time possible.

That goes back to what I am stating about these amendments. Are we putting the best needs of the patient at the forefront or are we putting administrative costs and time efficiency at the forefront?

Whilst we support the amendments on the basis of the streamlining and also on the basis that clinicians do say that the changes are going from quite an onerous experience with the three-person tribunal. Apparently fronting a one-person tribunal is a lot less stressful on people who are sometimes already in quite a precarious state with their mental health.

It is always vital that the best practice, irrespective of administrative costs, should be maintained. The changes were introduced in 2016 as they were considered to be in the best interests of people with serious mental ill health. I seek clarification as to why the amendments could not wait until 2020 and also whether or not the framework of having the rights of the patient at the forefront will be maintained?

[12.11 p.m.]

**Ms ARCHER** (Clark - Minister for Justice) - Mr Deputy Speaker, I thank members for their contributions. Although this is a relatively short bill it obviously deals with some really critical issues in relation to treatment orders being dealt with by the Mental Health Tribunal.

I do not think any questions came out of Ms Haddad's contribution but I note support for the bill.

In relation to Dr Woodruff, in relation to the inter-jurisdictional issue, I will undertake to have a look at that. We are currently seeking advice and I cannot give it to you now. You raised a very valid point and I suppose these issues arise in circumstances where it is a state jurisdiction and so getting communication between states and territories on matters like this is ideal. We will look into that and the only reason I asked if there was a paper trail was to make it easier but my office will get on to that.

**Dr Woodruff** - I am just sending you the budget stuff.

**Ms ARCHER** - Great, thank you.

In relation to those issues raised by Ms Butler, pardon me if I am incorrect but I think my second reading speech made it quite clear as to the reason for this being put forward. I note that you just quoted from the previous position which, following consultation with stakeholders, remedied the situation in relation to concerns that came out of the consultation and agreed to an alternative approach to amending the act. I reiterate that the revised amendment bill will amend the act to provide that in cases where a patient has complied with their treatment order but is admitted to prevent possible harm, the mandatory review of their treatment order by the Mental Health Tribunal may be conducted by either a one-person or a three-person panel as appropriate, appointed by the president of the tribunal.

This amendment bill was initiated at the request of the Mental Health Tribunal and these matters are often raised during the course of, or even following, amendments to the Act. The question that you specifically asked as to why could this not wait till 2020, it was a matter raised by the tribunal. It is not just a resourcing issue, it is about the care, wellbeing and welfare of the patients. It is very distressing to appear at a tribunal hearing per se but a three-member tribunal hearing if we all put ourselves in the shoes of someone appearing before a three-member tribunal on any matter can be quite daunting let alone if there is a risk of self harm. That is of paramount importance and I can state that unequivocally. That is the main motivation. I did then identify for the purposes of streamlining the process and being able to comply with timelines it is easier to convene a smaller panel than it is three members making themselves available at a certain time, at a certain place, on a certain day. That coupled with the issue that I just addressed in relation to it being distressing are the two main reasons.

It is important to note that the three-member panel can still be convened in the situation where there are compliance issues. For section 47A admissions, the patient is not in breach of their treatment order, they are being admitted to prevent harm to themselves or another person and there are no compliance issues with the treatment order that need to be considered by the tribunal. In the majority of these cases, the review of the treatment order can be properly undertaken by a single member of the tribunal. There is nothing contentious, there is nothing that has been breached and as I said no compliance issues and so it is quite appropriate that a one-member tribunal can deal with those matters. In cases where they are more complex and there are compliance issues and as a safeguard to arrive at the same decision, it is more appropriate to have more members. I have great faith in the president of making those judgment calls.

While the tribunal can effectively conduct a one-member review within existing resources using a member of staff employed by the Department of Justice, convening a three-member panel

requires payment of the full four-hour fee to two additional members who work on a sessional basis. The additional cost for the tribunal to run these hearings with the three-member panel in the 2017-18 financial year was nearly \$30 000. There is a cost saving element to this and it is always pertinent for us to be looking at efficiencies where it is not at the expense of good process and good assessment. In relation to the consultation and the feedback that we received, we have confined it to the situation where there are no compliance issues that arise. We have a good balance now.

The Government found that consultation process was extremely valuable in relation to the consultation that was undertaken and the feedback we received from a number of different sources. I cannot turn it up right when I want to, as is always the case in relation to who exactly was consulted, but we did confer with the Health Council Tasmania, Advocacy Tasmania, Community Legal Centres and Tasmanian Human Rights and stakeholders who raised very valid issues and they were taken on board.

That addresses the issues. I do not believe those matters could have waited until 2020. It was efficient to deal with them as swiftly as possible and it was raised by the tribunal itself in relation to how they can better manage these matters and predominantly have it less daunting and stressful for the individuals concerned.

I thank the departmental officers who have worked diligently on this bill and other bills. As always this is an area that I think every member of this House has a strong interest in ensuring that we maintain the dignity and rights of people with mental illness and that we always keep that to the fore of our minds. It is not an easy job for any of our staff dealing with these issues because they are quite confronting at times with some of the case studies that come to light. It is our intention to produce good laws that deal with these situations to make it as least stressful as possible for individuals involved in the system. I thank members again for their contributions and I commend the bill to the House.

**Bill read the second time.**

**Bill read the third time.**

## **GAS INDUSTRY BILL 2018 (No. 40)**

### **Second Reading**

[12.20 p.m.]

**Mr BARNETT** (Lyons - Minister for Energy - 2R) - Mr Deputy Speaker, I move -

That the bill be now read the second time.

This bill is mainly about administrative realignment and simplification of processes, rather than reflecting a major policy review.

Currently, the gas industry in Tasmania is regulated under the Gas Act 2000 and the Gas Pipelines Act 2000. These two acts provide a regulatory framework, which includes activities such as licensing, customer protection, construction of infrastructure and regulation of safety. The Gas Act applies to retailing and the operation of distribution networks, which are dendritic (meaning a

branched form resembling a tree), while the Gas Pipelines Act applies to transmission pipelines, which are point-to-point.

When these two acts originally commenced, both were administered within one government agency and by one minister. Both acts commenced in advance of the development of the gas supply industry in Tasmania. This included the undersea gas transmission pipeline, the onshore transmission backbone, and the rollout of the dendritic distribution network in various cities and towns across the state.

Since that time, there have been changes in administrative arrangements that have resulted in parts of both acts being administered by the Department of State Growth, with other parts of both acts being administered by the Department of Justice. Further, there are a number of variations in provisions that apply to either dendritic or point-to-point pipelines. These differences are not based on any current needs. At times they are cumbersome and inefficient to administer.

The bill currently before the House addresses these inefficiencies and will reduce administrative costs and streamline licensing arrangements for the gas supply industry. It will be administered by the Department of State Growth. The Gas Industry Bill's companion, the Gas Safety Bill, will provide for the safe operation of the gas supply industry, and broader gas safety matters. It will be administered by the Department of Justice.

This Gas Industry Bill covers licensing for gas retailing and the building, operation, and maintenance of gas infrastructure. Gas infrastructure includes gas distribution, as well as transmission.

This bill provides clearer administrative and legislative responsibilities for the Minister for Energy, the Department of State Growth, and the regulator. In harmonising the provisions in the current acts, we will eliminate some longstanding duplication and inconsistencies, and modernise the legislative arrangements.

An example of the way this bill harmonises and streamlines arrangements for the gas supply industry is in the area of gas supply emergency management. Currently only the Gas Act provides express powers to manage gas supply in the event of a supply shortage or major disruption.

In the bill before the House, there are now provisions that provide for a safe and efficient response to gas supply emergencies affecting customers, irrespective of whether they are supplied directly from a transmission pipeline or from the distribution system. These provisions have been developed in consultation with the gas supply industry and in response to several gas supply emergency exercises over a number of years. These exercises and industry feedback identified the need to be able to manage gas supply across the entire network to ensure safe and equitable access to gas, especially for critical services. Harmonisation of the provisions will allow the Minister for Energy to assist the market in the event of a supply disruption.

The Gas Industry Bill provides for one significant new provision, which I will now outline.

This new provision is the creation of a head of power to enable the Minister for Energy to provide for an obligation to offer supply, which is not the same as an obligation to supply. What is the problem we are seeking to solve? There have previously been cases where some customers with high levels of debt, who were tenants of Housing Tasmania properties provided with gas hot

water systems, were not able to get a supply contract with either TasGas or Aurora due to pre-existing debt or ongoing credit risk.

The Department of State Growth has discussed this with Housing Tasmania and both gas retailers. Aurora Energy has responded positively and has extended its hardship policy to its gas customers, which I welcome. As long as the industry is demonstrating a willingness to consider and account for the needs of vulnerable customers, there may be no need to impose a legal obligation on a retailer. However in the event that this problem re-emerges, then the Government will have the power to take prompt action. This ensures that we can look after the interests of vulnerable customers without the matter needing to be brought back to Parliament. This issue is being actively monitored in collaboration with the Tasmanian Council of Social Services to ensure that any future problems can be identified and addressed promptly should they arise.

How would the obligation to offer supply work? The 'obligation to offer supply' concept is fundamental in electricity retailing across the national market, and also in gas retailing in some jurisdictions. What it means is that, for every small customer, there is a retailer who must offer a contract to supply energy, on standard terms and conditions. This is not an obligation to supply, but an offer to enter into the contract. The way the obligation is imposed on retailers has a little bit of variation across the national market, but it is generally imposed on either the retailer who last supplied energy to the premises or, for new customers, a designated 'local area retailer'. Once the contract has been entered into, the usual supply contract provisions apply.

A key feature of this bill is that it represents a light-handed regulatory approach. This was, and remains, consistent with the concept that gas is, for the most part, a product of choice. As a relatively new energy source for Tasmania, this means that the regulatory burden on the gas supply industry is kept low. The cost of compliance with a regulatory burden is eventually, and inevitably, passed on to customers. This means that it is important to ensure that the cost of compliance is commensurate with the benefits that the customer receives. The Government will continue to keep compliance costs commensurate with the benefits.

I will now take the time to address some issues that may be raised that are not included in this legislation.

First, the bill does not regulate gas prices for Tasmanian customers. I recognise that the price of gas is an issue nationally. However as Tasmania does not have a gas resource of our own we are not able to artificially constrain prices to customers. National issues need national solutions, and this has been recognised. Both the Australian Energy Market Commission and the Australian Competition and Consumer Commission have undertaken reviews into the gas supply industry. There is ongoing reform in this area and some of the measures have already been implemented and have worked well for Tasmanian customers. One such element is the introduction of the compulsory arbitration framework, which ensured that a fair and reasonable outcome was achieved earlier this year for gas customers in relation to gas transportation costs across the Tasmanian Gas Pipeline.

Second, the bill does not directly expand the gas industry in Tasmania. It does, however, continue to provide an appropriately light-handed regulatory regime which will allow for organic growth in the distribution network as it becomes financially viable for this to occur.

In conclusion, I would like to highlight that this bill represents a streamlining of administration and a harmonisation and simplification of licensing arrangements. This will reduce costs to the



industry and to the community. I am confident that this bill will contemporise the legislative arrangements for the gas industry in Tasmania.

I commend the bill to the House.

[12.28 p.m.]

**Mr O'BYRNE** (Franklin) - Mr Deputy Speaker, I support the bill. This bill is about harmonisation and streamlining. It is also important we remember that a Labor government brought gas to Tasmania for a very good reason. That was to provide another energy option for Tasmanian business and consumers, but also at that time it was a key player in trying to create an environment where energy, in whatever form, would be in a competitive environment in Tasmania. Obviously there was a fair bit of government investment and activity to ensure that there was a rollout across Tasmania. With this bill it is being necessitated.

It is important to note that the original bill is 18 years old but you review that, so you have 18 years of experience, 18 years of feedback on the good and the bad bits of the bill and how it works. As a former minister for four years, I recall that there were not many complaints around the provision and management of this bill. The department was very good at ensuring that there was a good and effective response to industry but also that the regulation was judiciously exercised if there were any challenges.

The other reason, apart from the rolling on of time, is the restructure by the government in 2014 it split the departments. Therefore, different responsibilities moved into different departments. It makes sense to look at those administrative arrangements and respond legislatively to ensure key elements.

I understand this is in concert with the Gas Safety Bill which we will be dealing with next. These two bills go some way to modernise and review the current administrative and regulatory arrangements for the gas industry in Tasmania. I will talk about safety in the next bill which is a very crucial one.

On behalf of the Labor Party, we welcome the obligation to offer supply work. We welcome that element of the bill. That is a very positive measure in ensuring that Tasmanians, regardless of their circumstances, are being offered supply, be that appropriate, given their geographic location or options in front of them.

Since 2000 there has significant changes to the National Energy Market. We will not have a debate about the National Energy Market and the future policy. We have had a number of those debates already and no doubt we will continue to do that.

On behalf of the Labor Party, there is nothing more to add.

In the second reading speech, the minister refers to a light-handed regulatory regime, which we support in this context of this bill - 'The organic growth and the distribution network, as it becomes financially viable for this to occur'. That is a quote from the second reading. It has been debated for a long time. It has probably changed a bit, given the price of gas these days and the national debate about domestic supply of gas and the challenges off Western Australia and in the Northern Territory and northern Queensland.

Much of our gas is being exported, therefore there is a real challenge with the domestic supply of gas within Australia. The federal government needs to ensure there is a guarantee of domestic resource for Australians so prices can be kept low. It is important that all the energy options for customers, be they big or small, that the wholesale price which leads to the retail price is competitive. There have been price jumps with the retail price of gas in Australia. That needs to be addressed.

When we rolled out the gas there were some winners and losers. The main trunk lines, major communities and business areas were able to access it but a whole range of communities across Tasmania who, at that time, were not able to get access to the gas network. The minister referred to a continuation of the organic rollout of the gas distribution network. The reality is that, unless there is some government support in concert with either a potential large user or a community, there will be no growth in that network. If the minister, in his summing up, could respond if he has any views about how that may be an option for Tasmanians, if that is possible. The debate about renewables is strong but we need to underpin that with a competitive retail environment. We know gas is a legitimate option. That is a question for the minister.

We commend the department in pulling together the work dealing the streamlining of the two different aspects of gas regulation in Tasmania across both departments, and also commend their work over the past 18 years of regulation of gas network in Tasmania.

[12.35 p.m.]

**Dr WOODRUFF** (Franklin) - Mr Deputy Speaker, the Greens are pleased to support this bill. We thank the staff who provided us with a very extensive and comprehensive briefing and answered all the questions we could think of. Thank you very much.

The function of these three bills before us today is about more clearly delineating the departmental responsibilities and making for a more efficient enactment of each act, both from the point of view of the people responsible for administering it and presumably from a point of view of people who would be at the regulatory end of things. We support those things.

There is very little to say about the detail of this bill. I have some general comments in relation to gas prices, which in Tasmania, are high and I want to talk about the macro forces in play for Tasmania.

The gas prices in Tasmania are high because of price gouging by the industry at a national level. This has been going on for well over a decade and has been discussed. Pleas have been made by people in state and federal government over much more than a decade, probably two decades, for the federal government to intervene and to retain a proportion of our national gas resource for Australian use.

Instead, what we have seen is successive federal Labor and Liberal governments continue to put the interests of the international gas industry players first. Their promises of jobs and growth for different gas-rich regions of Australia, particularly on the eastern seaboard have enabled and approved gas exports internationally, which means we are in a very difficult position in Australia. We do not have a resource that has been nationalised for Australia to use. We do not have a supply that has been set aside for Australia to buffer us from the fluctuations at the global level on the gas price. What we see is that the manufacturing industry across New South Wales, Victoria and Queensland are in very difficult circumstances because the price of gas has soared.

The Labor Party is as culpable as the Liberal Party in this instance for refusing to put the foot on the pedal of the export gas market. Now we have situation where our concreting and brick manufacturers, the sorts of manufacturing industries that require high levels of heat are having to pay increasingly unsustainably high prices for gas.

We are seeing the bite happening in places like Victoria and New South Wales with residential gas prices. That is exactly why we are in a situation where there has been a false argument presented by the New South Wales and Queensland governments to go hard into fracking.

This is the push for fracking. It is about breaking up the earth and draining the water basins in Queensland, New South Wales and Victoria in an attempt to extract coal seam gas. That has established a cascade of problems for the agricultural sector and everybody who relies on clean water sources, as well as the chemical pollution that comes with fracking and the coal seam gas industry.

It seems like a long way away from where we are here today, but because of this progressive failure at the federal level to have a future plan on fossil fuels in Australia we have runaway gas prices and they are affecting us here in Tasmania. The Oakley Greenwood Gas Price Trends Review 2017 did a review of residential price trends and they have found that the gas retail prices from 2006 to 2017 showed a steady increase in the delivered prices. The average retail gas price in Tasmania increased by almost 1.5 cents a megajoule between 2011 and 2017, which was an increase of 60 per cent. In 2017 the average gas price delivered to Tasmanian households was 3.91 cents a megajoule, of which 1.91 cents, or almost 50 per cent, was the distribution component, 12 per cent was the retailer component, 26 per cent was the wholesale gas component and 14 per cent was the transmission component.

Note there was zero environmental policy component. In other words, yet again we are seeing the fossil fuel industry getting away with not accounting for the environmental cost of their destructive energy-generating techniques. We need to have a plan for phasing out fossil fuels, obviously; the planet has committed to that. Whether we like or not we are now in a state of extreme climate change and we have been warned by the International Panel on Climate Change that we only have 12 years to act on this. The gas price in Tasmania is a tiny part of the story of what we need to be planning for, but it is part of the story.

A person who is much more expert in this matter than myself, Bruce Robertson from the Institute for Energy Economics and Financial Analysis, was reported in the *Guardian* in September 2017 as saying that the gas industry:

... keep the price of gas high in Australia so they can make the real money out of the Aussie customer.

Essentially Australians are subsidising loss-making exports.

There is no news there. That is the case for all fossil fuel exports in Australia. We are subsidising it on many levels for roads and infrastructure for those companies, but also because we do not cost the environmental damage that burning fossil fuels is doing to the climate system.

It is important in the context of these bills to ask the minister what is the plan for phasing out the use of gas in Tasmania? What is the time frame for that, and how will the minister ensure that we look at the needs of residential customers very much in that plan? How will we make sure that

the poorest residential customers, particularly those who are hooked up to gas, are given the support and incentives needed to help them phase out the use of gas? We also know that in terms of space heating, gas is far and away the most expensive form of energy we can use to heat our homes. Gas costs 91.7 cents maximum per hour, compared to a heat pump which costs 33.6 cents, so approximately three times more. People who are hooked up to gas as their form of space heating are paying through the nose.

People on low incomes need to be supported, particularly people who are in rental properties. I know a couple of people - I am sure we all do in this House - who have been doing the hard work of trying to get a rental property. One of the issues is that rental properties that come with gas as a form of space heating have a very substantial hidden cost in the weekly rental because during winter the price of heating those houses is going to be so much higher than another form of heating. Some carrot or stick for people who rent properties that have gas as a form of space heating really needs to be looked at, minister, because particularly in areas where rental properties are low and we know people on lower incomes will be living there. That is a massive cost on people's annual incomes.

The Liberal Government has apparently made it a priority to deliver the cheapest electricity prices in Tasmania, but what we know from the comments I have just made is that the gas industry is fleecing Tasmanians with the prices they are requiring residential customers to pay. That is something that should be a matter of concern and attention for this Government, and we would expect that if they had residential customer's interests first and foremost, they need to be putting some pressure on those gas companies to make sure they are pushing back on those prices, but fundamentally looking at moving people out of that as a form of energy generation altogether.

Mr Deputy Speaker, I thank the staff who provided the briefing, and we are happy to support this bill.

[12.48 p.m.]

**Ms COURTNEY** (Bass - Minister for Building and Construction) - Mr Deputy Speaker, the Gas Industry Bill 2018 streamlines and simplifies the administration and supporting processes for the gas industry in Tasmania. Tabled in conjunction with the Gas Safety Bill 2018, these two bills clearly separate the management of the gas industry from its safe operation. Rather than reflecting a major policy review, the new bills achieve a clear and streamlined management of the industry.

Currently the gas industry in Tasmania is regulated under the Gas Act 2000 and the Gas Pipeline Act 2000. These two acts cover all aspects of the gas industry including licensing, customer protection, construction of infrastructure and the regulation of safety. The difference between these two acts is that the Gas Act applies to the retailing operation of the gas distribution system and the Gas Pipeline Act applies to the transmission pipelines. The key issue is that safety matters fall across these two acts, with licensing and regulations also split.

Originally this was not an issue, with both acts administered within one government agency and by a single minister. However, since that time there have been changes in administrative arrangements that have resulted in parts of the act being administered by the Department of State Growth and the Department of Justice. These administrative changes have led to inefficiencies and a relative level of ambiguity over the regulation of the industry. Some industry participants have been voicing concerns regarding the inefficient nature of the regulations and provisions. The package of gas bills we are looking at today addresses these inefficiencies which will reduce administrative costs, streamline licensing arrangements, and will align with the administrative accountabilities assigned to the two departments.

The Gas Industry Bill covers licensing for gas retailing and the building, operation and maintenance of gas infrastructure. I am supportive of the changes this bill introduces, such as the changes to licensing which means that industry participants will no longer have to apply for a separate distribution and separate transmission licence. The new Gas Industry Bill includes one licence for gas infrastructure regardless of the type of gas infrastructure, which is beneficial and welcomed by industry participants. This harmonised approach has added benefits, particularly in relation to the management of gas supply in emergency management events.

Currently only the Gas Act provides express powers to manage gas supply in the event of a supply shortage or a major disruption. In other words, it only provides express powers on the distribution gas network. The Gas Industry Bill addresses this by providing for safe and efficient response to gas emergencies affecting customers irrespective of whether they are supplied directly from a transmission pipeline or from a distribution system. These provisions have been developed in consultation with the gas supply industry and response to several gas supply emergency exercises over a number of years. Harmonisation of these provisions will allow the Minister for Energy to assist the market in the event of supply disruption.

Another provision that is introduced in the bill is the creation of a head of power to enable the Minister for Energy to provide for an obligation to offer supply. Under this change, the minister will be able to apply the head of power to the gas retailer, currently Tas Gas and Aurora, to offer gas supply to a customer where a gas supply is already available. This provision is welcomed by industry participants and key representatives of vulnerable Tasmanians, such as TasCOSS.

Anecdotal feedback from TasCOSS has previously identified a small number of Housing Tasmania customers who were unable to get a supply contract with either Tas Gas or Aurora, due to pre-existing debt or ongoing credit risk. During the development of the bill, the Department of State Growth has had ongoing discussions with Housing Tasmania and with both gas retailers in relation to this issue. Consequently, Aurora Energy has responded positively and has extended its hardship provisions to its gas customers. Tas Gas has also launched a similar hardship program, looking after the needs of Tasmania's most vulnerable. I understand that this is an issue being actively monitored by the department in collaboration with TasCOSS to ensure that any future problems can be identified and addressed properly, should they arise.

With this supportive approach from Tasmania's gas retailers, it is clear that work is being done to ensure that vulnerable customers are not being left without access to gas services. However the new provisions within the bill provide the Minister for Energy with the power to act when it is required in order to look after the interests of these customers.

Mr Deputy Speaker, I strongly support the package of bills amending the administration of the Tasmanian gas industry which will provide great benefits to industry participants as well as Tasmanians.

[12.54 p.m.]

**Mr BARNETT** (Lyons - Minister for Energy) - Mr Deputy Speaker, I thank all members for their contributions, specifically Ms Courtney, as Minister for Building and Construction, who has a very important role in terms of gas safety in Tasmania. I thank Ms Courtney for that contribution and, likewise, to my shadow, Mr O'Byrne, and Dr Woodruff.

There has been broad consultation with relevant stakeholders. They included Tas Gas Networks, Tas Gas Retail, TasCOSS, the Department of Premier and Cabinet, Housing Tasmania,

the Tasmanian Economic Regulator, Aurora Energy, Palisade Asset Management Pty Ltd, and Australian Energy Market Operator and Origin Energy. A range of other stakeholders were approached to provide a submission but chose not to. I appreciate the contributions because they are broadly supportive of the bill before us.

We have the Gas Safety Bill and then the Consequential Amendments Bill so there are three bills before the Chamber very shortly. This is the first of those, being the Gas Industry Bill.

It is important for the 13 000 Tasmanians who are in homes and have access to gas and to the 1000 businesses that have access to gas and use it in their daily operations. Those businesses are creating jobs, growth and development and we are pleased that the economy is growing and jobs have been and are being created.

I take on board Mr O'Byrne's comments that gas is an energy of choice. If it was not here, it would not be an energy of choice. I note the observation that this was introduced under a former Labor Government to Tasmania. I also note in the early 1990s, because I was around at the time, in Bass Strait gas was discovered and there was an opportunity for the then Labor government to take a more proactive approach to bring that gas directly to Tasmania. As it turned out, Sagasco Resources made the discovery, found the gas and took it straight to Victoria.

**Mr O'Byrne** - In the early 1990s?

**Mr BARNETT** - Yes. It was about the early 1990s, thereabouts.

**Mr O'Byrne** - That was pretty dominating. The Groom government was the early 1990s wasn't it?

**Mr BARNETT** - It might have been late 1990s. I seem to remember it was under premier Bacon: 1998 or 1999. It was under premier Bacon at the time. It would be the late 1990s. You can look back at Sagasco Resources who discovered that gas and there was that opportunity to bring it to Tasmania. The opportunity was not grasped; it went to the mainland.

**Mr O'Byrne** - When will the Government plan to phase out gas?

**Mr BARNETT** - In any event, gas has come into Tasmania. I acknowledge the previous government's initiative to get that to Tasmania. It is an energy of choice. With respect to the member for Franklin saying 'when will the Government plan to phase out gas?', be assured we have no intention to phase out gas in Tasmania. We have plans to grow our economy, create more jobs, deliver opportunities for families and their children well into the future for decades to come.

We are very pleased that gas is that energy of choice for those 13 000 Tasmanian residential customers and 1000 plus businesses.

It is 18 years since the bill first came into being in the year 2000 as indicated by my colleague and shadow. I have indicated there was broad consultation over a number of years. We now have this package of bills before us.

There was some discussion about the market and gas prices by the member for Franklin and the concern about that. It is true that the price of gas is an issue nationally. It is not only for Tasmania, it is an issue nationally. This bill does not address those national issues. That is a matter

for the nation. That is very relevant. In terms of the gas prices, that is not something that we are involved in. In terms of gas prices, yes, they are slightly higher than other parts of Australia. That is true, and that reflects the additional transport costs across Bass Strait and then getting it to the various markets, residential and business customers across Tasmania.

**Dr Woodruff** - No, that is not the reason.

**Mr BARNETT** - That is my advice and that is what I am sharing with the Chamber. I can advise you that in July 2018 the comparison of Australian standing offer energy prices undertaken by the Tasmanian Economic Regulator compared gas pricing for Tasmanian residential and business customers with gas prices in other states. The regulator's review found that Tasmania's gas prices are slightly higher than prices in other parts of Australia. They also advised that it reflects the additional transport costs associated with bringing gas to the Tasmanian market. It is not my advice, this is their advice, the economic regulator.

Further, the regulator acknowledged that the higher prices were also due in part to the relatively small size of the Tasmanian gas market. As I have indicated, 13 000 residential customers and 1000 business customers. It means the economies of scale that are prevalent in most jurisdictions do not exist in Tasmania. Tasmanian gas prices are unregulated with competition between the two gas customers.

**Sitting suspended from 1 p.m. to 2.30 p.m.**

#### **WAIVER OF GOVERNMENT PRIVATE MEMBERS' TIME**

[2.31 p.m.]

**Mr HIDDING** (Lyons) - Madam Speaker, in accordance with Standing Order 42(d) I indicate that the Government private members' time be waived for this day's sitting.

#### **SITTING TIMES**

[2.31 p.m.]

**Mr FERGUSON** (Bass - Leader of Government Business) - Madam Speaker, I move -

That for this day's sitting the House not stand adjourned at 6 p.m. and that the House continue to sit past 6 p.m.

With your indulgence, I indicate to the House that we continue following the sequence of bills as laid in the order of business today. I will have a discussion with colleagues opposite in relation to how we are going as to time but we do not want the House to sit late tonight that I am envisaging something no later than 9 p.m.

**Motion agreed to.**

## **GAS INDUSTRY BILL 2018 (No. 40)**

### **Second Reading**

**Resumed from above.**

**Mr BARNETT** (Lyons - Minister for Energy) - Madam Speaker, I was summing up and have nearly concluded my summary on this bill which the Government supports. I acknowledge the support of other parties in this Chamber and the contribution of my colleague, the Minister for Building and Construction, Ms Courtney, and also to make a comment with respect to the domestic supply of gas. There was a reference to gas prices. I want to make it clear to the Chamber that is a national issue that requires a resolution at the national level. That is understandable. I am on the COAG Energy Council. These matters are discussed at COAG from time to time. It is a very important matter and will continue to be raised at COAG Energy Council and in other forums at a national level. We have active participation in that space as members in this Chamber know. It is a role for Australian Competition and Consumer Commission and also the Australian Energy Market Council.

In summary, there is much to be said for this bill in streamlining the process, cutting the red tape, making the administrative arrangements more effective and sensible. In conclusion, before we move to the other two bills, the Gas Safety Bill and the Gas (Consequential Amendments) Bill, I want to make a couple of comments.

First, TasCOSS was consulted. I made it very clear during the second reading debate that that the obligation to offer supply is a very important part of this bill. It ensures that we care for the vulnerable Tasmanians, those who perhaps have had some sort of debt over their heads. We have specifically included this provision to ensure that vulnerable customers are not refused a contract for sale of gas to their property on the basis of a previous bad debt or some sort of credit history that may not be satisfactory to the energy retailer. That is why we have acted. We have been proactive to ensure that vulnerable Tasmanians are protected. I made the comment this morning during question time that 80 000 Tasmanians are benefitting from the concessions in electricity prices. In addition to that, we have a cap on electricity prices. We now have the lowest regulated electricity prices in Australia for both residential and business customers. It is something about which we can hold our heads high. It is something we can be proud of.

This has been an initiative of the Hodgman Liberal Government. We have made cost of living and cost of doing business priority issues since we came to government in 2014. It is now towards the five-year mark and we have delivered with getting benefits for our consumers. I am pleased and proud to be part of a government that has delivered. That assists us with growing our economy, creating more jobs and reducing the unemployment rate.

We heard from the Treasurer yesterday and again from the Premier this morning about the importance of confidence in our economy. We are leading the nation when it comes to consumer and business confidence across the board. We have come on well. We recognise there is a lot more work to do and we have that plan to grow our economy in the months and years and decades ahead.

We have come a long way. We have delivered on our promises of keeping electricity prices as low as possible. In real terms they are lower than when we first came to government. We are pleased about and proud of that. There is more work to do. We plan to keep the prices as low as



possible. With our plan for the Battery of the Nation, there are real opportunities for growing jobs, further billions of investments, not only in the cities but in rural and regional Tasmania.

In closing, thank you to all those who contributed on the Gas Industry Bill. I acknowledge the department for their support and help. I acknowledge that we have terrific support from the department. I feel well supported as a minister and my office, likewise. I thank the department for their assistance. No doubt I will have the opportunity to acknowledge that during the discussion and debate on the next two bills which is the Gas Safety Bill and the Gas (Consequential Amendments) Bill.

**Bill read the second time.**

**Bill read the third time.**

## **GAS SAFETY BILL 2018 (No. 41)**

### **Second Reading**

**Mr BARNETT** (Lyons - Minister for Energy - 2R) - Madam Speaker, I move -

That the bill be now read the second time.

The gas industry is a significant contributor to Tasmania's economy. Continued confidence by investors and consumers is paramount in ensuring ongoing project developments and a viable cost-effective energy source for industrial, commercial and domestic gas users.

This new bill is one part of a package of legislation resulting from the gas supply industry regulatory framework review, and will include the cognate Gas Industry Bill 2018. This package is also part of the Government's Energy Strategy and comprehensive reform package to reduce red tape and excessive regulation. Besides this, the Gas Act 2000 and Gas Pipelines Act 2000 have regulated the Tasmanian gas industry for over 10 years. Both acts have undergone minor amendments, but there has not been a substantial review of the legislation during this time.

The Gas Safety Bill and the Gas Industry Bill, which this parliament will be asked to examine during the debate, contain combined and consolidated provisions of the Gas Act 2000 and Gas Pipelines Act 2000. These bills, however, rectify current anomalies, reduce red tape where risks were not proportionate to regulatory burden, and reflect current regulatory and industry best practice.

For the downstream gas industry, that includes removal of certain industry and government obligations that were not conducive to efficient decision-making, and placed barriers to investment in projects. This includes removal of obligations for approval of certain types of gas installations. This effectively removes oppressive regulation where it appears that the paperwork has become more important than the gas safety outcome.

The amalgamation of all gas safety provisions into a single bill also improves administrative efficiency within Government. Responsibility for the current acts is currently split across both the Department of Justice and Department of State Growth. This creates considerable and unnecessary administrative inefficiency.

This review also provides alignment of similar functions relating to the design, construction, commissioning and operational integrity of gas distribution and transmission gas infrastructure, and the promotion of regulatory consistency with regard to the LP Gas industry, the automotive gas fitting industry and other emerging fuel gases.

In addition, we propose mechanisms that allow simpler exemptions from aspects of requirements of prescribed standards. Standards may not always enable innovations derived from evolving technological advancements, including fuel efficiencies. This measure provides the flexibility to adopt industry-leading and fuel-efficient equipment, provided the product does not result in additional risk or the cost of compliance is disproportionate to the risk reduction.

This bill includes provisions to give effect to automotive gas fitting and gas storage provisions already established in the Gas (Safety) Regulations 2014. In this space we have talked to the industry, we have listened and we have acted by capturing public safety commitments omitted from the repealed Dangerous Goods Act 1998.

The Gas Safety Bill provides for equitable distribution of costs for administration of the act across the broader gas supply industry. Currently the natural gas industry unreasonably carries the total burden for administration costs associated with the Gas Acts. This is despite the fact that the acts regulate the downstream LP gas industries. The Gas Safety Bill 2018 will subsequently create a fairer 'recovery of costs' model.

Madam Speaker, Australia as a whole is grappling with the issue of sufficient gas supplies to maintain economic growth. The risk of gas supply emergencies is evolving to be a real threat, and therefore this bill provides appropriate emergency powers and consultative mechanisms to ensure safety and security of gas infrastructure and installations before, during, and after emergency or gas rationing situations.

Emerging technology in the energy arena is outpacing safety regulation and Australian Standards. This bill therefore seeks to introduce enforceable codes of practice that allow for appropriate administration of emerging technologies in line with public and industry safety expectations.

This bill will introduce measures that allow the Director of Gas Safety to issue infringement notices for administrative, non-safety-related breaches. The current acts inappropriately require court action in such instances, which subsequently restricts enforcement and broader safety outcomes. Whilst these administrative non-conformances, such as not providing prescribed gas installation certifications, do not pose immediate public safety concerns, it is the collection of this important data that will become invaluable in instances such as a gas supply emergency or a national gas appliance safety recall. These administrative functions will then be heavily relied upon to protect the broader public and gas consumers.

At the same time as introducing these enhancements to the gas safety program, this Government is also providing greater public protection through allowing flexibility to appropriately regulate the safety of emerging fuel gases, such as hydrogen, and fuel gas utilisation, in a contemporary manner.

Madam Speaker, we have consulted widely on the Gas Safety Bill 2018, and it is supported by industry stakeholders. Over two substantial periods of consultation it has been subject to scrutiny by a very comprehensive inventory of identified industry stakeholders including, but not limited to,

gas entities, gas supplier, gas fitters, relevant industry bodies and associations and relevant government agencies and branches.

I commend the bill to the House.

[2.44 p.m.]

**Mr O'BYRNE** (Franklin) - Mr Deputy Speaker, I indicate at the outset that we will support this bill echoing our party's sentiments on the previous bill. This is a sensible readjustment or realignment of bills governing the gas industry in Tasmania, again making the point that the original bill, the parent bill, in 2000, particularly in this one in terms of the experience of the last 18 years. The changes in regulations nationally and feedback from industry and those that are affected by it, the gasfitters or the gas industry, indicates this is an appropriate delineation of the bills and responsibilities across the government departments. We will be supporting it.

Minister, in the second reading speech where you say it has been supported by industry stakeholders - I do not doubt that at all - but when the bill first hit the parliament, I circulated it to a few people and they said they had talked about it a number of years ago and had not heard much since. Maybe I got them on the wrong day, but you may want to further articulate that. I am not going to argue the fact that people disagree; people do agree with it but this has been a long time coming. That was the view from the industry and they had consulted. I will make it very clear, I am not reflecting on the representatives of the public service who have conducted this. It is just a comment from one particular key stakeholder in the gas industry in Tasmania.

I must admit that when I hear the word 'safety' next to the words, 'flexibility' and 'innovation', I get very concerned. In my years of experience within the union movement, whenever you hear an industry talking about being innovative or being flexible, sometimes that is seen for code for watering down, not as having a stronger focus on risk and occupational health and safety as would be necessitated, particularly given that the margin for error on safety, not only of workers, but of public safety for gas infrastructure is very thin. One mistake can have catastrophic effects, not only with a loss of supply, but potentially loss of life. We are seeing examples of this across the world where there have been errors made, shortcuts taken that have massive consequences for community, either by physical safety or security of supply.

We would like to hear from the minister in response. When you say that there will be innovations derived from evolving technological advancements including fuel efficiencies, and I know that is related to standards, but we want to hear from the Government. If these innovations are coming in, what are the mitigators of risk? What steps are being taken to ensure that when innovations come in that they are well considered; that they are supported by a robust safety regime for the users of the gas supply, and also those that are in and around it and working on it, or receiving the benefit of the innovation?

From our side of the House, and I am sure all members of parliament, would not want to agree to a framework that allows an innovation that results in significant impacts. We would put that on the record and seek a response from the minister on that.

We see the change and the use of infringements as a positive step. It is very important that whilst infringements are used in very low-level breaches or low-level cases, infringements are there to modify behaviour. If you do not follow the rules, if you do make a mistake or if you do deliberately work outside of the law, there are consequences and you are articulating in the second

reading speech that seemed to be a blunt instrument in dealing with that, and that is through the Magistrates Courts.

In terms of the use of infringements, we think that is a good step, but we want to make sure that, going to a light hand does not result in serial poor behaviour and people see a slap on the wrist as just that and the behaviours continue. We want to hear from the minister on that.

In terms of red tape, I know that is thrown around a lot in industry and we hear the Government's views that they have cut red tape here by  $x$  percentage. It is a political claim. Most people in industry say they have not seen it, so when you say that this is cutting red tape it would be good, minister, if you could identify what kind of red tape you are referring to, because there are two sides of it. There is industry that needs assistance and ensuring that the regulatory requirement is not onerous, but also if you are cutting red tape to a point you must ensure that does not result in a perverse outcome where there is a negative impact on the community.

As the House would be aware, the vast majority of regulations are put in place when something has happened. There is a parliamentary response to a situation that has occurred in an industry in the community where something has happened, and the Government and the parliament need to respond to ensure that the consequences of that action or event does not happen again. There is a public expectation as legislators that we follow that through and ensure there is a level of safety there. It would be good to get some indication from the minister whether there is a percentage he has advised that they have achieved in terms of reduction in red tape in this area.

The minister also referred to a fairer recovery of costs model from the gas industries. I seek some clarification about what that looks like. Recovery of costs models are not uncontroversial. There has been a view over the last decade where treasuries, both federal and state, have said it is a full cost-recovery model from industry, it is not our problem. There is a pendulum in terms of recovery of costs models, so if you are moving that pendulum it will be interesting to hear about where you think that fits and provide details to the House about what that model looks like.

Having said that, I will not repeat our supportive comments on the need for this and the other legislation that work together to improve the regulation and harmonisation of the gas industry in Tasmania. We have indicated our support. There are a couple of questions I have put on the record for the minister and hopefully through his summing up we will be able to get to the bottom of that.

[2.53 p.m.]

**Dr WOODRUFF** (Franklin) - Mr Deputy Speaker, the Greens will be supporting the Gas Safety Bill. As I mentioned before, this trio of bills before us today are about creating clearer lines of responsibility between the different departments who administer the different components of the gas industry in Tasmania and to make sure that the act is more efficiently enacted.

In relation to the Gas Safety Bill, I have no particular points to make about the details of the bill, other than one in relation to the increase from 500 megajoules to 750 megajoules for residential premises so that they continue to be classed as residential without tipping over into the commercial premises classification and therefore requiring a different and more stringent, onerous level of compliance and regulations. That relates, as I understand, to the types of appliances that people now typically would have in a standard residential property, which would mean that the amount of 500 megajoules per hour would quite easily be reached. As I had it explained to me in the briefing, a typical hot water system might consume 200 megajoules an hour and with a cooker and stovetop, it could easily tip over 500 megajoules an hour, but that does not equate to a real increase in risk.

Given the data that has been collected over the last eight years where there has been an average of 18 to 20 incidents reported per year over that period, there is no evidence, I have been told, that moving that classification level from 500 to 750 megajoules will result in anything like a significant or substantial risk for people in residences. It seems that in commercial situations it is the overhead heaters that are particularly risky. We were satisfied with that and all the other questions we asked in the briefing were comprehensively answered and I thank the staff again who provided us with that information.

In relation to the minister's comments about gas supply emergencies and the possibility of gas rationing, I am pleased to hear him say that, because they are exactly the concerns the Greens have about the failure of him and his Government to plan for the future. What we see from this Government is a willingness to leave it to the marketplace and set some regulations, as though once the horse is bolted we can hope to shut the stable door, whereas what we want to be doing is looking ahead to what we now have credible evidence for, which are the projections for global warming and the requirement to keep our global temperatures down to a maximum of 1.5 degrees. That will require Australia to stop burning all forms of fossil fuel, coal-generated power and it will ultimately require us to phase out the use of gas as a heating source. We have to come up with alternative sources of energy and therefore assume that we will be phasing gas out in Tasmania. It is not a question of if, but when and how and what alternatives we will put in place.

Ultimately, the minister has made a very good point. The risk of gas supply emergencies is far greater in the future world that is evolving than it has been in the past. There are a lot of complex factors around that. What we are seeing from what has been happening with Australian exports to the international gas market, the massive liquid natural gas plant that was opened in Gladstone and the port that was very controversially constructed around Gladstone to export a massive amount of LNG to overseas countries, particularly to Japan, is a distortion of the price in gas for residential consumers in Australia as a result of that. We have seen suppliers who had the LNG export price fall out of their market and have reverted instead to what was previously a domestic supply of gas. That has led to this feeding frenzy in a coal seam gas exploration market.

Minister, in light of that and in light of your comments about gas supply emergencies, emerging technologies, the prospect of gas rationing and - we say - the need to plan for that, I would like to hear a statement from you about your Government's commitment to maintaining the state's moratorium on fracking in Tasmania. We do not want to be pushed into a situation in March 2020 when the Tasmanian no fracking moratorium expires. We do not want to be in a situation where we are being pushed by national companies to open up our state for fracking of any type. We are at the end game for fossil fuel industries. They are pulling out all stops in an attempt to mine every little last bit of coal that is possible and to extract gas and other resources that we know are unsustainable to burn. It is our job to put in place the renewable energy system and to put in place transition plans so that we can move away from those unsustainable and harmful sources of electricity generation and create a future which is clean and sustains life on the planet.

Minister, I would appreciate you making a commitment today about the fracking ban and what your Government will be doing about it in the context of gas safety. That is all we have to say on this bill and we are happy to support it.

[3.02 p.m.]

**Ms COURTNEY** (Bass - Minister for Resources) - Mr Deputy Speaker, I support the package of gas bills that are being considered here today.

The bill that we are discussing now, the safety bill, streamlines the legislative framework for the gas industry in Tasmania and will ensure contemporary and uniform regulation across gas infrastructure, gas installations and gas appliances. The separation of the operation and safety aspects simplifies the administrative arrangements and cuts red tape for both industry and government which support Tasmanian gas customers and businesses through administrative efficiencies, cost savings and greater safety outcomes.

The Gas Safety Bill 2018 will be administered by the technical regulator, gas standards and safety within the Department of Justice and the Minister for Building and Construction as the minister responsible for gas safety in Tasmania.

The bill separates the safety from the operational requirements and provides for the safe operation of the entire Tasmanian gas-supply industry. This bill is also designed to ease the regulatory burden on the Tasmanian gas-fitting industry delivering long-term savings to government resources and strengthening and diversifying regulatory powers when dealing with unsafe gas installations and gas appliances.

The benefits of the changes introduced by the bill are clear, including achieving regulatory consistency with regard to the LP gas industry, the automotive gas-fitting industry and other emerging fuel gases. Unwarranted regulatory burden on the Tasmanian gas-fitting industry has been removed by changing the gas-installation application for acceptance criteria in line with evaluated contemporary public risk.

Also, where there are new developments in areas of non-traditional gas supply and usage, such as biogas and stationary gas engines, the bill provides flexibility, while maintaining safety outcomes to enable more effective monitoring of these activities.

The reforms on the gas industry and gas safety bills that we are speaking on today have received widespread support. They achieve enhanced regulatory framework, better safety outcomes and will further support the industry and long-term growth for the future.

[3.05 p.m.]

**Mr BARNETT** (Lyons - Minister for Energy) - Mr Deputy Speaker, I thank all members who have spoken on this bill, in particular, my colleague, the Minister for Building and Construction, Ms Courtney, for her contribution and special focus in that portfolio on gas safety and safety more generally. It is a top priority for our Government.

I will respond to some of the observations and comments, contributions from my opposition counterpart, Mr O'Byrne and then Ms Woodruff.

First, there was consultation in early 2016 and October 2016. There have been two consultation periods since to targeted gas entities in 2017 and 2018. The comment received in 2016 was incorporated into the bill. No further amendments were needed at the time.

**Mr O'Byrne** - Was 2016 the last time?

**Mr BARNETT** - No, there was targeted consultation with relevant gas entities in 2017 and 2018.

**Mr O'Byrne** - Is that the suppliers?

**Mr BARNETT** - Yes, the major gas entities including the suppliers. Before that, the early part of 2016 and in and around October 2016.

**Mr O'Byrne** - The plumbers and gas fitters?

**Mr BARNETT** - Yes, I would say 2016. They have not been consulted because their points were picked up, accepted and noted and included in the bill.

I have a list of stakeholders who were consulted in 2016: Aurora Energy; Australian Energy Council; Australian Energy Market Operator, BOC Gas Ltd Westbury; the National Competition Council; the ACCC; Origin; Palisade Investment Partners; Tas Gas Networks; Tas Gas Retailers; Tas Gas Pipeline; the Regulator; TasCOSS; TCCI; the Tasmanian Small Business Council; the Tenants Union of Tasmania; Anglicare, Goanna Energy; and other people in the gas industry or representatives. That is in terms of consultation. It was quite comprehensive. I am happy for any further feedback if required.

There was a request for an example of red tape reduction. I have three examples that I will share with you. In terms of streamlining the regulatory arrangements to reflect infrastructure types, the transmission and distribution pipelines are different. There will be a reduced regulatory burden on infrastructure owners and the Director of Gas Safety, providing alignment of similar functions in relation to the design, construction, commissioning and operational integrity of infrastructure reflects actual risks of each type, as opposed to the licence held under either the Gas Act or the Gas Pipelines Act.

Another example is the separation of the safety provisions and industry provisions in the two separate bills administered by two separate departments.

I have had personal briefings on this in the last 48 hours. It is a good point: why have two departments getting involved in one legislation? Now we will have one department involved with gas safety and another department involved with the Gas Industry Bill.

**Mr O'Byrne** - I would not say that is a reduction in red tape.

**Mr BARNETT** - It is streamlining the process. An example was shared with me in the last 48 hours of a gas-safety arrangement that needed departmental consultation. It had to go directly to the Department of Justice and also to the Department of State Growth. They had to get feedback and express a view. It was not necessary.

**Mr O'Byrne** - It was a decision made by your Government in 2014 to create two departments, so you created that red tape. Now you have cleaned it up. Is that right?

**Mr BARNETT** - I am making it clear that there are currently two departments and we are making it easier for members of the public service to act in a streamlined way.

**Mr O'Byrne** - I would not count that as a reduction in red tape; you are cleaning up the mess you made.

**Mr DEPUTY SPEAKER** - Order.

**Mr BARNETT** - It will no longer be unnecessarily involved in the making of the other regulations. At all times, every day, I always have an eye out to streamline the process and cut the red tape. You know my track record on that; it is very strong.

In terms of the third example, the Gas Safety Bill provides for contemporised approaches to risk mitigation to removing class 1A buildings and increasing prescribed gas installation consumption required for gasfitters to apply to the Director of Gas Safety for acceptance of a gas installation before commissioning. Gas appliance development and utilisation has met the current thresholds' cause undo regulatory burden without demonstrative risk reduction. Gas installation compliance and safety obligations remain unchanged. We have to keep safety as a top priority. That remains unchanged.

Mr O'Byrne asked about innovation and whether that would compromise safety. I wanted to make it very clear that safety is a top priority; it will not be compromised. We have a robust safety regime, it is based on risk, whether it is low, medium or high risk. The adoption of appropriate international standards - we are trying to take on best practice here in Tasmania. This is what this bill does. We have a robust risk assessment approach using national standards and processes to provide - if I can just say exactly - it is what is called ALARP, which is as low as is reasonably practicable. That is the principle we apply wherever possible to ensure safety remains a top priority.

There was also a question about infringements and whether it lessened safety, and whether infringements should be used as a tool to deter administrative non-conformances. It does not lessen safety. Safety is a top priority. We are just being more flexible with how that is implemented. Safety will not be compromised through the use of existing Director of Gas Safety enforcement tools. I know the Director of Gas Safety very well. That person undertakes that role with great professionalism. Whoever it is, they have that option and the enforcement tools before them. They are included. That is really important.

There is a range of reasons why those flexible initiatives that are available to the Director of Gas Safety to implement and take action, where required, to ensure that safety remains our top priority as a Government.

The question about cost recovery model is a fair one. What does it look like? It relates to the ability to recover costs of audits conducted as quality assurance on safety cases. There will be direct engagement with those entities. We are only recovering costs for natural gas companies, that is our current arrangement. This will allow us to recover from the other entities, for example LPG suppliers. LPG have been consulted. They have had the opportunity to provide comments. They did not provide any on the cost on that cost recovery model. It is an important principle. We support it as a government. We want those who are using it to pay, wherever possible, and the beneficiaries to pay wherever appropriate.

A question from the member for Franklin. She has raised the issue of fracking in both the Gas Industry Bill and this Gas Safety Bill. It is not directly relevant but I am happy to address that question and confirm on the record that our moratorium extends through to March 2025. That was the commitment given prior to the election by the Deputy Premier. That commitment stands. That is the current arrangement, that is the commitment.

**Dr Woodruff** - Minister, is that something that needs to be formalised in writing in a procedural manner? Do you imagine that would come up next year before being formalised?



**Mr BARNETT** - Yes, the commitment is for a five-year extension through to March 2025, that is what I am advised. I can check that date. We have to come to the end of the current five-year moratorium. We are towards the back end of that at the moment. I do not have the exact date in front of me. When that comes through, towards the end of that there may be certain administrative and other mechanisms that need to be put in place. I am more than happy to alert the member if you have an interest in terms of what those mechanisms are, administrative or other arrangements, to ensure there is a moratorium. You have a commitment from the Deputy Premier on behalf of the Government and likewise myself on behalf of the Government. That is the advice I have. The moratorium is in place and the commitment to extend that for a further five years, so we will do what is necessary to extend that moratorium for that period of time.

**Dr Woodruff** - Thanks, minister.

**Mr BARNETT** - Pleasure. Mr Deputy Speaker, in conclusion with respect to the Gas Safety Bill, I am very pleased to say -

**Mr O'Byrne** - Through you, Mr Deputy Speaker, is the recovery of costs - sorry, I will read *Hansard*.

**Mr BARNETT** - Yes, I did cover that cost recovery issue and I am happy to take any further questions through the office if you would like to put those through.

My thanks to the departmental officials who are here today and I know the Opposition counterparts expressed that again. As I have indicated, I am well supported as minister. Thank you very much for your support, it is greatly appreciated on both counts: the Gas Industry Bill and the Gas Safety Bill. We have one more to go and that is more of an administrative consequential amendments bill but we will get there.

I commend the bill to the House.

**Bill read the second time.**

**Bill read the third time.**

## **GAS (CONSEQUENTIAL AMENDMENTS) BILL 2018 (No. 42)**

### **Second Reading**

[3.18 p.m.]

**Mr BARNETT** (Lyons - Minister for Energy - 2R) - Mr Deputy Speaker, I move -

That the bill be now read the second time.

This bill is relatively straightforward in all respects. It will update a number of acts and regulations to ensure that they reflect the changes in references from the Gas Act 2000 and the Gas Pipelines Act 2000, to the realigned Gas Industry Bill 2018 and the Gas Safety Bill 2018.

Where there are continuing requirements or obligations in a range of other legislation, these processes or responsibilities will continue unchanged.

Where a reference in the Gas Act or the Gas Pipelines Act related to safety provisions, that reference has been replaced with a reference to the Gas Safety Act 2018. Further, where the reference in the Gas Act or the Gas Pipelines Act related to licensing, integration with land access or other non-safety regulatory matters, that reference has been replaced with a reference to the Gas Industry Act 2018.

This bill is not seeking to revoke any of the obligations or requirements under the legislation being amended.

I commend the bill to the House.

[3.19 p.m.]

**Mr O'BYRNE** (Franklin) - Mr Deputy Speaker, I will be brief. We support the bill as we provided support to the two previous bills. I put on the record in a more explicit way our thanks to departmental officials in dealing with this. Sometimes it can be a bit of a thankless task with all the hard work to conduct these kinds of reforms to make it better for the community and for industry and many times the work of the public sector is taken for granted. This is a complex suite of legislative reforms. It is common sense. It is not an easy thing to do, so we commend the work of the department in bringing this together, not only in terms of the two previous bills, and the amendment bill is complex in its scope because of the implications of the subsequent amendments in other bills. We commend the work of the Office of Parliamentary Counsel to give effect to that work to ensure the wording is right and that there are no unintended consequences.

This is an important part of government. This is a key activity of the public sector and might I say in doing so, it is not too much of a stretch to reflect on the campaign the public sector workers are going through at the moment in terms of seeking a fair enterprise bargaining outcome and fair wages for the work that they do. They have suffered a wage cap for a number of years and the time is now, particularly with inflation at 2.7 per cent, so the wage offer of the Government of 2 per cent is in effect a wage cut for the Tasmanian public servants.

It is one thing for parliamentarians to come up here and thank people for their work, but we are judged by our deeds. There is no doubt that words are important but if we do not respect our public servants and the work they do, pay them appropriately and fairly in comparison to other jurisdictions, that is a reflection on all of us. In thanking public servants, I put on the record my and the Labor Party's appreciation for their work. In doing so, I call on the Government to bargain in good faith with workers and the unions representing public sector workers in Tasmania. It is not only a minority or a hard edge, as some people in Government are saying. The campaign that is being run by the public sector unions has broad, significant and deeply widely felt support across all of the public sector. In putting my thanks on the record, I call on the Government to show their appreciation for the work of the public sector workers beyond their words at the despatch box, but in deeds by negotiating fairly and paying them a fair wage.

[3.22 p.m.]

**Dr WOODRUFF** (Franklin) - Mr Deputy Speaker, this is the final of the three gas bills before us today. The Greens will be supporting the consequential amendments in this bill. I will conclude by saying that I hope the staff who were involved in delineating the responsibilities more clearly between their agencies enjoy their hopefully more simplified regulatory regime, which was the point of these bills. Although Mr O'Byrne made the point that these have taken a number of years to get here, the complexity of the legislation involved and the preparation of that - we only have to

look at the size of the bills that were presented - and the importance of getting the details very crisp, I can imagine that would have required many conversations. A job well done.

[3.23 p.m.]

**Mr BARNETT** (Lyons - Minister for Energy) - Mr Deputy Speaker, I very much thank my colleagues in the Chamber for their support of these three bills, particularly this last one.

Checking again through the consequential amendments bill, it is 139 pages, so a terrific effort. The second reading speech was much shorter than that. Robyn Webb and the team in the Office of Parliamentary Counsel who pulled together the bills have done a terrific job. I had a tour with Robyn some months ago, so 139 pages for a short second reading speech does not seem fair or reasonable, but they put a lot of work into pulling those bills together and the consequential amendments. I note that and thank her and her team for their work.

Likewise, with respect to the public service, I put on record again my thanks to both departments for their support and assistance to my office. Vanessa Pinto in my office gave terrific support and I say that my thanks to members of the public service is heartfelt and sincere. I will not have any allegations or views to the contrary put in this Chamber in trying to suggest that is not sincere. It is. With respect to acknowledging that, no doubt the Treasurer, the Government and all of us want to make sure there is a balanced and fair approach and one that is affordable where we can employ more teachers, more nurses and more doctors. That is our ambition and our aim and that is what we have been doing and will continue to do to deliver the services that Tasmanians need and deserve.

**Bill read the second time.**

**Bill read the third time.**

## **ROADS AND JETTIES AMENDMENT (MANAGEMENT OF STATE HIGHWAYS IN CITIES) BILL 2018 (No. 54)**

### **Second Reading**

[3.26 p.m.]

**Mr ROCKLIFF** (Braddon - Minister for Infrastructure - 2R) - Mr Deputy Speaker, I move -

That the bill be now read the second time.

As part of its plan to combat traffic congestion, the Government has committed to transferring four key urban roads from local government to the state Government. In Hobart, the sections of Davey and Macquarie streets that link between the Tasman Highway and the Southern Outlet will become state roads. Similarly, in Launceston, the sections of Wellington and Bathurst streets that link between the Midland and East Tamar highways will be transferred. The amendments in the bill before the House will facilitate these transfers and the effective management of the roads post transfer.

Where state roads pass through urban areas, the state Government is not responsible for maintaining the whole of the road reserve. Section 11 of the Roads and Jetties Act sets out how maintenance responsibilities are split up between state and local government. An additional clause

is being inserted to define maintenance responsibilities for multi-lane one-way roads, a scenario that was not previously covered.

A new provision has also been included that will allow for the default maintenance responsibilities set in the act to be overridden by specific agreements between the minister and local government. This will provide more flexibility to ensure practical and reasonable outcomes when dealing with unusual situations.

The legislation that permits the use of parking meters currently applies to council roads only. These amendments will permit parking meters on state roads as well, so that the current parking arrangements on Davey and Macquarie streets and Wellington and Bathurst streets will not be affected by the transfer of ownership. The state Government intends to negotiate agreements with the relevant local governments whereby they will remain responsible for the day-to-day management of parking controls, including enforcement activities.

Illegally parked vehicles can cause substantial traffic congestion. While the owner of the vehicle can be fined, this does not resolve the congestion being caused. These amendments will give the state Government the power to tow away vehicles that are causing an obstruction in a location that is creating congestion or safety issues. This approach has been adopted by mainland jurisdictions and the powers contained in the bill mirror those that already operate in Victoria.

Mr Deputy Speaker, this package of legislative amendments has been developed to create an improved congestion management regime for these important urban roads following their transfer from local government.

I commend the bill to the House.

[3.28 p.m.]

**Mr O'BYRNE** (Franklin) - Mr Deputy Speaker, I indicate that we will be supporting the bill but I have a number of questions for the minister to clarify in his summing up. Looking at other jurisdictions in other places in Australia where this is managed, having a very clear understanding of the powers of the responsible jurisdiction is very important, clarifying what you can and cannot do and how you manage these things. Look at Sydney, Melbourne, Brisbane - there are a whole range of jurisdictions. In the second reading speech the minister referred to an alignment between the regulation changes and the powers he is seeking to achieve in this bill are sensible.

Let us be clear, the reason we are in this situation is because the Government has been, excuse the pun, asleep at the wheel.

**Debate adjourned.**

## **MOTION**

### **Health Crisis**

[3.35 p.m.]

**Ms WHITE** (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I move -

That the House -

- (1) Notes that on 17 October 2018 the House unanimously passed a motion calling on the Premier, Hon. Will Hodgman MP to 'include representatives from all sides of politics in statewide roundtable discussions with health professionals, unions and stakeholder groups between now and the end of 2018.'
- (2) Further notes that groups including the Australian Medical Association and the Australian Nursing and Midwifery Federation have supported the concept of all sides of politics working together to address the health crisis.
- (3) Further notes that as of 20 November 2018 no dates had been set for the roundtables.
- (4) Calls on the Premier to immediately provide the House with the details of when the roundtable meetings will occur.
- (5) Orders the Premier to report to the House on the outcomes of the roundtables by 12 March 2019.

I rise to bring on a really important motion to deal with the problems we see persisting in Tasmania's Health system. I remind this House that on 17 October 2018 it unanimously passed a motion calling on the Government to set up roundtables including all political parties and medical stakeholders before the end of the year to consider how we can address some of the problems in the health system and jointly find solutions to them.

The Labor Party is willing to work constructively with the Government. I have written on multiple occasions now, expressing that desire to the Premier himself. It is incredibly disappointing to see that we are back in this place having the same debate because those requests have been rejected. The motion before the House today goes to the matter of working jointly as parliamentarians to address some of the problems we see in the health system.

It is true that as of yesterday and indeed today, we still have had no response from the Premier to the motion passed unanimously by this House to set roundtables to work with stakeholders in the health sector to address the challenges in the Tasmanian health system.

The reason for this motion is to compel, again, the Premier to act swiftly to set up those roundtables. Being 21 November 2018 there is not an awful lot of time left in the year. If the Premier fails to comply with the motion of this House that was passed unanimously, he will be in contempt of the parliament. That is why this motion calls on him to report to the parliament on 12 March 2019 when we reconvene next year on the outcomes of those roundtables. We take the optimistic view that he is going to convene roundtables; that he is not going to contradict the will of this parliament expressed unanimously when it agreed to set up these roundtables and will not express his contempt for the parliament.

I am optimistic that we will not have to bring on a motion on in March 2019 to demonstrate that the Premier has failed to do what this parliament asked him to do. I hope that today he can come into the House and tell us what dates he has decided to set so these roundtables can be held.

I do not rely just on a motion in this parliament to compel the Premier to open up discussions with the other members of this place. I have written to him on a number of occasions now, noting

that constructive suggestions can be made from all sides of politics and members of our community, which could take the pressure off what we can see occurring in our hospitals on a daily basis.

I do not need to remind members that the Royal Hobart Hospital has routinely been at level 4 escalation this year. When asked a simple question today in question time, the Minister for Health could not tell the House on how many occasions since March 2018 the Royal Hobart Hospital has been at escalation level 4 and for how long on each occasion. That is disappointing because he has provided information like that to the House previously. Today he refused.

The Launceston General Hospital is routinely at level 3 escalation. Routinely ambulances are queuing outside our emergency departments; patients are unable to access the care they need when they need it. These are the reasons why we need to come together as a parliament and get everybody involved to try to find solutions to address the challenges in the health system.

**Ms Standen** - They are not even here to listen.

**Ms WHITE** - It is worth pointing that out. My colleague, Alison Standen, member for Franklin, has pointed out that the Health minister and the Premier are both absent from the Chamber for this debate. It is offensive, to be quite frank, given the significance of this matter to the people of Tasmania - the state of our health system, their ability to access health care when and where they need it - that the Premier who is named in this motion and the Health minister whose portfolio responsibility it is do not find it important enough to be here.

I wrote to the Premier on 12 October this year. I wrote with a number of suggestions I hoped would assist the Government make decisions about the care of Tasmanians and to access the health care they need. It included 10 different recommendations, suggestions and ideas that I hoped the Government could pick up and adopt. I copied in the Minister for Health and the shadow minister for health so they would be kept informed of what is happening between the Premier and me. I did not receive a response to that letter.

That prompted the motion that this House unanimously passed on 17 October calling on all sides of politics to work together to set up roundtables with key stakeholders to address the challenges in the health system. Following the success of that motion through this place, I wrote again to the Premier on 18 October. I thanked him. I will read this into *Hansard* so everyone can understand what has occurred between the Premier and me:

Dear Premier

Thank you for your Government's support for Labor's motion yesterday calling for an apolitical approach to tackling the health crisis.

The motion called on you to convene roundtable discussions involving all sides of politics, health professionals, unions and stakeholder groups between now and the end of the year.

In order to meet the obligations of the motion, I am prepared to meet with you at the earliest convenience to discuss dates, locations and invitees for the roundtable meetings.

It is my view that roundtables should held - at a minimum - in the North, North West and South and include senior clinicians, representatives of the Australian Nursing and Midwifery Federation, the Health and Community Services Union and the Australian Medical Association.

This is by no means an exhaustive list and I would welcome your Government's input on the inclusion of additional stakeholders, including representatives from the Department of Health and our four major hospitals.

The purpose of these discussions would be to share ideas about strategies to address the current health crisis and to develop a set of agreed actions that can be endorsed by all sides of Parliament.

As you are aware I have previously written to you with 10 suggestions that Labor believes could make a positive difference in the health system in the short, medium and long term. However, no political party has a monopoly on good ideas.

The feedback that I receive is that health professionals and key stakeholders would welcome having a greater voice in proposing solutions to the health crisis.

I welcome your acknowledgement that the health system is not good enough and I am confident that in working together we can achieve a positive difference for patients and the staff who support them.

I look forward to hearing from you soon so we can give action to the motion that has now been agreed to by the Parliament.

I again copied in the relevant shadow minister for health. I presume that a copy was provided to the Minister for Health by the Premier. It took a while but we got a response from the Premier dated 12 November. I will read it for members' interest:

Dear Ms White

Thank you for your letter of 12 October 2018 and subsequent letter of 18 October 2018 regarding Tasmania's hospitals and health system.

As you are aware the Health minister, the Hon Michael Ferguson, has been conducting a series of health forums around the state in recent weeks. We are listening to the communities, patients and to doctors, nurses and clinical experts about the best ways to address rising demands for health services. Any ideas to improve services that are brought forward and are practical, achievable and supported by clinicians will be closely considered.

You would also be aware that on 16 October 2018 Minister Ferguson, in a Ministerial Statement to Parliament, provided an update on the delivery of a number of new initiatives including the roll out of new mental health beds.

The Government is focused on delivering more beds, more staff and more services for Tasmanians - delivering on the plan that was supported at the

election. Since 2014 we have delivered more than 800 new staff and opened 120 beds. We have reformed a health system that was disconnected and dysfunctional. We know that there is still more to be done and we are absolutely committed to continuing the job that we started, so Tasmanians can get the care that they need, when and where they need it.

Our plan involves continuing to invest record amounts into health to open almost 300 new hospital beds and employ 1300 more staff to help address demand. We would welcome Labor working in the best interests of Tasmanians by supporting the rollout of all elements of our extensive plan for health.

Thank you for writing to me.

Mr Deputy Speaker, that is a nice letter. It contains all the appropriate Government jargon, but it does not address the questions and it does not address the motion. In fact, it completely ignores the motion which was to set-up round tables including all sides of political parties represented in this Chamber, health professionals and to speak with the communities and to come up with solutions to the challenges that we are seeing.

What the Premier has written in response is that we should just stop talking about it and silently endorse their plan. That is not how the parliament works and that is not how we work as elected representatives. We are raising these concerns on behalf of the constituencies that we represent and come into the Government with constructive ways that we could work together to address the challenges in the health system.

Hence the motion today. As I said at the outset, I remain optimistic that the Premier is going to convene round tables because it was a motion of this parliament that agreed that we should do that. I hope that the Government is not going to agree to motions in this place and then completely ignore them. That would be treating the parliament, and the people of Tasmania with contempt.

We stand here in this place at the same time that the challenges in the health system get worse. That is demonstrated by the experiences that patients have been sharing, but also in the reports that have been shared with us, whether that be the leaked copy of the RDME Consulting report, an analysis of the KPMG report which is still a secret report the Government has refused to release, and also the work that has been done by independent analysts like Martyn Goddard. This work gives context around the GST distributions to our state and how that money is directed to the delivery of essential services, or not delivered to the provision of essential services.

The other place has a committee that provided an interim report this week on the acute care sector in Tasmania. They were stymied in their ability to undertake that work because the Government and the Minister for Health refused to provide them with the information that they requested. That committee has the power to compel the minister to provide that information. At this time they have simply requested the information be provided by the minister. They have only tabled an interim report, the second one, because they have been unable to conclude their investigations thoroughly enough to make all the findings and recommendations that they feel as a committee they should be able to make at this stage. That is primarily because the Minister for Health has refused them access to the information they need to make their final deliberations.



The way that we are going to address the health crisis is quite simply by working together. When I wrote to the Premier last month offering a number of solutions to the challenges we are seeing in the health crisis, I had hoped for a more constructive response from him. In fact, the first response was through the media and it was dismissive, labelling it a stunt. The formal response from the Premier did not address a single one of the 10 proposals that I put forward. I read out the response and the members are aware of what that contained.

Members may be wondering what it is that the Labor Party thinks we could bring to the table here and there are a number of contributions we can make that would be constructive and in the best interests of Tasmanian patients. In the first instance, we need access to all of the information. The Government minister responsible here is Michael Ferguson, the member for Bass. He needs to release in full the Deloitte's report, the KPMG report and the RDME Consulting report because that has only been leaked to the public through the concerns of those who have access to it who can see that there is a \$100 million black hole in health. That KPMG report identifies a significant shortage of funding being provided to the health system systematically over a number of years, exacerbated by this Hodgman Liberal Government.

We need all of the information and those reports need to be released. We need to convene round tables with the stakeholders who know what is going on: those at the front line, those who work every day with patients, those who try to manage patient flow, address bed block and those who are responding to the crisis in the health system every day, providing the best care they can to patients with the resource constraints they are dealing with.

**Ms Standen** - And the Premier has to do that.

**Ms WHITE** - Another interjection from my esteemed colleague for Franklin, Alison Standen. It is a good point because the only way this is going to happen is if the Premier finally shows some leadership on this issue, the most important issue to most Tasmanians, and that is health.

We have been let down and disappointed by the Minister for Health, and many clinicians feel that same way. Patients certainly do and they are now putting their faith in the Premier - who is still absent from this debate and not present in this Chamber - to show some leadership and step up and convene round tables.

We would like the Government to take seriously the solutions that have been proposed by those who are at the front line to address some of the bed block that we are seeing. There have been very constructive ideas put forward by those at the ANMF, particularly in addressing the bed block that we see at the Launceston General Hospital, as well as the Royal Hobart Hospital. These include providing seven-day discharge by properly resourcing those services that support doctors to make decisions about when patients can go home.

People may not be aware that discharge rates through the week are twice as high as the weekend, so the hospital is effectively running a Monday to Friday service. If we ran it Monday to Sunday, then patients could be discharged when they are ready to go home, into the care of community nursing, if that is appropriate, and freeing up those beds, allowing patient flow to happen more easily, taking pressure off the emergency department, relieving ambulance paramedics from having to queue for hours at the emergency department with their patients and making sure that they can respond to the community in a more timely manner.

We went through the annual report from the department earlier in the year, in the last session of parliament and that data shows that we are doing worse on a number of indicators, particularly ambulance response times, patient waits for elective surgery, patients waiting over four hours, eight hours, in the emergency department, before they are admitted or discharged. Things are getting worse and the Government needs to acknowledge that.

Mr Deputy Speaker, we would like to see the Government increase preventative health measures and programs because one of the best ways we can take pressure off the hospital is to keep people out of hospital because they are healthy and well, providing more support to resource the recommendations of the Joint Select Committee on Preventative Health Care that reported in 2016. I was fortunate to be a member on that committee. That report received unanimous support from all the membership which was cross-party and included independent members. That is what we are hoping to achieve with these round tables. You can get consensus outcomes where everybody agrees that a particular approach is the best way to solve a problem and then you can get on and deliver it.

We would like the minister to provide a time line for the rollout of mental health beds. He has announced additional beds to be opened at New Town, but the time frame for the Peacock Centre still remains a little unclear.

**Mr Ferguson** - Do you support it?

**Ms WHITE** - We support more mental health beds in the community. If you can provide evidence today that the Peacock Centre can be rebuilt and opened to provide beds for patients, then of course we support it.

**Mr Ferguson** - That is a change.

**Ms WHITE** - Mr Deputy Speaker, of course we support it. It is not a change. You have always misinterpreted and verbalised the shadow minister for health and you should acknowledge that you are in the wrong here.

We would like the Government to provide funding for capital works at Millbrook Rise, a facility in New Norfolk that already provides care to patients recovering from mental ill health. There is capacity on that site to provide more services to people and that is something the Government should seriously give consideration to.

We would like the Government to invest in public mother and baby unit beds. Currently there is only one provided in the south of the state. It is very prohibitive for parents dealing with feeding or sleep issues or postnatal depression to have to access that service, and there is usually a waiting time of two weeks and the service is only offered in the south. If you are a mother with other children organising care of those children so that you can receive the treatment you need, it is incredibly hard when a service is only offering one place in the state and there is only one bed.

We would also like to see the Government appoint psychiatric emergency nurses at the LGH and the North West Regional Hospital. There are a number of other things we would like to work on with the Government. This list is not exhaustive; it is only a summary of the letter I wrote to the Premier last month.

Why does this all matter? We know that health is the number-one issue for Tasmanians. You cannot work, look after your family or participate fully in your community if you are sick and waiting for access to treatment in the health system. Our community and our society do not operate if people are unwell and cannot access the care they need because they are in pain. We need to make sure that we prioritise access to treatment for people, whether it be mental health or physical health treatment, so they can again become happy, productive members of their community. Right now, too many Tasmanians are being left behind.

This is the most galling thing for those of us in this place who hear the rhetoric from the Premier and the Treasurer that we are living in a golden age, yet there is such a huge disparity between the haves and the have-nots. The inequality is only getting worse and it is enhanced by the fact that we have a conservative Liberal government right now that continues to chronically underfund the health system. The KPMG report identified that risk and shortfall to the Government in March 2017 when they handed you that report, minister. It was confirmed again in the RDME Consulting report handed down in March 2018, and until such time as this chronic underfunding of the health system is addressed, we really are letting Tasmanians down.

It is not okay with me to build a budget surplus on the backs of the misery of Tasmanians who cannot get the health care they need. That does not sit well with me or my party, and we will continue to make the point that there is more that can be done and there is a willingness across this Chamber to find solutions to the problems we see.

We have seen the unfortunate way that this minister has handled his portfolio for nearly five years now. He has been at the helm of what has become a health crisis in Tasmania. That cannot be denied when you give regard to the loss of training accreditation at major hospitals in this state, overcrowding in emergency departments, queuing of ambulances outside EDs, and patients speaking out about their painful circumstances, lengthy waits and horrifying experiences.

Our hospitals are operating at the highest escalation level. We now have staff in the hospital system regularly taking industrial action. I heard the Government this morning talk about the fact they had been in office for 263 days. For half of that time nurses have been taking industrial action at the Launceston General Hospital, standing on the pavement outside every single day in the freezing cold, gusty winds, and the hot sun, and not once has the Minister for Health been to speak with them, to see them, to stand with them on the pavement and ask them, 'How can I help you?'. Not once has any Government member done that. Not once has any Government member gone to any of the industrial action being held right across the state now. It is not isolated to the Launceston General Hospital any longer. Statewide industrial action is being taken by health professionals because they feel ignored by the Government and specifically by this Minister for Health.

This industrial action has been taken for a number of reasons, but primarily because our nurses, allied health professionals, ambulance paramedics and doctors are working extraordinary hours of overtime and double shifts. They are fatigued, they are exhausted, there are workers compensation claims being put in and a lot of sick leave being claimed. If they staffed the roster properly rather than relying on overtime and double shifts, not only would workplace health and safety be enhanced and worker's enjoyment of their job be improved, but patient outcomes no doubt would be improved as well. That \$7 million spent on overtime for nursing could be spent employing more nurses instead, staffing a roster properly rather than paying overtime.

We would like to talk with the Government about these issues in a constructive manner, but I have no doubt that when the minister gets up to give his contribution on this motion it is not going

to be constructive at all. In this place it is incredibly hard to have a constructive debate because you get up and speak for 30 minutes and you have to sit down and listen to somebody else speak for 30 minutes. That is not how a conversation naturally takes place.

If we were sitting around the table in the same room together, we would have a conversation like you would in any other ordinary meeting where you exchange ideas, share them in a format that is a bit more conversational. You cannot do that in the parliament because that would be contrary to the Standing Orders because it would require interjection. What we are seeking is another way for us to engage with the Government on this. I have tried writing letters to the minister and to the Premier. I have offered to meet at their earliest opportunity to discuss this exact issue. They have rejected each of my representations to them.

The parliament unanimously passed a motion calling on this House to convene roundtables before the end of the year. Given the end of the year is still a month and a bit away, the benefit of the doubt might be with the Premier here; he might still convene those roundtables and I sincerely hope he does, but if he does not, this motion before the House right now will require him to explain why that did not occur, why he ignored the will of the parliament, indeed the will expressed by his own members who unanimously supported this motion.

This is a question of leadership for the Premier, a question of whether he can demonstrate the leadership required to convene all sides of politics in this place with health professionals and put forward a constructive agenda for how we work together to tackle challenges we see in the health and hospital system.

There are a number of other areas we would like the Premier to take a leadership position on when it comes to the Health portfolio. Foremost among them would be access to terminations in the public health system. There are too many women in Tasmania being denied access to a legal medical procedure in their own state because the Health minister, Michael Ferguson, would prefer to see them fly to Melbourne. The clouding of good judgment with ideology is obvious to this House and to many, I would argue, in the community, when they listen to the debate on this issue. Termination services should be provided in a public health system. There is no reason why they cannot be. It would afford equity of access to Tasmanians, no matter where they live or how much they have in their back pocket. But instead, the Minister for Health would prefer to see a private service offered only in one location, only infrequently, I believe every fortnight. And there is an out-of-pocket cost for those who wish to access it.

That denies healthcare to those who, arguably, are some of the most vulnerable in our community. That is shameful. It is another example of the discrimination that this Government is willing to perpetuate against the vulnerable in our community. We saw it yesterday.

I will reflect on some of the remarks made by the Minister for Health in the media today. He regarded the outcomes of the debate yesterday - I will not reflect on the debate - as a social experiment. Transgender Day of Remembrance was yesterday. This is an extremely vulnerable cohort in our community whom we know are at greater risk of suffering mental ill health and from discrimination, but the Health minister regards changes that will improve their lives as a social experiment. When I heard that I cringed on the inside. It was a physical reaction that I cannot put into words. It was repulsive, revolting and disgraceful that a minister of the Crown, the Health minister, could say such a thing about one of the most vulnerable cohorts in our community; to regard legislation that will empower them and not affect anybody else as a social experiment. That is why the Premier needs to take a leadership role here.

On too many occasions now we have seen evidence of the beliefs of the Health minister interfering with good decisions on behalf of the people of Tasmania and the provisions of surgical terminations to the public health system is the perfect example.

We have a \$100 million black hole in the health budget. It has not been rectified by the May Budget that was handed down by this Government. We have industrial action occurring across every hospital in the state because nurses, doctors, allied health professionals and other frontline health workers do not feel that they have been heard by this Government.

This is an opportunity for the Government to sit at the table with them and listen to their solutions to the problems they see every single day. Who knows better than anybody how to fix a problem in the health system? Health professionals; those who are at the frontline who can identify where inefficiencies are, where opportunities are to make improvements, but who right now feel completely ignored and have for a very long time. We want them to be at the table. We want the Premier to be at the table showing leadership on this issue because the Minister for Health has shown himself incapable of that.

We have seen extreme steps taken by clinicians in the health sector to try to find solutions to things such as the bed block experienced in the hospital, going so far as suggesting that patients wait in alcoves with handbells. Putting sick people in alcoves with a hand bell is not what I, or any person I have spoken to, regard as the best care for patients.

We have a mental health crisis in this state. We have had staff walk off the job and they are continuing to do so. We have a health petition, which just after eight weeks, more than 3500 Tasmanians have signed, calling for their Minister for Health, Michael Ferguson, to be sacked. That is a pretty compelling statement in just eight weeks.

We ask that the Premier take time out of his busy day and come into the Chamber and listen to this debate; that he respond to the motion that was put before the House on 17 October as well the one today and that he convene the roundtables that this parliament agreed the Government would hold. This parliament, every member in this place, unanimously supported this and that it would be arranged before the end of the year with health professionals and all sides of politics being at the table.

We want to work with the Premier to find the solutions to the health system, to take pressure of the staff, to support patients to get the care that they need. Without all of the information, and without having sat together at the table, it is very challenging to see that outcome being achieved.

Mr Deputy Speaker, I will finish with one thought: it is the lack of transparency from this Government in the reports it withholds, the information it keeps secret, the lack of consultation with the clinicians at the front line, the lack of engagement or interest shown in working with members of this place or the other place to address the challenges in the health system.

This is a quote from the honourable Dr Vanessa Goodwin's inaugural speech. She said, 'Without transparency and accountability, no government can be truly legitimate'.

[4.06 p.m.]

**Mr FERGUSON** (Bass - Minister for Health) - Mr Deputy Speaker, we know that Labor loves to talk about health, calculated only to frighten people and destroy confidence. We know that; we understand that. We have seen it so famously executed by Bill Shorten's now infamous 'Mediscare'

campaign. It was designed only to scare vulnerable people - pensioners, sick people, people with chronic illness who rely on Medicare - into thinking that the then Turnbull government was going to privatise Medicare.

The Leader of the Opposition has just given one of the most unconvincing, unpersuasive addresses to this House that I have ever heard. On the one hand, she was trying to argue that she really would like to work constructively with the Government to fix the problems in the health system.

**Ms White** - With the Premier; not with you.

**Mr FERGUSON** - There you go, thank you. Ms White has helpfully interjected and leapt to my other point.

On the other hand, it is all about destruction and trying to hurt the Government; trying to get the Health minister into trouble with the Premier. The Leader of the Opposition has nothing better to do on a lazy Sunday than plant pictures of me on Parliament Lawns.

You want to talk about petitions. I encourage the voice of the people to be heard. That is why I do health forums. That is why I have gone on the road each and every year in my role as Health minister. You want to talk about the voice of the people, petitions. What about the 28 000 people who demanded something better from the then Labor government? When the then minister Michelle O'Byrne was sacking nurses at the rate of one a day, for nine months, it was one of the biggest, if not the biggest, petition ever brought into this House: 28 000 people in Tasmania signed it because they had no confidence in Michelle O'Byrne. As history records, the Caucus budget committee that made the decision to support those budget cuts was chaired by Rebecca White.

**Mr Bacon** - That is a lie. You know that is a lie.

**Mr FERGUSON** - That is what history records.

**Mr Bacon** - Where is it recorded? Where?

**Mr FERGUSON** - That is where history is recorded. If you do not like it, if you would like to walk away from those budget cuts then do so anytime.

**Ms White** - You are such a liar.

**Mr Bacon** - Yes, you are.

**Mr DEPUTY SPEAKER** - Order.

**Mr FERGUSON** - Very thin skinned over there.

**Mr Bacon** - Because he is telling lies.

**Mr DEPUTY SPEAKER** - Order. Mr Bacon, you know that is not appropriate.

**Mr FERGUSON** - You were the finance minister, weren't you? Half a billion dollars out of health.

**Mr Bacon** - What year was that?

**Mr FERGUSON** - The 2011-12 budget.

**Mr DEPUTY SPEAKER** - Mr Bacon, you will need to withdraw that comment.

**Mr Bacon** - Which one?

**Mr DEPUTY SPEAKER** - The unparliamentary one.

**Mr Bacon** - Which one was that?

**Mr DEPUTY SPEAKER** - Using l-i-e. Find another word.

**Mr Bacon** - I withdraw it.

**Mr FERGUSON** - I was not going to ask for it to be withdrawn. It speaks for itself because the Labor Party's history on Health is appalling. It is abysmal.

We know that Labor understands there is a way of concerning people in the community and scaring them, and that is all this is really about.

**Mr Bacon** - So what have you been doing today?

**Mr DEPUTY SPEAKER** - Order, Mr Bacon; I officially warn you. You have been interjecting for the last two minutes ever since you came in.

**Mr FERGUSON** - The fact is that you made a mess of the health system. If you are not prepared to admit and accept that then you are in denial, because this Government picked up a health system that was on its knees. I declared it a broken health system. It was not working effectively together, and one of the first things that greeted me as a new minister in May 2014 was a report I had barely been expecting as a new person to the Health portfolio -

**Mr Bacon** - Did Deloitte do it? KPMG?

**Mr DEPUTY SPEAKER** - Mr Bacon, I warn you a second time. There is no need to interject.

**Mr Bacon** - So there is no interjecting now at all - is that the rule?

**Mr DEPUTY SPEAKER** - The Standing Orders say there should be no interjections. You have been here for three minutes and have now been warned twice.

**Mr FERGUSON** - In May 2014 I received the joint Commonwealth-State Commission into the Delivery of Health Services in Tasmania, about an inch and a half thick, and it was a damning story of what the Labor Party had done to our health system. Report after report after report had been banked up and collated and, if you like, summarised in this, together with a contemporary look at what was happening. There were disjointed services and an inadequate supply of beds and services to meet the demand in the community. I do not believe the report went anywhere near the Royal Hobart Hospital redevelopment. That was a separate report which showed that the whole

thing was in turmoil and could not go ahead. That is what the Giddings government left behind, an absolute mess. No-one could have built it. It could not go ahead.

We also had the very clear advice that the health system itself was not working cohesively across the state. It had been operating in silos and there were way too many services that were single clinician-dependent and indeed in some cases were recognised as unsafe. That is what I inherited. The report also went into the appallingly long waiting lists. Ms White and Mr Bacon were quite happy to leave people waiting up to 10 years for their surgery.

**Ms Standen** - And you're proud of your waiting lists now, are you?

**Mr FERGUSON** - We are very proud that we have put \$100 million into elective surgery and reduced the longest wait by 80 per cent. Yes, we are proud. We are very pleased that we have been able to reduce the length of time on average that people wait while they are on the elective surgery waiting list. We are very proud of the extra numbers of staff we have employed. We think that has been important in terms of meeting the demand with additional supply, because we want to help people. We care. What we do not care for is the Labor Party denying its appalling history of budget cuts and mismanagement and then using health as a weapon to scare vulnerable people. That is really all it is about.

The Leader of the Opposition said that health was her number-one priority but as she flees the Chamber she walked away from the Health portfolio. She told Tasmanians that she would run at the last election and that if she were Premier health would be her number-one priority. Guess what? When she was asked who her Health minister would be she would not answer. She simply said, 'Well, it won't be me and it won't be Michelle O'Byrne'. That is as much as she said. I was willing to keep going and keep serving the people in this role, such is our commitment to fixing the health system and giving Tasmanians the health system they want.

So much for pointing out that the Premier is not in the Chamber and that I was six minutes late to the debate. The Leader of the Opposition has just fled - gone. So much for caring about this issue and working on it. Seriously? This is Ms White's own motion and she has gone. All Ms White has had to offer was sticking photocopied photos of me in the grass and wanting to stick sick people into hotel rooms, which would undermine rural hospitals and does not have any clinical support. Fair dinkum. What about blocking the mandatory sentencing laws that we tried to introduce for frontline health workers, including assaults? Labor blocked that in the Legislative Council. Why should Tasmanians believe anything that Ms White has to say? I even heard 4D mentioned today during the MPI. Of all people Michelle O'Byrne, the member for Bass, brought that into play. That is a ward that this Government has reopened, and we are very proud of that too, because that ward was closed by the Labor Party.

**Mr Bacon** - Pride comes before a fall, that's what they say.

**Mr FERGUSON** - That is what the Bible says, Mr Bacon. We are very proud of our efforts in this area. As we always say, we know there is always more to do.

**Mr Bacon** - Certainly is.

**Mr FERGUSON** - Absolutely. We rescued the Royal Hobart Hospital redevelopment and got that back up and running. Yes, a better redevelopment than the one that the previous Labor



Government had left us with. We had to fix the appalling mess around decanting of mental health patients. There was no credible plan there whatsoever.

**Mr Bacon** - And you cut the beds.

**Mr FERGUSON** - Labor and the Liberal Party both planned for fewer beds in the new K block and the Liberal redevelopment has more than Labor intended.

**Mr Bacon** - What did the coroner say?

**Mr DEPUTY SPEAKER** - Mr Bacon, I need to remind you that your Leader, Ms White, was heard in relative silence without interjections and mumblings. If you wouldn't mind, please, the minister is on his feet.

**Mr FERGUSON** - The previous Government had a redevelopment with the helipad and then they took it out so that the helicopter service would not be able to land on the new building. We have put it back in and you can see it from most parts of Hobart. It is massive, huge. The helipad will save lives - I'm sorry, the service that the helipad will enable will save lives. You have to be able to land it. If you cannot land it there you are going to waste time landing somewhere else.

**Ms Standen** - Because bigger is always better.

**Mr FERGUSON** - Bigger is better, yes.

**Ms Standen** - Tell us about the big K block, go on.

**Mr FERGUSON** - You are very cynical about that, I can tell.

**Ms Standen** - The height of the building? Of course I am.

**Mr DEPUTY SPEAKER** - Order.

**Mr FERGUSON** - The building enables us to grow our service, Dr Standen, that is a fact. At the moment our hospital -

**Ms Standen** - You called me Dr Standen again. I am not Dr Standen.

**Mr FERGUSON** - Sorry, Ms Standen. The biggest challenge we face in our health system right now - and we hear about it in question time and in MPIs - is over-demand and overcrowding in our hospitals. Our hospitals are trying to operate and service today's demand with yesterday's buildings. They are full, even with the 120 extra beds we have funded. We have been opening beds everywhere. There is a simple reality that Ms White refuses to accept and that is that we need the extra building space to be able to open more beds. Rather than mocking clinicians who came up with creative solutions for over-capacity protocols, which she has done again today by chiding them for their work in this area, the fact is we need more space. We are building that more space and it will be concluded in 2019.

It is easy to fire your arrows but members listening in this Chamber and anyone listening to the webcast would accept it is very hypocritical for Ms White to be expected to be taken seriously when on the one hand she pretends to hold out an olive branch, saying 'Let's work together', while behind

her back she has a knife. She is trying to kill people politically. She is trying to make this about a person. It cannot be about a person. You should challenge the Government, scrutinise the Government and scrutinise the budget. By all means scrutinise our budget which provides for \$200 million more than Labor promised, but just admit that you have a hypocritical problem on your hands. Why did you promise \$200 million less than the Liberals? Why, when you pretend to hold out your olive branch? Why do you make out there are all these solutions that nobody is listening to when on the other hand you will not even publish an alternative budget?

There is no expression by the Labor Party of what you want us to do that we are not doing. You promised at the election - and this has to be my reference point here because it was only eight months ago and you failed to do an alternative budget, so all I can go on is your election policy, any one of the seven versions of it - 10 mental health beds. Good on you. We promised 25.

**Mr Bacon** - How many have you delivered?

**Mr FERGUSON** - We are going to deliver 27, including the first 12 by March of next year, Hospital in the Home. You should support that, Mr Bacon, because it will support people in your electorate. I encourage you to do so.

**Mr Bacon** - You should actually deliver it.

**Mr FERGUSON** - I agree with you. Rather than being sarcastic, as you are, why not look forward to it. It will be delivered sooner than one of your beds would have been.

**Mr Bacon** - I am not being sarcastic. I am saying that you should deliver 25 beds.

**Mr DEPUTY SPEAKER** - Order.

**Mr FERGUSON** - Yes, Mr Bacon. Check your own policy. It will be delivered sooner and that is a good thing and we should support that.

**Mr Bacon** - You are in government.

**Mr DEPUTY SPEAKER** - Order, Mr Bacon. There should be time at the end of the debate for a second contribution from Labor. Rather than interject, I suggest you keep your opinions until that opportunity comes along.

**Mr FERGUSON** - Thank you, Mr Deputy Speaker. We have put on 800 extra staff. We know famously that Labor sacked a lot of staff and the reason they wanted to sack staff was so they could reduce service and reduce cost. I found a printout of this. In the MPI earlier today Mr Hidding reminded me of this and I went back and looked for it and found it. I am going to table this. It is a photograph of the rally at Burnie. I was there. I see Jeremy Rockliff, I believe the now Premier was there and this is the picture of the rally. It is one of a large number of pictures. It is not a remarkable picture but there are dozens of people there. I am going to read out two of the placards. The first placard that a lady is holding up says, 'Coffers empty, coffins full.'

**Mr DEPUTY SPEAKER** - Minister, you can table that if you wish but using it as a prop, as you know, is against Standing Orders.

**Mr FERGUSON** - Yes, I will not hold it up again. The second sign which is held by a different lady, says, 'How can you sleep when your beds O'Byrning?' It is a play on the Midnight Oil song *How can you sleep when your beds are burning?* The House should have that. It should sit on the record of what Labor did to the North West Regional Hospital in Burnie.

That is what we have been getting on and doing, expanding our services, employing more staff, focusing on patients, not politics, trying to get people working together. I boast, on behalf of the Government, we have gone to a great effort to do what had not been done before even with the well-intentioned - I say that sincerely - reforms of David Llewellyn, followed by Lara Giddings. That does not mean I agree with those plans as I look back on them but it does mean they were trying to deal with the same problems we have been dealing with. Rather than dropping the plan on the table, which is what each of those governments did, we have gone out to the community and we have done far more than this bleating for round tables, far more.

This is what we have done. First, we published the green paper in 2014 which showed to the best of our knowledge and the Health Department's ability, all the identified areas where we know we are not providing timely care, the kind of care you need in a certain amount of time. We also did what I think no government has ever done, possibly anywhere in the country: we published where we know we do not provide safe care. We did that and I think it was in December of that year. Then I went around the state and we shared this message. I have to tell you, that put the heebie-jeebies into a number of people around the state. What does this mean for us? That was the immediate and understandable reaction from some people. Fair enough too because it meant change needed to come. Where was the Labor Party? They were immediately sensing the political opportunity at a bit of a distance, but nonetheless. We opened for submissions, every single Tasmanian was invited to put in submissions and many did. All our health stakeholder did. We had fantastic engagement, fantastic and extensive consultation, the likes of which Ms White would dream about in her miserable motion on round tables. Everybody is involved. That was in December.

We then took on board the feedback, we listened and I will never stop listening. We identified the areas where we knew there were potential solutions and rather than just drop the solution on the table, we did think we would come out with the white paper in that following quarter, March or April. We did so very respectfully. We went out with an exposure draft of the white paper and we then again, me, personally, went around the state and shared what this could mean - we want your feedback from our health stakeholders and from our staff and at public forums.

We had people who were nervous about what this meant for them. There were some changes proposed in that exposure draft of the white paper which were not supported by a lot of people in the community, even though from a health planning point of view they were very defensible.

We again listened and we took further feedback, the kind of feedback that Ms White says I need to be open to. We listened and we took on board those concerns. We then came out with the final white paper in June which took account of those concerns and we made changes as well. We did not do what Ms White claimed we were doing, which was setting about closing regional hospitals. That was another separate fear campaign which I am very familiar with now.

I have to say that almost to a man and a woman around the state, certainly amongst the local governments, and amongst the medical, nursing and allied health organisations, it has been widely endorsed and praised as the way forward for health in Tasmania. We are now delivering safer and more timely services. That is why I do not get many questions from Ms White about those services

because we have improved them. For example, we have babies being born in the north-west coast in a much safer model. I have been complimented for that and I have shared this with some people here. I have been told by a clinician that at least one life has already been saved as a result of that decision that this Government made, but where is our pressure point right now? We know that with rising demand we need to provide increasing supply. The politicisation of health will not support meeting that demand in any greater way, it just will not.

The Labor Party relentlessly persists with this - and I said this morning, and members will be quite interested in this. I recently received a letter from Ms White on behalf of a constituent who had an idea and he asked her if she would take it up with me.

**Ms White** - Yes, Millbrook Rise, I believe it was.

**Mr FERGUSON** - You are right, Ms White, it was about Millbrook Rise. The person who wrote to you made the comment that you do not seem to be able to work with the Government. I suppose that is a reaction to your jihad that you have been launching to try to get people -

**Ms White** - I beg your pardon? A what?

**Mr FERGUSON** - to get me sacked. This is very unhelpful.

**Ms White** - Mr Deputy Speaker, I take personal offence and I ask the minister to retract that.

**Mr FERGUSON** - I am happy to withdraw it but you are very thin-skinned if you take offence to that.

**Members** interjecting.

**Mr FERGUSON** - I would like to be able to continue. Very clearly it was a reaction because of a very unconstructive, unwilling approach by the Labor Party which is only interested in the political opportunity, not the policy at all. It was very interesting that I received that letter from Ms White, and she even made -

**Ms White** - You just accused me of a jihad but I am the one that is unconstructive.

**Mr FERGUSON** - I have withdrawn it. Let us move on. I can see you are upset about it but the fact is, it has pointed out the hypocrisy -

**Ms White** - Hypocrisy? Your hypocrisy.

**Mr FERGUSON** - your hypocrisy has been pointed out by this person and you have self-identified it now because on the one hand you use this mealy-mouthed language about wanting to work with the Government but you will not work with the Government. You only know attack. That is all you know, it is all you can do. The number of people that you help is in fact zero. That is what you have been doing with your stunts and your petitions. Frankly, I am not trying to compare petitions but it is hard to forget 28 000 Tasmanians rejected your government, your health policy, and your health cuts and, at the last election, it is hard to forget that the Labor Party's health policy was rejected by the people again, all seven versions of it. The Greens had one health policy, Labor had seven. Liberals had one health policy, Labor had seven. The Labor Party, under Ms White, got the third lowest vote in its history.

Having been asked to speak on this debate because Ms White has brought it on, I am happy to do it, but my focus is not about your stupid politics. My focus is on delivering our plan that we took to the election. It is a really good plan and I encourage you to have another look at it if you are not sure what it says. It is a really strong plan; it is a strong plan for the south, it is a strong plan for the north, it is a strong plan for the north-west. It will help people and it means that as we finish our buildings, we are in a far better position to open more services, renovate old wards that are available and provide nearly 300 additional beds in our state.

At \$200 million more than our next competitor, it is a fantastic approach and the plan that this Government has a mandate to support and to deliver.

In conclusion, I indicate to the House that I am moving an amendment on behalf of the Government. I will just table this.

Madam Speaker, I move -

That paragraphs (3), (4) and (5) be omitted and replaced with the following new paragraphs -

- (3) Further notes that the Minister for Health, Hon Michael Ferguson MP, held public forums in Burnie, Devonport, Launceston and Hobart from 22 October 2018 to 24 October 2018.
- (4) Further notes that these forums were publicly advertised and well attended by health professionals and other stakeholder groups, but most importantly by members of the Tasmanian public.
- (5) Further notes the Government will continue this public engagement and hold public forums again in the second half of next year in all regions of Tasmania, with all Members of Parliament welcome, along with the Tasmanian community, and an update will be provided to the House on the outcome of the forums.

Plainly this is about putting a bit of a dose of reality back into this debate. I am rejecting the notion that the Government has not been extensively consulting with the Tasmanian community. We have and were it not the case, I would not be able to stand here and tell members that our health white paper is universally supported. I do not claim the credit for the white paper; its authorship belongs really to the clinical community. We led, but we worked together. Second, I announced these public forums in my ministerial statement and I cannot explain why some members of parliament chose to not go. They were widely advertised in print media, on radio and on social media, and I even told this House the dates of when they would be and I believe I indicated the venues.

**Ms White** - Good on you, it's still not consistent with the motion.

**Mr FERGUSON** - If you are not content with that, then that is obviously a matter for you, but that is what we have done in good faith. I think this is an opportunity for the public -

**Ms Standen** - Your Premier said there is more to be done. It is not enough.

**Mr FERGUSON** - Please do not shoot them down because I have done them every year and they have been very good. You did not do them but I feel it is important. The forums were really great and many people came, but the ones who came were the ones who wanted to. Some people spoke passionately about something they wanted. For example, I can think of a regional forum where there was a gentleman who wanted a particular service which is not really able to be delivered in that size hospital. Fair enough, but we were there to listen and I had doctors and nurses with me who were able to respond and listen and in other cases were able to say they were going to take that on board.

I can also indicate that some members of this House did come to my forums, and good on them. Ms Houston and Dr Broad were there. They chose to come, good on them. Ms Dow also came. Good on them, but please do not try to shoot these down because these were the opportunity for the public. Anybody could come but I have to say if you are not comfortable having debates in this House and you think that it should be a roundtable, perhaps you are just getting the words mixed because the fact is we have been out there. The health professionals and even union reps have come and that will be how it will continue into the future.

Madam Speaker, I have moved that amendment. I ask for favourable consideration as we continue the work, but we will not be distracted from delivering what Tasmanians voted for us to do. They expect us to deliver the health plan we took to the election: not Labor's plan, the plan they voted for, and we will be honour-bound to deliver that. In the case of mental health we have made an adjustment to that but it means an additional two beds in southern Tasmania. With those words I commend the amendment. I call on the Opposition to stop using health as a means to scare people like Mediscare, because you do not help anyone. Your ads on television at the last election telling people that they might die if they vote Liberal were unhelpful, unprofessional and does not look like the constructive approach that you say you would like to see.

[4.35 p.m.]

**Ms WHITE** (Lyons - Leader of the Opposition) - Madam Speaker, the Labor Party will not be accepting the amendment put by the Government today. It does not uphold the intent of the original motion moved by this House on 17 October. I will remind the minister that this House unanimously agreed that the Premier would include representatives from all sides of politics in statewide roundtable discussions with health professionals, unions and stakeholder groups between now and the end of the year. That is the motion this House unanimously agreed to. For the minister to come into this place and tell us that he held forums that were open to the public and we could have gone if we wanted to is not consistent with the motion that this House agreed to. It is not an excuse for doing nothing to argue that you held forums and therefore have covered off on what this motion asks you and your Government to do.

The amendments you have moved right now absolve yourself of any requirement whatsoever to uphold the motion this parliament agreed to. The Premier will be in contempt of the parliament if he fails to ensure that this motion is properly upheld.

**Mr Ferguson** - Your game is up. It is a political strategy.

**Ms WHITE** - The parliament is the master of its own destiny. The minister's arrogance and absolute contempt for a motion moved by this House and agreed to by all members is on display for all to see right now. The parliament agreed to this motion. The parliament is the master of its destiny. The parliament said we would hold roundtables by the end of this year and that the Premier would host them. It is you who will undo this Government with your arrogance by stating that just

because you have held some forums around the state, as you have done every year as minister - nothing new, Mr Deputy Speaker - that somehow you have addressed the intent of this motion agreed to unanimously by this House on 17 October.

Your contempt for the parliament and the members of this place, and your arrogance by moving this amendment to this motion - which makes it redundant, to be frank - is stark. It is obvious for all of us here to see that you completely disregard any engagement sought by other members of this place to address one of the most challenging problems Tasmania has that is the crisis in the health system.

We will not be supporting this amendment. It is not good enough that you say you have held some public forums and therefore have covered the intent of this motion. It does not, in any way shape or form, go anywhere near addressing the motion that was passed by this House on 17 October. The Premier must convene roundtables; the parliament requires him to do that. If he fails to do that he will be in contempt of the parliament and will have to report that matter to this House next year in March when we resume. We reject your amendments and we oppose them.

[4.38 p.m.]

**Dr WOODRUFF** (Franklin) - Mr Deputy Speaker, the purpose of the amendment is for the minister to say that the contract has been fulfilled. On behalf of the Greens I make the obvious point that this is a motion that was passed unanimously by the House. Therefore this is something that requires a report to the House, as was agreed by the motion, and there is a time requirement to that. It appears that the time requirement has not been fulfilled by the amendment that the minister is providing.

Public forums are not the same thing as a statewide roundtable discussion with health professionals, unions and stakeholder groups. They are different things. They are both a form of consultation, no doubt about that.

The motion that was passed on 17 October was not to do that form of public consultation. It was to do a particular form of consultation which is a statewide roundtable discussion. I do not know if there is a formal definition of what a roundtable discussion is but my understanding is that it would be as described with health professionals, union and stakeholder groups which would mean they would need to be formally invited, a date would be set and a place would be identified where people would come together around a table of some shape, whether it is round or not. Conversations would be had with an agenda and a series of decisions would be made and a report would be produced. That is a minimum I would expect a round table would involve.

The Greens ran a health round table with the health sector at the beginning of 2017. That is how we did it and I expect that is a pretty standard approach. I accept that the minister has done a lot of public consultation in the forms that have been written here in the amendment. I am sure that was good information and I hope and expect that it probably would change practice by opening people's minds to the experience that people are having around the state.

It is not the same as a focused conversation about a particular issue, which is the management of the health system in Tasmania and parts of the system that those bodies, health professionals, unions and stakeholders that were listed in the motion, would have responsibility for.

I accept that the Government has undertaken a range of consultations but it is not what was required by the House and therefore we cannot support this amendment.

[4.42 p.m.]

**Ms STANDEN** (Franklin) - Mr Deputy Speaker, I support the motion put by my colleague, Ms White, and take the opportunity to add my thoughts in relation to the amendments put forward by the Government.

I find it frustrating that the minister accuses the Labor Party of embarking on a political strategy by simply holding the Premier and the Government to account for a Notice of Motion that was passed unanimously by this place on 17 October calling on the Premier to lead formal consultation with the sector, with the AMA, ANMF, and with other key stakeholders such as unions, clinicians and the like. Instead they try to pass off community consultation forums which are publicly advertised where people can come and informally raise any range of issues, unstructured with or without solutions. They try to pretend that consultation of that nature is the same as formal round tables designed to work in a bipartisan way with people across the Chamber to address the number one issue on most Tasmanian's minds and that is the health system in this state.

It is confounding that the minister should try to weasel out of this formal obligation agreed to by all members of this House that health round tables are the same thing as community consultation.

To say that because his forums apparently were well attended - we do not know what that means, it could be five people, it could be 50 people, it could be no-one at all. We are taking his word for it that the forums were well attended. Were they his staffers? Were they a couple of departmental representatives? We have no idea and we are expected to take his word for it.

On his watch over five years now the health crisis in this state has been getting worse. We have independent reports and the minister's own annual reports showing systemic problems and underfunding to the extent of \$100 million per annum and growing.

We had the state's major teaching hospital, the Royal Hobart Hospital, on level 4 escalation just yesterday. In stark contrast, we saw the consequence of what happens when any other incident takes the attention away and puts additional pressure on the system. Yesterday, the minister was preoccupied by discussion in this place on another matter - the matter of grease traps, I think it was - meaning that the entire emergency department of the Royal Hobart Hospital was effectively shut down. It does not take much for a hospital that is regularly escalated to its highest level to be entirely dysfunctional.

We have clinicians desperate to be heard and what is not to be gained by responding to the Leader of the Opposition's well-intentioned correspondence to the Premier to listen, to sit down in a bipartisan way as Tasmanians would hope and expect? As Ms White has said, no party has a monopoly on ideas. What is not to be gained by sitting down with members across parties, with union members, with clinicians, with professional peak bodies to explore strategies to tackle this crisis? It is true, as the Health minister has said, that there is rising demand. For as long as I have lived in this state and worked formerly as a health professional I know it to be true and there will never be the resources available to fully meet demand. It is incumbent on a responsible government to embrace new ideas, to consult effectively and to explore what more can be done.

The Premier's letter of 12 November is instructive. Despite the Leader of the Opposition writing to the Premier not once but twice on 12 and 18 October following that successful passage of the notice of motion that was passed unanimously in this place, a month later after the first correspondence outlining 10 very valid suggestions for tackling the health crisis in Tasmania, the



Premier writes back to Ms White and whilst acknowledging that there is more to be done he says, and I quote:

So Tasmanians can get the care they need when and where they need it.

Those words are empty when we know that there are people on waiting lists at record levels as recently as a month or so ago at the Royal Hobart Hospital, where there were people awaiting access to legal pregnancy terminations. Only recently has there been an announcement that at long last after nearly a year those services will be open but only in the south of the state and only on a periodic basis: I think it is fortnightly and still with an out of pocket cost. There are people with severe ill health looking for inpatient care, people sleeping on the floor of the emergency department, and God forbid if you are child or an adolescent requiring inpatient mental health facilities or services. It is just a bit rich to see, in black and white, the Premier of this state saying, 'We know there is still more to be done and we are absolutely committed to providing those services so that Tasmanians can get the care they need when they need it and where they need it'. Not if you are in regional Tasmania. Not for pregnancy termination services, not for out-of-hours general practice, not for anything much. When they need it? There are still people in this state waiting not days or months but years for services to address serious conditions causing pain and suffering, yet this minister has the gall to say there is nothing to see here, it is all good.

**Mr Ferguson** - I have never said that. Why would you do that?

**Mr Bacon** - That's what your amendment says.

**Mr Ferguson** - It's not what we're saying. I don't understand that debate.

**Ms STANDEN** - Madam Speaker, he is denying the pressure on the emergency departments, he is denying the bed block, he is denying the ambulance ramping, he is denying the elective surgery wait lists. He is saying, 'Good on those stretched clinicians who are coming up with unacceptable, absurd proposition to address over-capacity protocols'. He denies that clinicians would not rather see better alternatives to handbells handed out to patients in alcoves and storage rooms across our hospital system. He says there is more money, more staff, more services, and yet this Government is clinging absurdly to a notional wage cap of 2 per cent against a rising cost of living that is clearly outstripping the potential increase in wages across the next three years. This Government does not seem to understand that public sector wages and conditions are part of the solution here.

Just today the Premier in question time was talking about a new report talking up the Tasmanian economy, so why won't he sit down with his Health minister to prioritise public sector wages to properly incentivise and reward hardworking clinicians that at the moment are regularly working overtime, not just a couple of hours here or there, but sometimes double shifts. That is downright dangerous and it does not deliver acceptable health care to Tasmanians and it is not acceptable to health clinicians who are trying to do the very best they can with limited resources. There people are not superhuman.

This Health minister does not understand that new graduates coming out of our university are entering into a competitive economy in terms of the workforce they are entering into. Any new graduates coming into the health system in Tasmania right now would realise that because every day it seems there are new headlines around the overstretched services, et cetera. Madam Speaker, what would you do? I know what I would do, and that is look elsewhere, look interstate. I would be looking to enter into a health system where I knew I had adequate supervision, adequate training

and ongoing access to support and supervision in the workplace, where I would not be required to regularly work overtime unless I occasionally wanted to. I would be looking to enter into a system where my base wage was reasonable and competitive, where my skills and experience would be recognised and I would be rewarded; where I could see a career pathway for growth and development and contribution to my community that matched my dedication and service.

This minister does not truly understand how important that is to health professionals in this state. Instead, he has clinicians desperate to be heard, desperate to be equally remunerated with their peers interstate, and he is trying to fob off people in this place with community consultation, talking with mums and dads and the like in the community. As well intentioned and important as these community forums are, and if we are to accept what the minister is saying, as well attended as they apparently are, is not the same as sitting down in a constructive, structured and well-intentioned manner to address the issues but equally the possible solutions that could be explored to tackle this health crisis.

I will recap on the main point as I see it. We have a health system that over the last five or so years, on this Health minister's watch, has been systemically and systematically underfunded to the tune of \$100 million. This minister has had no answer for that. There are independent reports to indicate that this is a serious problem, that the GST revenue received by this state is not being directed to its intended purpose in terms of properly funding the health services in this state. The health system's own annual reports are indicating a deterioration, not an improvement in health services.

We have hospitals on the highest level of escalation, we have relative lack of funding in preventative health services to tackle the significant challenges we have in this state in regard to chronic illness and the burden of preventable health issues. It is in stark contrast with an apparent plan for Tasmania to be the healthiest state in this country by 2025. Seven years is not long, Madam Speaker, and it is high time that this minister recognised he is not up to the job and that there have been and are recommendations and ideas available to him. For example, from the joint select committee on preventative health care report of 2016 there are possibilities like the healthy communities commission that was proposed by Labor in its pre-election platform. Structures like this could enable the Government to move forward in a more collaborative and consultative way, drawing on the resources that are available to it.

Instead, this minister seems desperate to cover up the truth for the people of Tasmania, to bury reports that are showing the truth in relation to the depth of the challenges in the health system and the problems with underfunding. The minister is now attempting to cover up the potential for the Premier to be found in contempt of this place if he does not hold the health round tables that were agreed to unanimously by this parliament on 17 October. Instead he is trying, through these amendments he is putting forward, to insist community consultation in an unstructured way in four or five places across this state with, where we have no idea who, was in attendance. He is trying to convince this place that is an adequate substitute.

**Time expired.**

**Mr FERGUSON** - Point of order, Madam Speaker. I want to make it very clear, as has been said four times that the Government has been misrepresented. The *Hansard* faithfully records on 17 October that the Government did not support that motion. I said -

We are not supporting this motion today, it is pure politics, nor will we be wasting the time of the House by drawing the Speaker into the debate or the vote.

**Madam SPEAKER** - It is not a point of order.

**The House divided -**

AYES 11

Ms Archer  
Mr Barnett  
Ms Courtney  
Mr Ferguson  
Mr Gutwein  
Mr Hidding  
Mr Hodgman  
Mr Jaensch  
Mrs Petrusma  
Mr Rockliff  
Mr Shelton (Teller)

NOES 11

Mr Bacon (Teller)  
Dr Broad  
Ms Butler  
Ms Dow  
Ms Haddad  
Mr O'Byrne  
Ms O'Byrne  
Ms O'Connor  
Ms Standen  
Ms White  
Dr Woodruff

PAIR

Mr Brooks

Ms Houston

**Madam SPEAKER** - The result of the division is 11 Ayes and 11 Noes. I therefore have to use a casting vote.

Given the circumstances of this debate and the strong feelings involved, I have sought an assurance from the Government that they will hold a special system roundtable forum that will be held in the first half of next year. The event will be for all of our state politicians and senior representatives of our hospitals and allied health organisations or professional bodies to attend to discuss the issues of concern re the health system. The Government has also agreed to update the parliament on outcomes of these forums at the first available opportunity.

In accordance with standing order 167, I cast my vote with the Ayes.

**Amendment agreed to.**

**Motion, as amended, agreed to.**

## **HOUSE OF ASSEMBLY RESTORATION BILL 2018 (No. 55)**

### **Second Reading**

[5.07 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens - 2R) - Madam Speaker, I move -

That the bill be now read the second time.

Discussion around reducing seats in the Tasmanian Parliament began in 1983: the same year Bob Brown entered parliament on a countback following the resignation of Democrats MP Norm Sanders. No irony there, but the Greens in this place have been an uncomfortable truth to the major parties since the first day we arrived.

In 1983 Liberal Premier Robin Gray established an advisory committee which reported the next year. The Ogilvie Report recommended against any reduction in the size of the Tasmanian Parliament.

The issue was again raised in 1993 following the breakdown of the 1989 Labor-Greens accord in 1992. Liberal Premier Ray Groom introduced a pair of linked measures. A reduction in the House of Assembly from 35 to 30 members and a 40 per cent salary increase for the remaining MPs. These issues were untied during the parliamentary process and only the 40 per cent pay rise was passed into law. Following this, in 1994, Premier Groom established a board of inquiry into the size of the Tasmanian Parliament, which reported in June 1994. The Morling Report, again, recommended against any reduction in the size of the Tasmanian House of Assembly.

The issue was again raised in 1997, one year into the Liberal-Greens minority arrangement with a defeated proposal for a referendum to reduce the size of Parliament by removing a Lower House electorate and reducing the size of the Legislative Council to 16.

Several models were floated after this point between the Liberals, ALP and Legislative Council. Eventually in 1998, the Parliament took the politically motivated and ill-advised move of reducing the numbers in the House of Assembly from 35 to 25 and the Legislative Council from 19 to 15.

The timing of all these proposals very clearly corresponds to periods when the Greens were at the height of their influence. To this day, this reform is used as an example of political collusion in political science courses. Labor and the Liberals colluded to reduce the size of Parliament in order to try to eliminate the Greens.

In fact, during the debate in 1998, the late Liberal MP Michael Hodgman, made no secret that it was his sincere wish that the Greens be eliminated. This move, as demonstrated by the fact that Dr Woodruff and I are in this place and I am standing here now reading this speech, did not work and another balance of power parliament was elected in 2010. In 2010, all three political leaders committed to restoring the House of Assembly including now Premier and then opposition leader, Will Hodgman. It was claimed to be the effects of the global financial crisis on Tasmania's budget that saw the Liberals and then Labor walk away from their commitment to the Tasmanian people and a more robust democracy. The policy backdown was also defended by pointing out that Tasmania had more politicians per capita than any other Australian state. It was quite rightly pointed out by a range of academics at the time that that is not the only relevant measure.

A minimum number of elected representatives is required in order to provide for an effective executive government, a larger pool of talent for ministries and an effective backbench to field committees. These failings have all proven to be based in reality in recent times. In 2017, in an unprecedented move, the then speaker had to be pulled from the chair to fill a vacant ministerial position and more recently the Government had only one backbench member in two budget Estimates committees, and that was the member for Lyons, Mr Hidding.

Due to these factors, we thought some more sophisticated comparative orders and a per capita assessment were required. We examined the numbers in all state or state equivalent parliaments in federal countries globally. In this research Tasmania's lower House does not perform well, with the average size of a lower house for states with a population between 400 000 and 600 000, like Tasmania's, sitting at 45 members.

Of the 75 bicameral parliaments across the globe, Tasmania has the third smallest lower house, beaten only by two states in the United States of America, the Northern Mariana Islands and American Samoa. These states have lower houses of 20 and 21 seats respectively and populations of 53 883 and 55 519 thereabouts respectively. Tasmania also has the seventh smallest combined legislature of the 75 bicameral parliaments. The six smaller legislatures include again Northern Mariana Islands and American Samoa, Chuuk, with a population of 54 595 in the Federated States of Micronesia, as well as three states in Argentina, La Rioja, with a population of 380 220, San Luis, with a population of 495 629 and Corrientes, the only bicameral state in the world to have a smaller combined legislature than us with a higher population at a bit over one million. Looking at both bicameral lower houses and unicameral parliaments, Tasmania has the 85th smallest out of 574 states.

Of the 84 parliaments smaller than ours, the Economist Intelligence Unit only classifies three as full democracies -Yukon, North West Territories and Nunavut. All of these are Canadian states and have populations under 50 000. Of the rest, 18 are flawed democracies, 12 are hybrid regimes, 32 are authoritarian regimes and 19 -

**Mr Hodgman** interjecting.

**Ms O'CONNOR** - Did you just 'hear hear' to an authoritarian regime?

**Mr Hodgman** - No.

**Ms O'CONNOR** - Okay. Of the rest, 18 are flawed democracies, 12 are hybrid regimes, 32 are authoritarian regimes and 19 are unclassified due to being micro states. Of the 72 fully democratic states, our lower House is ranked 69th in size, only larger than the three aforementioned Canadian states with populations under 50 000 and tied with the Northern Territory and ACT here in Australia, which both have smaller populations.

It is also worth noting that Australian states have more responsibilities than average state equivalents in federal models of government. In addition, Australia's constitution provides for one of the most extensive models of concurrent responsibility in the world. This means that there are fewer areas where the state has no responsibility than in many other federal countries, increasing the number of ministries required for effective administration.

The bottom line is that by any measure our parliament is a very small one. It should also be noted that even should we restore the numbers to 35, we will still be 10 seats short of the average size of state parliaments in our population range. This can hardly be argued to be too large.

The voices calling for the restoration of seats are numerous and diverse. After the 2018 election, federal politicians from all three parties, Liberal senator, Eric Abetz; Greens senator, Nick McKim; and federal Labor MP, Julie Collins, called for reforms to see an improved pool of talent for ministries with Senators Abetz and McKim, in a rare unity ticket, calling specifically for a restoration of seats.

Madam Speaker, voices in the Legislative Council have also called for a restoration of seats. This includes experienced legislators, President Jim Wilkinson, and former member of the Legislative Council, Greg Hall. Mr Wilkinson has stated:

I do not think parliament has worked as well as it did prior to 1998.

Referring to the size of the House of Assembly, Greg Hall raised the question, 'Can a government team of at least 13 sufficiently run a cabinet, parliament, and dedicate time to committee and constituent work? Can an opposition sufficiently hold the government of the day to account?'

As a house of review, the Legislative Council has some insight into both parliamentary and executive dysfunction. Constitutional Society president, Peter Chapman; award winning political journalist, Wayne Crawford; historian, Reg Watson; Tasmanian Chamber of Commerce and Industry Chief Executive, Michael Bailey; corporate governance lecturer, Tom Baxter; and political analyst, Richard Herr, have all voiced support for the restoration of numbers, as has most recently, the House of Assembly Speaker, Sue Hickey.

In the 2005 journal article in the Australasian Parliamentary Review, Richard Herr described the reduction in the seats in 1998 this way:

The Liberal Party and Australian Labor Party (ALP) combined in a bipartisan assault on the parliament itself in a misguided attempt to decrease probability of any future minority government. The stratagem the two parties adopted reduced the size of the parliament to a level that they expected would prevent third parties from holding the balance of power on the floor of the House of Assembly.

This action has totally distorted the relationship between Parliament and Government to such an extent that it is arguable the Westminster tradition itself is in jeopardy.

There is another line from the article which is still relevant today. Mr Herr says:

Despite a great deal of sophistry about cost savings and the like the driving force behind the change was an irresistible urge to secure majority party control of the Government by raising the electoral threshold for the Greens to an unachievable level.

In a climate where the overwhelming voice of commentators is in support of the restoration of numbers, this argument is still the only one being put forward as an objection. Sophistry is an accurate description.

We know that the impacts of the global financial crisis which was the rationale for the abandonment of the 2010 commitment have now subsided. A 40 per cent increase in House of Assembly costs equates to roughly \$3.7 million on 2018-19 costs. This financial year, the combined total cost of the ministerial and parliamentary support output and the House of Assembly output in the state Budget increased by \$3.37 million.

Madam Speaker, \$700 000 of these costs are additional funding provided to the office of the Leader of the Opposition and the Leader of the Tasmanian Greens. The increase in operational

funding for electorate offices of members of the House of Assembly and funding for increased lease costs for new electorate officers. The rest represents additional funding for a new ministerial office, a support for the Leader of the Government in the Legislative Council, and the increased costs of the ministerial transport services.

There is a blithe willingness to spend \$3.37 million on increased support for ministers and members of parliament, a very similar amount to the cost of 10 new seats in the House of Assembly.

We believe it is foolish to say that this is a justifiable expense yet it is not justifiable to spend a similar amount on improving community representation, increasing access to its representatives, increasing the number of ministers to allow a greater focus and oversight of portfolios; increasing the number of backbenchers to work in the electorate and staff committees; increasing the capacity of opposition parties to scrutinise government, and increasing the talent pool from which ministers can be drawn.

Anyone who argues there is no problem with the current numbers does not have the evidence on their side or they wilfully have their blinkers up, as mentioned earlier. Last term, the then Speaker had to be pulled from the chair to fill a vacant ministerial position. This term, the Government only had one backbench member in two budget Estimates committees. Whilst this provided multiple opportunities for the Greens and indeed Labor to ask more questions of ministers, ideally that is not the way a healthy committee operates where there is only one backbench member between two committees.

Since 1998 we ramped up the role of parliamentary secretaries. Prior to 1988 the only parliamentary secretary the Parliamentary Research Service could find was then Liberal MP and former Liberal leader in 1996, Bob Cheek. During the terms after 1998, when the numbers were cut, the parliament averages three parliamentary secretaries per term. It would appear that backbenchers have been increasingly co-opted for portfolio administration, further limiting the time available for quality committees and electoral work.

Many people in this place have made comments in support of the restoration of numbers. The member for Lyons, Mr Hidding, the only member during the 1998 debate still here today, has described this as the worst decision ever made. Even David Llewellyn admitted it was a mistake in the last term of the parliament. In 1998 both parties indulged in a self-interested attack on the functionality of our parliament and integrity of our Westminster system. Both parties were willing to undermine our democracy for perceived political gain. The question facing us today is are they now willing to take a political risk to restore our democracy; do they have the courage?

Madam Speaker, in many ways today is a test of whether or not the Labor or Liberal parties have changed at all in the past two decades. We certainly hope so and we will give the parties an opportunity to contribute to a meaningful public conversation about this reform. I move -

That all the words after 'that' be omitted and the following words inserted -

- (1) A Select Committee be appointed, with power to send for persons and papers and records, to inquire into and report upon:
  - (a) the House of Assembly Restoration Bill 2018 (No. 55); and
  - (b) other matters incidental thereto.

- (2) The Committee shall consist of six (6) members, being three (3) from the Government nominated by the Leader of the House, one of whom shall be the Speaker of the House; two (2) from the Opposition nominated by the Leader of the Opposition; and one (1) from the Tasmanian Greens nominated by the Leader of the Tasmanian Greens, whom shall be the Chair.
- (3) The committee report by 1 August 2019.

Madam Speaker, what we are doing here today is starting the debate on restoring democracy in the House of Assembly and restoring the numbers. We are providing all parties in this place with the opportunity to thoroughly examine the bill, to seek input from people who are experts, people in industry, the community sector and Tasmanians more broadly, and to prepare a report back to Parliament on restoration. It is my great hope that we can engage in this committee process in the spirit of goodwill and tripartisanship and present a report to the parliament that is based on the evidence and testimony of people who have submitted or presented before the committee and that ultimately this parliament will undo the damage done in 1998 to Tasmania's democracy. It is my hope that we will debate the House of Assembly Restoration Bill 2018 in 2019.

**Mr Rockliff** - What was the time frame?

**Ms O'CONNOR** - August.

[5.24 p.m.]

**Mr HODGMAN** (Franklin - Premier) - Madam Speaker, I welcome the opportunity to speak on this bill, particularly given the amendment proposed and to the amendment specifically in the context of us all having been to an election only eight months or so ago. Yet here we are in this early stage in the new term of government already debating a bill to increase the House of Assembly -

**Ms O'Connor** - Restore.

**Mr HODGMAN** - or restore, as it may be, our House of Assembly at an election that is not due until 2022. I accept it is a priority for the Greens but it is certainly not a priority issue for the Government. Our priorities are clear and well-articulated and they are the things we are focusing our time and energies on. They are principally contained within our plan that we took to the election and they are to keep our economy strong, to create more job opportunities for Tasmanians to keep our budget in strong shape, to protect against future financial shocks, to ensure that we can invest more into health, education, public safety and infrastructure, to keeping the cost of living and cost of business pressures down, and to deliver as best we can on all those commitments we took to the election under a majority Liberal government.

This has been brought to us now by the Greens in the form of this bill with an additional element to the proposal to now establish a select committee to inquire into this matter, which we support because it will allow for this matter to be properly canvassed. In our view, that could not have been done by simply bringing the bill on for resolution today. It was not something that was canvassed, certainly by the Government, during the election campaign.

**Ms O'Connor** - Like changes to gun laws?



**Mr HODGMAN** - That was.

**Dr Woodruff** - No, it wasn't. It was revealed by the Greens.

**Mr HODGMAN** - It certainly was not our position to increase or restore the size of parliament, so it is not consistent with what we took to the election and that is important. It was not canvassed more broadly during the election debate that this might occur or be moved upon so swiftly by any party, perhaps other than the Greens, as has happened, nor has it properly canvassed the implications of what it might cost to the state.

**Ms O'Connor** - We have done the costing.

**Mr HODGMAN** - It is important that those matters be taken into consideration as part of a community consultation that is forecast by the establishment of such a committee to allow for those cost implications to be fully understood and whether or not those costs can be offset in other ways, which would also be something the Tasmanian community have some interest in. I believe it would be an issue of interest to our community and the committee to consider such matters and to also seek input from the community in relation to this. A committee will allow that to be determined within what is a reasonable time frame.

**Ms O'Connor** - It is too long.

**Mr HODGMAN** - You have some time to play with. As much as I know opposition parties would hope that we might go to an election before 2022, it is not due until then and that gives sufficient time for this matter to be canvassed by the committee so constituted as the member has outlined, and for these matters and any other relevant to this debate to be considered by that parliamentary committee and reported to in due course.

On that basis I thank the member for the constructive addition, notwithstanding the fact it will not be a priority of ours. It is a matter that can run its course and we will look forward to the conclusions of the committee in due course. On that basis I confirm that we will support the amendment to the bill.

[5.29 p.m.]

**Ms WHITE** (Lyons - Leader of the Opposition) - Madam Speaker, I indicate that the Labor Party will be supporting the amendment moved by the member for Clark, Ms O'Connor, to send this bill to a select committee. We are willing to participate in this process in good faith and look forward to the information that Community Tasmania is able to share with us. We share some of the concerns made by Ms O'Connor in her contribution which was a very thoughtful, considered and well-researched contribution. I appreciate the speech you gave, Ms O'Connor.

We identified some of the problems that exist with the current makeup of the lower House in the parliament. The committee structure is not operating as effectively as it should be. I understand the member for Lyons, Mr Shelton, is on eight committees. That is an awfully big workload for somebody to carry.

**Mr Hidding** - I seem to remember you were on something like that.

**Ms WHITE** - I was also on eight committees, it is true. Mr Hidding interjects and reminds me that when we were in government from 2010 to 2014 I was on eight committees. It is a challenge

to manage it all. It means trying to be across a number of different things at once. That limits your ability to contribute to those committees to the best of your ability.

I also identify the obvious challenges with the front bench being limited by the number of members in the House. The make-up of this parliament at the moment and the make up between 2010 and 2014 demonstrates that. It can sometimes be hard to put together a front bench and a Cabinet that contains the best talent in the parliament because of the limited numbers.

There are very good arguments to be made for improving our democracy generally, improving good governance in this place, improving access to members of parliament, ensuring communities are properly represented in parliament by restoring the numbers to 35. I acknowledge all the arguments made by the member, Ms O'Connor.

The concerns we had about the bill being brought forward for debate today were that it is very close to the end of the year. This is a window of only one hour for debate, had the bill continued through the next stages rather than the member for Clark moving an amendment. I was concerned, as were my colleagues, that it did not allow the time required to debate an issue as important as this.

**Ms O'Connor** - You could have moved an extension of time.

**Ms WHITE** - I acknowledge you only have an hour for private members' time, Ms O'Connor; you do not have a lot of flexibility there.

One of the other reasons we had concern is that given the statements made by members of the Government and the Premier that they would not be supporting the bill and they therefore would not be moving to allow more time or even moving their own bill in this place to allow proper debate, it was going to be too truncated, very close to the end of the year and a bit of a rushed process. I thought that was not a good outcome for democracy either.

Moving to a committee allows for members from all sides of this House to come together to hear from the experts in this field and to talk with the people of Tasmania about what they want from us. We are elected to represent them. I have no doubt there are some who wish that we did not exist at all and that there are too many of us, as it stands. There will many in the community who think that this is a waste of time and we should be getting on with other things.

The parliament is the only place where this can be addressed. Sometimes we have to deal with these matters because there is no other forum where they can be dealt with.

I support the move for a committee. I hope we are able to come to a consensus report. That would be in the best interests of all of us here and in the interests of the parliament. I look forward to working constructively with the members on that committee, whoever they may be. Two of our members may be there. The support and direction I will give our members on that committee will be to go in with an open mind, to work constructively and to seek a consensus outcome because that will be the best outcome.

There would be nothing worse than if we had a political division over whether to restore to 35 because that would be unnecessary and create division, which would further demonstrate to the people of Tasmania that their cynical view of politicians is well held. I look forward to the progress of the committee.

[5:35 p.m.]

**Dr WOODRUFF** (Franklin) - Madam Speaker, I rise with great delight to speak to this bill which is about restoring the democracy and the good functioning of this House. It is a long time coming. The experience that we have had in Tasmania since the parliament was shrunk, particularly, in the last term of parliament, gives us ample evidence why it is past time to restore the numbers in this House. It is fundamentally a matter of shoring up our democracy and making sure that we have the best ability to confront the serious and difficult issues that ministers are required to make decisions on.

Think of the debates that we have had in this place in recent times - the issues confronting the health system, the work of the emergency services in preparing for ever-increasing climate threats, the extreme pressures in so many parts of society from housing to the need for so much better support for teachers in education. All of these issues are huge and pressing. I have not even started on dealing with climate change. Of all the issues sitting there for ministers to attend to, that crosses every portfolio. What is abundantly clear from all the debates we have had in this place is that minister after minister in portfolio after portfolio does not prioritise, for whatever reason, planning for climate change in Tasmania. That is critical work. It is clear that when a minister is responsible for three, four or five weighty portfolios, those sort of heavy, future-thinking, propositional and complicated cross-department issues are never going to rise above the day-to-day work that needs to be done. For a minister to have space in their mind and to demand the time of the people who they are responsible for leading and directing, to demand that they prioritise these huge issues, there needs to be space in a person's day to do that work. There are physical limitations to what a single person can do.

This is a question of being past time to shore up this part of the functioning of government. Anyone who has been waiting in an emergency department, or trying to get their child access to specialised education or trying to understand the best way to protect their small community in an extreme bushfire situation in the coming summer would appreciate a minister who is fully able to attend to the issues in his or her portfolio.

On a very simple level this is about creating some space for ministers to have time to do their jobs properly. We also have an issue of quality and that is not to be in any way belittling of any members in the House at the moment. But the facts are it takes time to acquire the life experience to be able to be a good minister. Not everybody comes into this place and is elected to the role to be a minister. Either it is not in their functional skill set, or it is not their life experience to take on that role, or they simply have not been in parliament for long enough to understand how to do that work effectively.

Since 2014 when the Liberals took government, we have seen a dilution of experience amongst elected members who are capable of taking on ministerial roles. Let us not forget that Paul Harriss was a member in the House. Paul Harriss was the member who had been in government - I do not know how long - but many, many years in different roles. He had much experience at different levels. Like his approach or not - not in the case of the Greens - you would have to say he had expertise, therefore some native ability to be able to take on aspects of that role. We are not particularly sorry to see that particular person not here in government.

We also had Matthew Groom resign from parliament in the last term, also a person who I am not particularly sorry to see gone from the place. The way he mismanaged the environment was difficult to watch but he definitely had credibility as a person with experience and ability to be able to take on the role as a minister. We have had two people gone from the Liberals in the last term

of government. We have had a minister who may have had the skills to be a minister, but was required to stand down, Mr Adam Brooks. We have also had a minister who was dismissed temporarily, Ms Courtney, and moved to another ministerial portfolio.

What we are seeing is that there are precious few resources on the Liberal side of House to be able to do the work of being effective ministers. I do not need to say any more. The evidence stands for itself. We need more people in this place. Given the distances in Tasmania and the responsibilities to attend to the needs of constituents, it would be a great benefit to people in Tasmania, whether they are personally aware of that or not. It would certainly provide them with more skills and expertise and more access to members to present their case and fundamentally to get a better outcome for Tasmania.

I was a little surprised by the brevity of the speeches from the Premier and from the Leader of the Opposition. I was expecting something a little bit more substantial. It is clear that we still have some reluctance to jump into this space. I expect the process of the committee will give both the Liberal and the Labor parties the opportunity to understand the evidence for the value of restoring the numbers in Tasmania in the lower House to 35. I look forward to the work of that committee and expect the findings of that committee will come in with the accumulation of knowledge and evidence that we have, which is it will be a huge benefit to the governance in Tasmania to restore the numbers in the House.

[5.44 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Speaker, I thank all who have contributed to this debate. I reiterate Dr Woodruff's concern about the brevity on the contributions from the Premier and the Leader of the Opposition, but I understand the level of caution around this issue.

**Mr Hidding** - You want everything. You have your inquiry.

**Ms O'CONNOR** - No, I understand a level of caution around this issue and what we are dealing with here has been, let us be honest, a game of chicken between the two major parties in this place, neither one wanting to jump first. I reckon if you did a spot poll of every member of this House we would all agree that the House needs to be restored.

I take on board what the Leader of the Opposition said, that this private member's time was not enough time to debate the bill. I could not agree more with Ms White, but there were options available to the House to extend the time for the debate and we would have liked to see those options being exercised, but because we are the Greens, we want this to be a cooperative, collaborative process. We believe, as the Leader of the Opposition said, there needs to be a measure of consensus about this. We have been prepared to move our position to support the establishment of a committee.

In our original thoughts on what the committee might look like we were proposing that there be two Government members, two Opposition members and one Greens member. Through a process of discussion and negotiation with the Government's side we have agreed that there be three Liberal members of the committee, two Labor members of the committee and one Green and that I will chair. I give this undertaking to the House that I will be a fair, impartial chair and seek to be inclusive, inquisitive, reasonable -

**Mr Hidding** - Oh no, not all that stuff.

**Ms O'CONNOR** - Oh no. Kumbaya.

**Mr Hidding** - Will we have to sing and all that?

**Ms O'CONNOR** - Yes, we will only hold hands at the beginning of each committee meeting. I am determined that this will be a really constructive process and now that we have moved to the point where we are agreeing that the House of Assembly should inquire into the bill and seek evidence, it is something we should all look forward to: hearing from advocates for restoration, hearing the voice of Tasmanians from all walks of life, being prepared to have people sit across the evidence table and tell us the last thing Tasmania needs is more politicians. We will hear that because arguing for more politicians is a very hard sell, let us face it, because we are all tarred with the same dirty brush. When people are thinking about politicians, very rarely in the public do people make any distinction between one colour of politician or another, much to the Greens' chagrin every now and again.

We look forward to this committee process. I was talking to Mr Hidding about this yesterday - I would love to hear from former premier, Tony Rundle. He can come in here and again try to justify what they did in 1998. I also want to hear from former Greens leader, Christine Milne, who was part of that as well. We need to be inclusive here.

**Mr Hidding** - She was not all that happy about it.

**Ms O'CONNOR** - Shock. No, and in fact I have spoken to Christine about the events of 1998 and it is fair to say they have left a scar on her - the shrinking of the parliament, the shafting of the Greens - it left a scar on Christine, that is fair to say. I want us to hear from the Tasmanian Chamber of Commerce and Industry. Let us get economist Saul Eslake in. Let us hear from Greg Hall who, after we tabled the restoration bill in the last sitting actually emailed me to say, 'Good on you, well done, the Tasmanian House of Assembly needs to be restored'. Apologies, Greg, if I have paraphrased you somewhat loosely, but that was the gist of it.

I want to also acknowledge that it has been a pleasant surprise to see the way the *Mercury* has editorialised on this issue, and that is because the editor and political journalists who sit up in this place each day as observers of the Tasmanian Parliament can see what the problem is. We can all see what the problem is. The Premier knew what the problem was when he was trying to put his Cabinet together after the election. As premier of the day, to have so few choices, it would be frustrating and disappointing, and I think for Mr Hodgman it should be a priority to have the best quality people to choose from for a Cabinet. What was that, Mr Jaensch?

**Mr Jaensch** - So few choices, but so good. Such good ministers.

**Ms O'CONNOR** - Such good ministers?

**Mr Jaensch** - Such good choices.

**Ms O'CONNOR** - Okay, but if we take that at face value, what happens if, for whatever reason, because life is complicated, fragile, precarious, politics is a dog's game, what happens the next time a minister is unable to do their job or a minister falls? That puts the premier of the day in a terrible bind.

**Mr Hidding** - No, it doesn't.

**Ms O'CONNOR** - It does not?

**Mr Hidding** - Just a bind.

**Ms O'CONNOR** - Oh, there you are, Mr Hidding, sorry.

**Mr Hidding** - Labor has the same issues.

**Ms O'CONNOR** - Labor did have the same issues and there were the first two Greens ministers in the country, but when you look back at that period between 2010 and 2014, again, even though it was a power-sharing parliament -

**Mr Hidding** - They looked at Brenton Best and ended up going for the Greens.

**Ms O'CONNOR** - The premier of the day had some quality choices in the Greens and it was a great honour to serve as a minister in the Bartlett and Giddings governments. It was an enormous honour and a privilege but imagine if the only choice the premier of the day had at that time was Brenton Best.

**Mr Hidding** - See, you're doing work of the committee now. I can see what is going on here.

**Ms O'CONNOR** - I am just having a chat and talking about things. To be really honest with you, I thought we might have had more substantive contributions from the Premier and the Leader of the Opposition.

**Mr Hidding** - The nature of an inquiry is that the substantive work happens in there. You don't stand up and make all your contributions now. You would say what do we need an inquiry for?

**Ms O'CONNOR** - Thank you, Mr Hidding, but there is a set of principles here about democracy, good governance and the quality of the talent pool that I thought we would all agree on. Whether or not you have a position on this particular legislation -

**Mr Hidding** - Haven't we just?

**Ms O'CONNOR** - Yes, maybe; I hope so.

Madam Speaker, I look forward to being part of the committee. I will finish off with a quote from your recent article in the *Examiner*. It said:

Tasmania is suffering from a smaller parliament and the onerous workloads of ministers, one of whom has six portfolios.

It is humanly impossible to represent your community at functions, meeting with constituents, and then to do the required reading to be fully across your portfolio without the help of the unelected and well-paid bureaucracy - who have become the true influences of public policy. Portfolios of the size, complexity, importance and which literally affect the lives of Tasmanians, such as health, should have one dedicated minister.

It is a huge and complex portfolio.

This article continues:

Yet, we expect our Health minister to be the Leader of the House for Government Business, Minister for Police, Fire and Emergency Management and Minister for Science and Technology.

I have seen the pictures of Mr Ferguson in his Superman outfit and clearly -

**Ms Standen** - Tell me it's not lycra.

**Ms O'CONNOR** - Truly, have you not seen the picture of him in the t-shirt because he was rescuing the Royal? While Mr Ferguson obviously has many talents and capacities, it is simply not humanly possible to be the best Health minister and carry those other workloads. I hope when we come back to debate the bill Mr Ferguson looks forward to it as an opportunity not to have to carry such an onerous workload should he be re-elected after 2022, should there be another Liberal Government after 2022 and should Mr Ferguson want to continue in the Health portfolio. There is a lot of water to go under the bridge between now and then.

Mr O'Byrne, are you okay? Just having a little cough and splutter over there.

**Mr O'Byrne** - The water was particularly cold.

**Ms O'CONNOR** - Shall I call the Health minister to give you a hand?

**Mr O'Byrne** - No, he's the last person I would send for. I don't want to get ramped so I'm fine, thanks. I'll walk my way up there.

**Ms O'CONNOR** - Madam Speaker, I am looking forward to the committee. We will get cracking pretty quickly and I do commend the bill to the House but obviously we have moved past the second reading stage and this is the end of the debate.

**Amendment agreed to.**

**Motion, as amended, agreed to.**

## **ROADS AND JETTIES AMENDMENT (MANAGEMENT OF STATE HIGHWAYS IN CITIES) BILL 2018 (No. 54)**

### **Second Reading**

**Resumed from above.**

[5.58 p.m.]

**Mr O'BYRNE** (Franklin) - Madam Speaker, as outlined in my two-minute contribution before I ran out of time I did foreshadow a couple of questions to the minister, but essentially this bill is a bandaid measure or a panic measure, another stab in the dark from this state Government in the want of a lack of a coherent infrastructure passenger transport people movement freight commuter traffic strategy for the state, particularly in the south.

We have seen - and it emerged probably about two years ago - an acute issue with traffic movement within Hobart. We saw significant issues at peak times when one or occasionally two incidents would cause significant delays for commuter traffic in the southern region of Tasmania and we saw significant impacts on business and on the running of the capital city and the good management of traffic. That is a significant issue that we all need to confront.

Again, this should not be a surprise to anyone, and previous governments need to take some level of responsibility that decisions, visions and strategies need to be put in place to resolve those things. In the decade and probably the six years leading up to the election of the Liberal Government in 2014, the Labor Government made a number of significant investments in infrastructure and freight movement strategy in Tasmania that did make a significant improvement in the traffic conditions in Hobart.

The establishment of the Brighton Rail Hub meant that significant freight movements south of Risdon Road were moved to the northern suburbs towards the Brighton Transport Hub. We built the Brighton Bypass to continue the work of previous Labor governments on the upgrade of the Midland Highway, the Kingston Bypass, the Eastern Shore upgrades from Lindisfarne across to the Rosny Interchange.

In the north of the state, significant infrastructure investment in the Dilston Highway focused on two things: the movement of freight around the state and ensuring commuter traffic in those areas where they were suffering from congestion could also benefit from investment in infrastructure.

In the 2014 election, essentially the Liberal opposition mimicked the Labor Government strategy for infrastructure for the next four years: the 10-year Midland Highway safety upgrades, an agreement between state and federal Labor under minister Albanese, significant investments in infrastructure improvements for our road network.

In Government, the Liberal Party essentially mimicked those strategies but again they were caught napping when this pinch-point of congestion in Hobart reared its head. What we saw was obfuscation, delays and the establishment of committees. It exposed the lack of vision and the lack of a strategic approach to traffic management by this Government.

For the two years in the lead-up to the election this year, we effectively saw no investment, no strategy that could improve the situation or an announcement of anything coherent that would deal with the challenges facing traffic in the south of the state.

In the election campaign we saw glossy announcements of an underground bus mall. We heard an underground bus mall is the key strategy to resolve congestion in the south of the state. We found out during the Estimates, that there had been no work done on that bus mall. We also found that it probably was not going to be underground. That is was going to be at grade.

Let us be clear about that. The previous minister, and he is in the House and he would expect me to engage in a robust debate and we will, effectively mimicked the Labor policy on infrastructure. When the problem and the challenge of traffic in the south came out, as minister you did nothing and then announced an underground bus mall that you had not done any work on. After the election, he said, 'There probably will not be an underground bus mall. It is only an idea, we will work on it.' In the election you announced a fifth lane on the Southern Outlet. After the election



we found that it is not a fifth lane on the Southern Outlet - there is a study on a tidal flow for a bus lane.

**Mr Hidding** - For a fifth lane. Lane number 5. What does that mean to you?

**Mr O'BYRNE** - That in itself is not necessarily a problem. You claim there was going to be a fifth lane to resolve congestion on the Southern Outlet.

**Mr Hidding** - To put buses on it.

**Mr O'BYRNE** - In the lead-up to the election your announcement was a fifth lane.

**Mr Hidding** - Yes.

**Mr O'BYRNE** - But then we found out it was not a fifth lane for traffic, it was a fifth lane purely for a tidal flow.

**Mr Hidding** - So buses are not traffic?

**Mr O'BYRNE** - The way you announced it was here is an extra lane but you are failing to deal with the issue on the Southern Outlet and that is the Macquarie, Davey and Southern Outlet interchange across those two couplets. That is a significant problem.

Essentially, without a commensurate investment in public transport infrastructure and public transport capacity, having an extra lane - because there already is a bus lane on the Southern Outlet, Mr Hidding. We saw also a thought bubble idea of ferries. Again, through RTIs, we have discovered that no work was done by you in government to actually come up with a strategy around ferries. We see that was the announcement; here are some ideas that we might look at. Out of the mouth of your own head of Infrastructure Tasmania, at a forum, said that we may or may not have a bus mall, we may or may not have light rail into the northern suburbs, we may or may not have a fifth lane for buses on the southern outlet; these are just ideas.

Throwing out thought bubble ideas is not a strategy for resolving traffic issues in Hobart. It has taken the RACT to start showing some leadership in this debate, to actually do the work with all of the resources of the RACT. They are doing the work of government because you are not doing it. They are hosting events, bringing in people and ideas and experts to think about strategies to resolve traffic congestion in the south of the state. That is the role of government and government should be leading that and working with organisations like the RACT but should not be waiting over two and a half to three years for these things to occur. You have been asleep at the wheel and these things have done enormous damage to the economy in the south and have caused enormous inconvenience to traffic around the south.

**Mr Hidding** - The economy in the south has been damaged has it?

**Mr O'BYRNE** - It has been damaged when people are stuck in cars trying to get across. You are laughing, Mr Hidding. This is a very serious debate. You have massive congestion on your watch and it has been happening for more than two years. Your response as a minister was to start, 'We think it is okay, we will have a committee'. You are in government and had the chance to make decisions and you did not do it. You did not start to do the work. We know, and having been in government, there are many ideas that have been around for many years for dealing with this.

However, you have chosen not to act on that. You started a committee and you waited until the election: you threw out a couple of though bubble ideas that are now going nowhere.

It damages the economy when you have people, freight traffic, commuter traffic, workers caught in traffic for over an hour trying to get half a dozen blocks across the city. It impacts on the community.

The only coherent policy out of this Liberal government is essentially mimicking the work that Labor did in government. I remember the Minister for Infrastructure saying we are in the fifth year of our fantastic 10-year Midlands Highway strategy. If you count back, we started that strategy, it was our strategy. It was not the fifth year of your strategy; it was the fifth year of our strategy. That is the only strategy you have. For industry, for commuters, for people in Tasmania, suffering from traffic congestion and industry trying to get their freight around the south of the state, this is serious stuff.

**Members** interjecting.

**Madam SPEAKER** - Order.

**Mr O'BYRNE** - With Labor in government there was significant investment in infrastructure. The member for Lyons laughs. The Brighton transport hub was not a significant investment? The Brighton bypass was not a significant investment? The only thing that you can potentially hang your hat on is the Bridgewater bridge and you are still yet to complete the business plan for that. The federal government had to come out and save you from yourselves by announcing a commitment to it. You have not even finished a business case for it. You have had five years in government. Get a wriggle on and have a crack at it. It is the only thing you can say that you have achieved. It is federal government funding and they saved you from yourselves. Name one other initiative on infrastructure, one other infrastructure investment, that you have made that was not already in the can.

**Mr Bacon** - The new bridge. How is that going? How is the business case?

**Mr O'BYRNE** - The new bridge, that is right, is going really well for them. We support this legislation. It is a decent measure but it is remarkable that this is the cornerstone of your strategy. We are going to take over a couple of roads and put in a clearway. Seriously? You have had four and a half years in government. You knew this was a looming issue, particularly for the capital, but for the state generally. You have a bus mall that is no longer to be underground and that may not be built. You have a fifth lane when effectively there is already a bus lane on the Southern Outlet. You have ferries that probably will not see the light of day. They are clearly not committed to it. No investment in any public transport.

In terms of this legislation, we have a couple of questions about the infrastructure. We understand the powers that need to be clarified. You need to have authority to tow vehicles in clearways; that is important, but could you explain to the House how that would work and who would conduct that activity?

**Mr Rockliff** - The towing of the vehicles?

**Mr O'BYRNE** - The towing of the vehicles and time frames. Talk through the process and how that would play out.

We have received correspondence from business people and residents on Macquarie and Davey streets who are concerned about the use of clearways. Also, some businesses are saying they will potentially lose business. Is there compensation? I raised these matters with you at Estimates. Given the bill is now in the House and will have effect, those people deserve an explanation on their businesses and their residences and access to their properties for those who do not have off-street car parking.

Regarding maintenance and coordination, the Hobart City Council has responsibility for roadworks on their roads within the CBD. What are the arrangements to ensure that there is coordination if there is any maintenance or any work that is done on the state roads in context of any roadworks that may happen on council roads? We know at the moment, the nature of the choke points in the Hobart CBD is that if there is uncoordinated maintenance or upgrades, it causes significant snarls in the network.

In the context of Macquarie and Davey streets, could you explain the prioritisation of emergency service vehicles in terms of the timing and access to the lights from Campbell Street onto Macquarie and or Davey? I know there is a prioritisation there. That also has an impact on the other parts of the network. Could you explain the current thinking about why it happens, how it happens, and whether it can be improved with respect to Macquarie and Davey streets particularly in Hobart? In Launceston, Wellington and Bathurst streets have similar issues but are slightly different.

Regarding the clear lanes, it would be important for the people of Tasmania to know where they will start and finish, and for what times. I am assuming the clear lanes would not be for the entire length of those four streets. It is important to understand at what times they will begin in the morning and afternoon and how far along those roads they would they be.

In support of the bill, our view is the Government needs to lift its game on this. Having one-off measures in the short term may alleviate a certain percentage of issues but there are bigger challenges for moving traffic, particularly in Hobart at the moment.

I was at the RACT forum and I know you were also, minister. There were a number of ideas and suggestions. Some were better than others and we all would agree on that. I am concerned when people say that it works in Brisbane or London or New York so we should implement it here. Every city is unique and has unique challenges. Also, there are cultural differences in terms of people's choices when they make decisions on how they move around a city.

In supporting the bill, we call on the Government to finally have a vision and a plan after four-and-a-half years of snoozing.

[6.15 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Speaker, we will support the Roads and Jetties Amendment (Management of State Highways in Cities) Bill 2018 but we do so with a very profound sense of ho hum.

We are not talking here about a profound change that will necessarily ease congestion and progress that transition of our beautiful capital city, but also Launceston to be a 21st century city. We recognise that this bill would transfer to state government from local government the sections of Davey and Macquarie streets that link between the Tasman Highway and the Southern Outlet,

and in Launceston the sections of Wellington and Bathurst streets that link between the Midland and East Tamar highways.

In listening to the second reading speech the minister gave earlier and rereading it again now, there is no answer as to why the state should have authority over those roads. We agree with you that the state should have the capacity to make sure that our major feeder roads are not contributing unnecessarily to congestion, but there has been no explanation for why the state would wish to do that. That goes to a depressing lack of vision in the area of transport, public transport, urban design, liveability, amenity and being a city of the future.

Many people in this place would have travelled at some point in their life. I have had the great good luck to go Portland, Oregon, which is regarded as one of the world's most liveable cities. It is nowhere near as beautiful as Hobart but it is a great city. One of the reasons that Portland is so liveable is that it is a city that has been designed with people in mind. One of the most important things that the local authority in Portland did about 25 years ago was instead of building a new bypass and highway extension, they decided to invest in a free tram in the city of Portland. The tram is called the Max - Metropolitan Area Express. You can hop on the Max in the greater city area of Portland all free and travel around any part of that excellent city. The one thing you do not see in the heart of Portland city is cars. They have gone from the heart of the city because people do not need to bring their cars into the city. They can park outside of the city and hop on the Max. They do not have to pay anything and they can get to wherever they need to be in that city.

We talked to the Mayor of Portland who explained that at the time the decision was made to invest in public transport all the doubters said - in a nation that passionately loves its cars - 'It will never work. They will never use it. It will be too expensive'. The Max has paid for itself over and over and over again because the government has avoided having to spend money on more roads and maintenance. The beautiful thing about the Max is that any time you hop on, there are a whole heap of people, whether they be locals or visitors, travelling around the city. It is the same when you go to European cities. The transport options in European cities point to older cities and you have had more time to move towards modernity than we have here.

One of my favourite cities in the whole world is Amsterdam. In Amsterdam you can get on a tram, you can catch a bike, you can walk. You see in Amsterdam the pathways where people are riding their bikes alongside trams, the pedestrians are weaving in and out, but it works. There are buses as well, of course, and it works.

There is a chaos in Amsterdam at first sight, but it is a highly coordinated, very Dutch way - Mr Hidding is not here to affirm this - of moving large numbers of people around that beautiful old city. In some ways Amsterdam has attributes Hobart has in that the city of Amsterdam itself is quite confined. There are not a lot of changes that you can make in the fabric of the city of Amsterdam, just as Hobart is hemmed on one side by the beautiful kunanyi and on the other side by the River Derwent, and that creates constraints to growth. It requires of us different ways of thinking about our city as we move into the twenty-first century. When you travel to other parts of the world you see one of the things, particularly in Europe, that people designers of cities did differently as they went for medium density, and this is a conversation that we are going to have to have for Hobart. We cannot continue to grow ever outwards. We cannot continue to go up Tolmans Hill, Mt Nelson, up over onto the eastern shore hills, up and up.

**Mr Shelton** - You could go higher.

**Ms O'CONNOR** - Yes, that is what I am saying, Mr Shelton. Rather than letting our city just continue to spread out, we need to embrace medium-density housing. We are going to have to do it because there is no question that more and more people want to come and live in our city.

**Mr Bacon** - Along the railway. Just help them.

**Ms O'CONNOR** - Sure. Help them?

**Mr Bacon** - Yes, that is what I mean.

**Ms O'CONNOR** - I am trying to help them right now through my contribution, Mr Bacon. I would like to think that as an intelligent and quite evolved minister in his own way, that Mr Jaensch understands the need for quality medium-density housing. Not just any old housing slapped up, not the cheapest build, but something that actually does our city justice and makes people feel proud to live in as part of a community.

**Mr Bacon** - Hear, hear.

**Ms O'CONNOR** - Are you actually agreeing with me?

**Mr Bacon** - Yes, I think this is right. You have to build public housing that people should be proud to live in.

**Ms O'CONNOR** - Yes, that is right - designed.

**Mr Bacon** - Otherwise how do they feel valued?

**Ms O'CONNOR** - Exactly right, Mr Bacon. The human eye goes towards balance and beauty. We have an innate sense of aesthetic but our surroundings also influence our wellbeing, our mental health, our ability to go out into the world, learn and work, and we must be thinking about not just the number of houses but the quality of those homes. You do not necessarily have to spend much more money to have a quality house that any person would be proud to walk into and leave in the morning to get a good social outcome.

**Mr Bacon** - And you want it in a location that is central to services; you don't want everyone living on the outskirts.

**Ms O'CONNOR** - Thank you for your very helpful interjection there, Mr Bacon; that is true. In the past urban planners put housing developments far away from city services. There has been a move towards more integrated housing and creating mixed communities. I was a bit disappointed yesterday to see housing supply orders only delivering land among some areas that are not close to the cities and as minister you need to be actively looking for infill opportunities closer to the city. For example, imagine what you could do with all those carparks along Argyle Street.

**Mr Jaensch** - There are a lot more orders coming.

**Ms O'CONNOR** - Okay. First of all, Mr Jaensch, it needs to be sustainable. There needs to be a set of liveability standards applied to new housing developments. The ones that we developed under the State Architect back in 2010-11 when I was housing minister are still a template for making sure that we are creating communities that contribute to human safety and wellbeing. You

need to make sure we are not just slapping up houses, Mr Jaensch, because that is part of the problems of the past and it can entrench socioeconomic disadvantage, marginalisation and poor health and wellbeing outcomes.

The question I would like to ask the minister is, when you say, 'The amendments in the bill before the House will facilitate these transfers and the effective management of the roads post transfer', what does that mean? What will change on Macquarie and Davey streets and Wellington and Bathurst streets as the result of having a new owner of those roads? What was that, Mr O'Byrne?

**Mr O'Byrne** - I was being light-hearted that the minister would be stop-go about it, making sure - 'Hey, you, move along; you, stop it'. I was being a bit facetious; I apologise.

**Ms O'CONNOR** - That is all right. I thought I would let you lay that interjection on the record. Let us not get personal. We are trying to have a meaningful debate about the future of Tasmania.

In January and February 2016, the reality of the growth of our city and the underinvestment in public, passenger and pedestrian transport came home in the most confronting way to those of us who live in this great city of Hobart. We experienced congestion the likes of which our capital has never seen and that was nearly three years ago, yet here we are and all we have from the Government so far is the acquisition of two of the feeder roads.

Before I wind up, I acknowledge the initiative of the RACT in working across the community and across parties with all interested stakeholders on developing a Greater Hobart mobility vision.

**Mr O'Byrne** - It's almost like you're doing it because there's a vacuum of leadership from the state Government.

**Ms O'CONNOR** - You might say that, Mr O'Byrne, and I might say that too, and in a frank moment, maybe some of the people at the RACT who have initiated that might say that too. If we can move past that and thank the RACT for helping us as a parliament to debate these issues, I believe the options put forward or the discussions points from the RACT are very worthy. I attended the seminar at the university the other night and will very briefly run through the five scenarios that were put forward at that forum.

Scenario 1 is predict and provide. That is where we are now with this Government. This is a business-as-usual scenario for Greater Hobart with a 'predict and provide' approach to roads and parking. Point 1 is infrastructure projects focusing on pinch points as they arise, which is what this bill is dealing with. Land use planning - continue to allow housing developments in outlying suburbs, such as Sorell, Brighton and Kingborough municipalities. Public transport - some investment in public transport measures designed to make immediate impacts; for example, free fares before 7 a.m. Active transport - some investment in active transport development including inner-city bicycle lanes and wider footpaths for pedestrians generally considered during new road projects. That is the business-as-usual model which I believe we are largely in at the moment, regrettably, although I know there are some shifts within the departments.

Scenario 2 is build. Scenario 2 supports large scale investment in road infrastructure to alleviate congestion. That in part is where we are where the biggest infrastructure spend in the budget is road, road and more roads and there is very little allocated towards cycling, pedestrian and public transport.

Scenario 3 is where we need to be now and in some ways we are getting there, and that is mode shift. Scenario 3 encourages a mode shift to public and active transport. Infrastructure is retrofitted to support a mode shift; for example, the conversion of road and parking space as prioritisation treatments. Some car parks and parking stations could be moved to the fringe of the CBD. This scenario makes a very important point about a critical missing link in planning for Tasmania's future and it was an issue raised at the forum the other night by Anna Lythe, a transport specialist and sustainable cities expert, from RED Sustainability Consultants in Hobart. Anna Lythe was also a member of the Climate Action Council when I was the minister for climate change. What we need is the development of a settlement strategy that focuses on more compact urban development, densification and infill that concentrates development in city areas and around public transport.

Scenario four is the overhaul. It is an overhaul of mobility in the Greater Hobart area to convert road infrastructure into shared spaces in strategic CBD and local locations. Large sections of the CBD are converted to shared mixed use zones. There are extensive rapid transit services focusing on key passenger routes, for example airport, hospitals and university. A focus on first and last mile network to connect to transit utilising low zero emissions and autonomous vehicles. That is a bit like Portland, Oregon. High integration with active transport options, prioritisation of public transit and/or multiple occupancy vehicles throughout the network.

Urban planning: development of a settlement strategy that requires high density infill housing within the inner city. Tighter regulation of greenfield development, a programmed decentralisation of appropriate industry, services and attractions. That is to create the hub and spokes model where -

**Mr Rockliff** - Get the bill through tomorrow, Cassy, and we will get straight onto it.

**Ms O'CONNOR** - Thank you, minister. And an incentivised redevelopment of detached housing, subdivisions and the CBD carparks to mixed use urban villages.

Scenario five is a scenario that we are actually almost on the cusp of in part, I hope. That is the river city. It converts Hobart into a water-centred city with a heavy reliance on the River Derwent as the primary means of mobility. Infrastructure investment around ferry terminals, access to and from these spaces is needed. Development of a settlement strategy that promotes growth in areas serviced by the ferry network. Establish an extensive ferry network servicing population centres throughout the greater Hobart area.

That would be a clean energy, carbon neutral over time vision for the city of Hobart. I acknowledge the minister seems to be a passionate advocate for ferries on the River Derwent. As I understand it, it is now Government policy to deliver ferries on the River Derwent and what a great day that would be when we can get to and from work, or to see friend, or to school or to TAFE on a ferry, then a bus, then walk on good pedestrian footpaths to where we need to be.

I hope over time we can continue to have a meaningful conversation about the kind of city, both north and south - Hobart and Launceston - that we want to hand on to our children and our grandchildren and the many people who will come to live in Tasmania over coming decades. We know that Tasmania is going to be a place that people want to live, from interstate and overseas. Who can blame them. It is the most beautiful, safe little place in the world. It is a jewel and we need to plan for that growth. We need to plan for it so we protect the things that we love about this place.

[6.33 p.m.]

**Mr ROCKLIFF** (Braddon - Minister for Infrastructure) - Madam Speaker, I thank members for their contributions this evening and thank them for the support of the bill. There were a few matters discussed outside the realms of the bill. I will cover the matters pertaining to the bill. As a government we have done a considerable amount of work over the course of the last four and a half years. It does come to infrastructure in Tasmania and this has been highlighted by the fact that the planned pipeline of works for infrastructure that we released a few months ago, some \$14 billion of public and private investment across all areas of infrastructure. That is \$8 billion worth of public infrastructure including schools, hospitals, roads and bridges.

This complements the 10-year plan of pipeline of works and to disagree with the member for Franklin and his assessment of the lack of vision from the Government, we are embarking on a 30-year infrastructure strategy which I expect to have completed towards the end of the year or early next year for public discussion. That ties into a lot of the discussion that was had the other night at the RACT forum at which I acknowledge Mr O'Byrne and Ms O'Connor were present, as were a number of people from the Department of State Growth and quite a crowd of people. It was good to see. I emailed the RACT following the event and thanked them very much for the forum and the way the five scenarios were presented. It was a good presentation because the five scenarios were quite different which allowed you to make a judgment of how not one single scenario would be effective necessarily, but a combination of at least three of the five I can see how that would work.

I welcome the work and engagement of the RACT in this matter, because it is very much of core interest to their membership. In many respects the work that they are doing is complementing, adding value and building on the vision that has already been put forward by the state Government.

**Ms O'Connor** - What vision is that?

**Mr ROCKLIFF** - We recognise the fact that over the last few years, when it comes to southern Tasmania, there have been challenges with traffic congestion. Yes, you might say culminating in the last couple of years.

As was highlighted at the forum the other evening and the previous minister for Infrastructure did at least accept some responsibility of previous governments here, they mentioned that really the problems we are experiencing now, we should have been far more engaged a decade ago in planning for what has been considerable growth and will continue to be considerable growth as people continue to want to live, work and raise a family or retire in Tasmania and southern Tasmania. Wherever you are and why wouldn't you?

**Ms O'Connor** - Who could blame them?

**Mr ROCKLIFF** - And who could blame them. Hobart in that sense, and our major urban areas around the state will change. We do not want them to change to the extent they no longer become attractive, which is one of the challenges we have when it comes to urban infrastructure design.

Nevertheless, when it comes to one of the main reasons why we are discussing this bill today, and that is easing congestion in southern Tasmania and the Greater Hobart traffic solution. That is some \$73.5 million of investment and that is a considerable investment coming down the pipeline.



It is not only one issue that we are addressing now in isolation but a number of areas of which the Government, working with the department and the community, local government, federal government even when it comes to the Hobart City Deal which will be very exciting when that is presented to the community and comes to fruition.

Taking over the Hobart couplet of Macquarie and Davey streets and implementing improvements to traffic flows and priority bus lanes is one aspect. Building a fifth lane on the Southern Outlet to provide a reversible flow lane for passenger transport and emergency vehicles on the highway between Mt Nelson and Davey Street is another aspect.

Other aspects include: working with the Hobart and Glenorchy city councils to create bus priority measures on Main Road, Campbell, Argyle, Elizabeth and Harrington streets and the Brooker Highway; establishing a Derwent River ferry service through working with TasPorts and Metro to provide infrastructure and implementing enabling legislative changes; establishing a traffic incident response team to ensure rapid response to peak hour traffic incidents within the Hobart City network; delivering improvements to inner-city transport access points through improvements to traffic signals and lane management, particularly on the Tasman Bridge and Macquarie and Davey streets intersections and the Railway Roundabout; as well as through adopting more advanced traffic monitoring and management technologies; providing grants up to 50 per cent of the cost of active transport and cycling infrastructure in partnership with southern councils; advancing the Northern Suburbs Passenger Transit Project through accelerating negotiations with the Australian Government; planning for an underground bus transit centre; and establishing a new expert panel to analyse the costs, benefits and timing for future traffic network investments.

I reject the criticism around public transport because the fact that we are investing \$30 million into 100 new Metro buses I hope would be an example of our commitment to public transport. That is a significant investment.

**Ms O'Connor** - It's not 100 extra buses, though.

**Mr ROCKLIFF** - It is terrific that they are being built in north-west Tasmania. I have been to Wynyard where they are being built and assembled and have welcomed new buses on the network, most recently in Launceston.

I will try to address some of the questions that members raised and they can remind me if I need reminding of the particular questions.

The member for Franklin asked about tow-away powers. Large parts of the urban road network operate close to capacity during peak commuter traffic periods. As I am sure members would appreciate, just one illegally parked vehicle can cause substantial queueing and delays in multiple lanes on an arterial route. While the owner of the vehicle can be fined, this does nothing to address the immediate congestion being caused. Giving the road authority the power to tow away the vehicle will enable them to effectively resolve the problem in the most responsive way. This approach has been adopted by mainland jurisdictions and the powers contained in the bill mirror those that already operate on Victorian roads.

There is some work to be completed here, quite clearly, exactly how this will take effect. In terms of where the towed vehicles will be taken, the details of how the scheme will operate have not yet been finalised. Illegally parked vehicles might be taken to a central point or they might

simply be moved to a nearby location where they are not creating congestion. Clearly extensive stakeholder engagement and communication will be undertaken before the powers are exercised.

**Mr O'Byrne** - The powers are exercised by?

**Mr ROCKLIFF** - The department, and my advice is that tow trucks will be contracted to provide this service. That is the information I have to hand.

**Mr O'Byrne** - Will you let people know about if they have five minutes or 10 minutes if they are running late or whatever?

**Mr ROCKLIFF** - That will all be taken into account. Extensive consultation is important, which brings me to the next question around clearways. That also has to be very well consulted. I also have had feedback from local businesses in particular on Macquarie and Davey streets. I recently met with a proprietor of a business in Macquarie Street who does not want particular changes to impact on his business. I gave the person a very clear commitment that there will be extensive consultation. We do not want to make changes that will negatively affect businesses. I am sure we can work through where the clearways are, times and a number of other matters that we need to sort through.

**Mr O'Byrne** - There will be an impact, though; a clearway is a clearway. They will lose parking access.

**Mr ROCKLIFF** - There will be changes but we want to minimise any impacts as much as possible. Traffic congestion can also have a negative impact on a business in both those streets as well. We would like to minimise any particular impact on a particular business but there is considerable consultation to go, clearly. I have given that commitment to an individual I met with very recently and I give that commitment more broadly to the community as well. Did I answer all of your questions?

**Ms O'Connor** - Do you think that answers the question about what exactly might change on Macquarie and Davey and what the rationale is for acquiring them?

**Mr ROCKLIFF** - The rationale is that we have a challenge around congestion and we felt as a state government that the changes we are making now is the best way to facilitate change to ease that congestion. Hobart City Council is a key stakeholder in this as well, which we will continue to consult with, but by the state Government taking control and being able to make some very clear decisions, and probably having also the resources to consult with businesses in, say, for example, Macquarie and Davey streets -

**Mr O'Byrne** - It's a bit thin.

**Mr ROCKLIFF** - We are focused on southern Tasmania but Bathurst and Wellington are included as examples here. We believe very clearly that with this action and this bill the state Government can be very effective in facilitating change to alleviate congestion.

**Mr O'Byrne** - Councils are ineffective, then, by that inference?

**Mr ROCKLIFF** - No, I was very mindful of my words. I am not criticising the Hobart City Council. We just believe that we would have the resources of the Department of State Growth to

action a number of areas that the Hobart City Council might not be able to do as effectively, given their other responsibilities more locally.

I welcome members' support for the bill and will take the comments more broadly into consideration. I want to welcome the discussion on infrastructure over the course of this debate and I welcome the discussion on my role. In the last six or so months I paid tribute to my predecessor for setting this in train -

**Mr O'Byrne** - I asked a question and you may have said it is to be worked out, but whereabouts are the clear lanes being looked at?

**Mr ROCKLIFF** - You did ask that question and my answer is the same. As to how long the clearways are and where they are, that still needs to be worked through.

**Mr O'Byrne** - You should be happy we did not even touch on parking meters in Hobart, so I will move on.

**Mr ROCKLIFF** - I can talk about parking meters but I can give the member a further briefing if he would like.

Madam Speaker, I will leave my comments there. I thank members for their support of the legislation.

**Bill read the second time.**

**Bill read the third time.**

### **CORRECTIONS AMENDMENT BILL 2018 (No. 33)**

### **AUSTRALIAN CRIME COMMISSION LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2018 (No. 31)**

### **FAMILY VIOLENCE REFORMS BILL 2018 (No. 39)**

Bills returned from the Legislative Council without amendment.

### **ADJOURNMENT**

**Mr ROCKLIFF** (Braddon - Deputy Premier) - Madam Speaker, I move -

That the House do now adjourn.

### **Access to Reproductive Health Services**

[6.51 p.m.]

**Ms O'BYRNE** (Bass) - Madam Speaker, the Leader of Government Business's management skills are to the fore again. He still no idea what he is doing in this House. It has been a bit of a shocker of a week for him because he cannot seem to manage anything, can he?

However, one thing he has managed to do is completely undermine the reproductive rights of women in Tasmania. Today marks the 5th anniversary of the passing of the Reproductive Health (Access to Terminations) Bill 2013.

I thank those people who worked so hard on the bill because many of them have found the last 12 months particularly difficult. They work very hard to ensure access to terminations and this Government has worked very hard to undermine every single aspect of that that it can. I wanted to pass on my thanks to a number of people - Glenys Flower, Susan Fahey, Georgie Ibbott, Glenn Campbell, Ingrid Van Der Mei, Jenny Ejlak, Georgia Allen, Jamila Fontana, Alex West, Jo Wainer, Sally Cockburn, Caroline Da Costa, the late Joan Kirner and the late Jade Barker.

There are a number of staff in the department whom I would also like to thank but some of them still work there. As we have seen from the media and in debate in this House, we have a particularly vindictive Minister for Health so I am afraid that commending them for their work would actually do them no favours with this minister. I hope that they will take that as an acknowledgement of the work that they have done for me and the level of protection.

I also thank my former advisor in this area who worked so hard on the bill, Lesley French, who did an amazing amount of work.

What has been really very sad is to see so much of that work undermined by this Government, but what has been quite heartening has been the really exciting new women who have stepped forward into the campaign. Thousands of people across the state have engaged in a campaign to ensure access to reproductive rights. I particularly want to talk about two women, Jess Ferguson and Holly Ewin, who set up the Not Overreacting campaign group. They have done some phenomenal work. For somebody who has been campaigning for this for more than half my life, it is wonderful to see young women stepping forward.

It is however heartbreaking to see that they have to step forward. It is 2018 and women still cannot access a legal service and the element that they can access in Tasmania is not affordable. It is certainly not being provided accessibly for women in regional areas or women with not much money. I am sorry they have to do that.

Turning to the Not Overreacting campaign, more than 1000 people each signed a little pink uterus, sending a message to this Government about access to services. It is not a petition that would qualify in any way for the normal standards of this House and not even as a non-qualifying petition could it be there, but I want to read some of them to give a bit of an idea.

I am trying not to use this as a prop in recognition of the rules on props, but we do have more than 1000 signed uterususes. I have some that I do wish to read. When these uterususes were presented, the Minister for Health and the Premier both failed to attend so that message from these people was not heard. I would like to make sure that their message is heard today. Some of the messages will not surprise you. There were a lot of calls for Mr Ferguson to resign. They are probably not the only campaign to be calling for that. Some of the other messages:

My body, my choice. A woman's right to her own body has nothing to do with men.

Not everyone is well enough off financially.

Be fair, be real, keep fighting.

Freedom of choice and equity of access.

The whole point of the right choice is having a choice.  
It is sad that freedom to express choice has been compromised.  
I am enraged. My body is none of your business.  
This is archaic.

A nurse wrote on one of the uteruses, 'I have been campaigning for this since 1972.' Our apologies to her.

'Mr Ferguson, this is 2018. Minister, this is a health issue' from a 93-year-old.

We are just off the day when we paid tribute to some of our older members of the community.

We didn't go to war to be dictated to like this

A UK Australian citizen who said that they thought the NHS was bad but 'this is regressive and a disgrace.'

'This is some *Handmaid's-Tale*-level baloney,' was one of the comments.

Special messages to the minister -

Your ideology has no place in this debate and you have not right to determine the futures of Tasmanian women.  
Liberals betray woman.  
# never going back.  
No uterus, no opinion.  
Available for all, not just those who can afford it. Get your rosaries off my ovaries.

Which has been one of the more constant campaign messages over the years.

This one is particularly moving and goes to the significance of this service to many women -

I would have been dead if I had not been able to access an affordable and safe termination. Walk a day in my shoes, minister.'

I am incredibly inspired by the work of these women. I am also incredibly saddened that they still have to do this. It is 2018. We do have laws that allow access to services but we have a minister who, at every single opportunity, has undermined that service. Even in delivering on his commitment to this parliament, he has let Tasmanian women down. It is not affordable; it is not a statewide access system and, in its interim stage, could put women in some risk.

I am tired of having to have this same argument but there is not a woman who has participated in this campaign who will not keep fighting for women's rights and women's agency because we know it is not just about access to terminations. We look at the increasing rates of violence against women. If you track the reasons society permits and causes such violence to occur, it is because we deny women agency. They do not have the right to make a decision on this. They do not have the right to decide on other things. Those are the exact attitudes that leads to women being hurt and killed in our community. Shame on this minister, shame on this Government.

## National Diabetes Day

[6.57 p.m.]

**Ms BUTLER** (Lyons) - Madam Speaker, tonight I rise to speak on the adjournment about National Diabetes Day and as the co-chair of the Parliamentary Friends of Diabetes, I was delighted to both attend and present awards at the World Diabetes Day, Kelly and Victory Medal awards on Wednesday, 14 November at the Bellerive Yacht Club. My colleagues and good friends, Jo Siejka, MLC, member for Pembroke, and Alison Standen, MP, member for Franklin, were also in attendance.

Tasmania has a high proportion of people with diabetes with an estimated 5 per cent of the population diagnosed with either type 1 or type 2 diabetes. There is an estimated 1.7 million people living in Australia who are diagnosed with diabetes. I believe that number of people is a lot more. These are the people who have been diagnosed and recorded. It is a silent epidemic. That is one way a lot of medical practitioners are referring to the problem we have with diabetes in our society now.

The awards which were provided at that national day were given to people living with diabetes as well as their carers and people who have contributed to people within that area. Tim Smith, who is the event director of the School Triathlon Challenge received a community ambassador award for his hard work in and dedication to building a healthier generation by encouraging students to be involved in the School Triathlon Challenge. These are tremendous events, attended by hundreds of Tasmanians. There are two now; one in Devonport and one in the south. Literally hundreds of students from around Tasmania attend. I will digress and advise that the School Challenge for 2018 in the south was actually cancelled yesterday due to a poor forecast of severe weather, so just a note there for anybody who has children who will be attending. It is cancelled but Devonport will proceed.

That challenge is just another indication of the work the people involved with Diabetes Tasmania put into raising awareness; it is very important. I found the awards presentation to be quite a humbling experience and was surprised by the complete lack of inhibition of the recipients, some of whom have lived with diabetes for over 60 years. There was one man who received an award who had just kayaked the coast of Italy and done amazing bike rides. He is an avid sailor and a great example of the terrific life you can lead if you have diabetes under control.

I congratulate some of the recipients, including Mr Steven Weeding and Rosemary Ryan, a nurse. She was a trailblazer, one of the original nurses in the 1970s who were told that they could not practise nursing because of their diabetes. She had to really fight for recognition to be able to even work as a nurse and she has continued her work since then. I believe she has recently retired but she is a very strong advocate and she received an award of recognition for her strong work with diabetes. There was also her carer, Richard Hooper, who was also given an award. There was a young lad named Charles who received an award for caring for his grandfather, Richard Howell. I was quite taken with some of the families.

The sharing of information these people would provide was amazing, and there is something I will come back to the House with when I have more time to speak about it. It is to do with a lady who has a smart phone which is linked through to an alarm of sorts. It is called a FreeStyle Libre flash glucose monitoring system, which is automated and checks people's glucose levels as they sleep. Many people with strong diabetes find it difficult to relax and sleep at night because they are concerned they might not wake up. This smart phone sets an alarm which wakes them up and lets

them know. These are amazing technologies and I will be coming back to the House at some time to talk about government subsidies for monitoring systems like this. There is a subsidy for people under 21 but there is not much subsidy for people over 21 at the moment. It is certainly something we could do or lobby for to improve the lives of Tasmanians.

### **Huon Show**

#### **Bothwell Highlands Bushfest**

[7.03 p.m.]

**Mr SHELTON** (Lyons) - Madam Speaker, I rise tonight to talk about the weekend and how busy it was. I know that most members of the House are out and about on a weekend and at this time of the year it is show season. The Longford show was only a few weekends ago, the Deloraine show is this weekend, the Westbury show a couple of weekends ago also, and the Huon Valley show was on last weekend. It was my first time venturing down to the Huon show and I was down there with the Premier, our member for Franklin, Jacquie Petrusma, and Rene Hidding, my colleague, as well as the Attorney-General, the member for Clark.

The Huon show is often talked about as being one of the best shows in southern Tasmania so from a northerner's point of view, I was interested in coming down and having a look at the Huon show and spend a bit of time there. It was very interesting. You look at what it is and what it does for a local community and then you start examining what makes them work. Local communities get involved and the committee and the SES and the volunteers and the carparking attendants, and everybody just gets enthusiastic around the show. It is a marvellous experience. I can remember back when I was a child and the show was the place to go. You saved your money up and you went to the show and it is still happening. I know that the city shows are struggling a little bit, but some of these regional shows have really got it together and are doing it well. The Huon Valley show is one of those examples. It was fantastic to be there. It was a wonderful day on Saturday and you always get a decent crowd. It took me nearly half an hour to get in with the traffic that was there.

What I wanted to talk about also is what makes it so special. You put together all of the activities and everything else as far as the show committee goes, but I wanted to talk about the showies that have been around the shows. The small business people who own the Gee-Whizzers, the Big Slides, the Octopus, the laughing clowns and the food vans are fundamental to shows and the experience of going there. Whether you buy a Dagwood dog or a showbag or whatever you do at the show, the showies are so important to that.

Some people have different opinions to mine about sideshow alley and what it means, but it is great for kids to go to the show with their parents and have that experience of what happens in a crowd and getting on these rides. As grandparents nowadays it costs you a fortune of course; it is not a cheap exercise by any means. It is a life experience and it is the showies who make those shows. We take for granted so much the time and effort and what actually comes from the showies. They are generally speaking family-owned businesses. You have mum, dad and the siblings and a 17-year-old guy or girl selling the tickets and somebody else over here and somebody else over there. They have to spend a day getting there and a day setting up, and in most cases I understand it is their second job, their hobby more or less. You could not have a full-time job in Tasmania because there is only a short show season and it is only of a weekend.

They are all passionate about what they do and they get out there. They have late nights setting up to get ready for the show and they work flat out and then they have to pack up. They have to

spend that night or the next day packing up and then they go back into their normal work. You could say they are in business and are making money, but what if they did not do it? Where would the shows be if these people were not committed to doing what they do? I thought it was worth mentioning to the House the commitment of the showies and what they bring to our communities. We know they shift around and do the circuit, but it is generally once a year in your community. I think they do a fantastic job.

On the way home I called into the Bothwell Highlands Bushfest which ran over two days. The Central Highlands Council need to be commended on what they do. Mayor Lou Triffitt and the general manager and councillors do a fantastic job for the Central Highlands. They do it to highlight Bothwell and the community around the Central Highlands and what is available there. There is a tremendous amount of work to get all of it together for a big weekend and for small communities like that to take it on, they have done a fantastic job.

As I have said, other shows are going on. We have had the Longford, Westbury and Deloraine shows this weekend. For all of those communities that get involved and those committees that run them, it is a fantastic effort. It is a huge amount of work for one day. They hope and cross their fingers that it is a fine day so they are not going backwards financially. Where would we be without them? We must maintain particularly our country shows. I am not too concerned about the city ones, but the country and regional shows do a fantastic job and it would be a shame to ever let them go.

### **Pride Parade in Taipei, Taiwan**

#### **Environmental Protection Administration of Taiwan - Statement on Climate Change**

[7.09 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Speaker, I just wanted to take a moment on the adjournment tonight to acknowledge the heart and the spirit of a fellow island democracy. The *Taiwan Times* has a wonderful photo on the front. This is the Taiwan LGBT Pride Parade which happened quite recently. Nearly 140 000 people from home and abroad marched on 27 October through the streets of Taipei in support of better protection for lesbian, gay, bisexual and transgender people living in Taiwan and to vote for equality.

Coming up in Taiwan, there are five LGBT-related referendums tied to next month's local elections. One of the questions in the referendum, which I understand will be on 24 November, is to safeguard the rainbow, which is a vote on marriage equality. The five referendums, three of which were initiated by anti-LGBT groups could decide whether the government will legalise same-sex marriage and whether LGBT-inclusive education will be taught in elementary and junior high schools.

This fantastic image of the Pride Parade in Taipei is inspiring. The spirit of democracy and inclusion is alive and well in the democratic nation of Taiwan.

I will read into *Hansard* a profound statement from Dr Lee Ying-yuan, the minister for the Environmental Protection Administration of Taiwan. This is the statement he made about climate change in August 2014:

Continued growth in emissions of greenhouse gases around the world has caused abnormal and extreme weather events such as heatwaves, droughts and



catastrophic torrential rains. These events are no longer just abstract future scenarios; they are happening today in all corners of the globe.

Average temperatures in Taiwan in the past two years have been the highest in 100 years. Since 2017, rainfall has dropped markedly, affecting Taiwan's hydro electricity generation. Indeed, these recent developments are having a considerable impact and pose a significant threat.

Other parts of the world have witnessed similar trends. During the 2018 summer season, many countries across the Northern Hemisphere in Europe, Asia, North America and North Africa have experienced record-breaking heatwaves and deadly wildfires that seriously jeopardise human health, agriculture, natural ecosystems and infrastructure.

To further implement the Paris Agreement on climate change and achieve the goals outlined therein, the United Nations Framework Convention on Climate Change in addition to faithfully conducting important projects, consultations and negotiations has also invited parties from various fields to join the Talanoa Dialogue, so as to take full advantage of the collective wisdom of human kind in formulating workable solutions to climate change.

As a member of the global village and in line with the Paris Agreement, Taiwan has actively encouraged all stakeholders to do their part and strengthen efforts towards reducing carbon emissions. Taiwan has passed the Greenhouse Gas Reduction and Management Act, under which five-year carbon reduction targets have been formulated. Taiwan has also created the National Climate Change Action Guidelines and implemented the Greenhouse Gas Reduction Action Plan, which targets six major sectors: energy, manufacturing, transportation, residential and commercial development, agriculture and environmental management. By setting emissions caps, promoting green finance initiatives, cultivating local talent pools and education, encouraging cooperation across central and local government agencies and across industries, and involving the general public, Taiwan seeks to reduce its greenhouse gas emissions by 2050 to less than 50 per cent of 2005 levels.

I will shorten this a bit Madam Speaker, but the minister says:

Almost 90% of Taiwan's annual greenhouse gas emissions come from fuel combustion. The government is striving to increase the share of renewable sources and overall energy generation to 20% by 2025 and raise the share of energy produced with natural gas up to 50%.

The pursuit of economic growth often comes at the expense of environmental degradation and depletion of natural resources. According to research by the Global Footprint Network, human consumption of natural resources is outpacing the ability of the planet's ecosystems to regenerate resources by a factor of one to seven. In fact, in 2018, Earth Overshoot Day fell on 1 August which was earlier than before.

In order to find a proper balance between economic developments and environmental protection, Taiwan is promoting the circular economy as part of the Five Plus Two Innovative Industries program. There is a widespread international consensus that the circular economy plays a vital role in achieving the goals of the Paris Agreement.

Taiwan has already made significant progress over the past two decades in recycling and re-using resources. In fact, in 2017, Taiwan's resource recovery rate was 52.5%, a ratio surpassed only by Germany and Australia.

The final part of it and I am just shortening a little. It is fantastic statement and I would love to read it all in. The minister says:

Climate change is a matter of our planet's survival, and should not be reduced to a political issue. Taiwan has long been unfairly disregarded by and isolated from the United Nations system. This has not discouraged us. On the contrary, we have doubled our efforts based on our belief in the Confucian saying that 'A man of morality will never live in solitude; he will always attract companions.' In a professional, pragmatic and constructive manner, Taiwan will seek meaningful participation in international organisations and events and fulfil its responsibilities as a member of the international community. Let Taiwan join the world and let the world embrace Taiwan.

Hear, hear, Madam Speaker.

### **Tasmanian STEM Excellence Awards National Training Awards**

[7.16 p.m.]

**Mr ROCKLIFF** (Braddon - Minister for Education and Training) - Madam Speaker, I congratulate recent winners and finalists in education and training.

First, I would like to talk about the 2018 Tasmanian STEM Excellence awards that celebrate and recognise leaders and their achievements across core fields of study and research. These awards not only recognise the contributions STEM leaders make to the community but also how they stimulate others and their innovative achievements being made here in Tasmania.

I recently attended the 2018 awards and had the great opportunity to announce Nel Smit of Huonville High School as the recipient of the Tasmanian Secondary Teacher of the Year. It was great to have also Mr Ferguson and the Premier at these awards as well. Nel is a dedicated STEM teacher and the award recognised her outstanding local, national and international efforts of inspiring the next generation of scientists. I was deeply impressed by Nel's commitment to her students and her passion for teaching.

I also presented Tameika Munday a grade 6 teacher at the Burnie Primary School as winner of the Tasmanian STEM Primary Teacher of the Year for 2018. Tameika has run a science expo for the school in recent years and has also been involved with students collaborating with the University of Tasmania to program a robot farmbot. The student coded robot is programmed to water, fertilise and manage crops at the school's garden and the project not only provides students with the ability

to work collaboratively with industry but encourages them to think about a possible career in the science field. This award was well deserved recognition of her work which focuses on educating students with the skills of creativity, collaboration and facts.

I pass on my congratulations to Tameika and Nel and to all STEM achievement and award winners.

I acknowledge another achievement and this time at the recent National Training Awards where Tasmanian Bronte Richardson was recently named runner-up in the Australian Apprentice Trainee of the Year award. Bronte stood out in a strong field of six from each state and territory for the major category of the annual Australian training awards in Sydney which I had the pleasure to be at just last week. It was pleasing to note that Bronte was recognised for her work towards a Certificate 3 in engineering technical through Hellyer College and TasTAFE, and Direct Edge Manufacturing in Burnie. Bronte is an excellent example of other young women in vocational education and training and to be selected as a finalist is indeed an outstanding achievement and my congratulations to Bronte and all Tasmanians represented at the national awards. They most certainly did their training provider and Tasmania very proud.

These awards are a shining example of the significant achievements of individual apprentices and trainees and also of the group training organisations that are supporting them in Tasmania.

### **Centenary of Armistice Commemorations**

#### **Teddy Sheean - Consideration for Victoria Cross**

#### **Invictus Games - Tasmanian Participation**

[7.19 p.m.]

**Mr BARNETT** (Lyons - Minister for Veterans' Affairs) - Madam Speaker, as Minister for Veterans Affairs I am very pleased tonight to speak on veterans matters and three particular events as briefly as possible at this time.

First, with respect to the very important Centenary of Armistice commemorations was the end note of one of the nation's most commemorative periods of the Centenary of Anzac. It was celebrated in towns and cities across the country and, of course, across Tasmania. It was very well attended. I thank RSL Tasmania and all the various sub branches of the RSL, and ex service organisations that did so much to make those events very special.

It was supported and the participation of the local community was encouraged by our Government through social media and advertising, but it was really the people of Tasmania who came to the fore to participate. We remembered the service and sacrifice of all members of the Australian Defence Force, army, navy, air force, past and present, and those involved in war conflict and on peace-keeping operations. It was terrific. I had the opportunity to participate at a number of services, particularly on Sunday 11 November, at the Northern Midland RSL at Longford. The Governor was there and thousands of others. It was one of the most special occasions I have attended.

We remembered Keith Heritage, born and raised in Longford, Tasmania. He was known as the first Australian to enlist after the declaration of war on 4 August 1914. I was able to share some remarks about him.

In addition, I acknowledge the service and sacrifice of the 15 000 plus Tasmanians who enlisted in World War One and the estimated 3000 servicemen who lost their lives. They made the ultimate sacrifice. We should never forget it and we will never do so. In terms of Tasmania, we had the highest enlistment rates of our armed services on a per capita basis of any other state.

I wanted to recognise King Island. I learned only a month or so ago when I visited, we had more people enlisted per capita from King Island during World War One than any other part of the British Empire. I acknowledged a letter from the king shortly thereafter to say thank you to King Island and the King Island community for their efforts. Out of a population of a 1000, 208 people enlisted from King Island.

Tasmania hosts 14 of the 100 Victoria Cross recipients across Australia since the award came to be.

Tonight, I am pleased to confirm that with respect to Teddy Sheehan, the Defence Honours and Awards and Appeals Tribunal has accepted the submission from the Tasmanian Government to consider the merits of Teddy Sheehan as to whether he should receive a Victoria Cross. There will be a review. I have had that confirmed in writing from the tribunal and I am looking forward to participating on behalf of the Tasmanian Government with Gary Ivory. I acknowledge Gary Ivory, the nephew of Teddy Sheehan, for all his work. He is indefatigable and his efforts have been untiring for 30 plus years. I have only been at it for 15 odd years. We will not give up; we will keep trying. On behalf of the Government, it is a major step forward to have this review taking place.

In conclusion, I had the opportunity to acknowledge and celebrate the strength of the human spirit at the Invictus Games in Sydney and cheer them on. I acknowledge Matt Brumby, co-captain of the Australian team, a fine Tasmanian, and Jarrod Kent of Latrobe. They both competed together with six other Tasmanians, so eight in total. I have got to know Jarrod. He trained for the special forces. He had a terrible accident and 10 surgeries later his rehabilitation is continuing. He is a fantastic guy and his motto in life is 'Broken, never beaten'. It is a motto all of us could take on board. Certainly, I can. I know others would see it as a fine example and something that we could all emulate.

Next week, on behalf of the Government, I look forward to hosting a special event in Parliament House to welcome home the participants of the Invictus Games. All members of the Tasmanian Parliament have been invited and other members of ex-service organisations in and around Tasmania have also been invited. We want to pay our respects and honour those participants. Their families will be here. It will be great to host that event in Parliament House to say 'thank you' to them and to acknowledge the spirit of our servicemen and women, one of courage, mateship, service and sacrifice. These are key ingredients that make Australia great and make Tasmania great.

**The House adjourned at 7.25 p.m.**

## **QUESTION UPON NOTICE**

The following answer was given to a question upon notice:

### **7. EDUCATION - INTERNATIONAL TRAVEL COSTS**

**Ms O'BYRNE** asked the Minister for Education and Training -

Was any public money spent on international travel - other than accompanying student excursions - in 2017-18 and if so, how much?

**Mr ROCKLIFF** replied -

In the 2017-18 financial year, the total spent on international travel from appropriated budget from the Consolidated Fund for the department was \$57 668.

There was also \$85 781 spent from external revenue sources. This mainly relates to GETI Student Marketing Activities - \$82 828 - which are paid for from international student fees.