

Wednesday 10 April 2019

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 draw your attention to the public gallery. We have grades 5 and 6 from the Deloraine Primary School visiting today. Welcome to parliament and we hope you enjoy question time.

Members - Hear, hear.

STATEMENT BY PREMIER

Absence of Attorney-General

[10.04 a.m.]

Mr HODGMAN (Franklin - Premier) - Madam Speaker, I advise the House of the absence today of the Attorney-General, Ms Archer, due to a family bereavement. I will take any questions in relation to her portfolios and any matters before the House that are her responsibilities.

I am sure all members of the House would like to pass on our sincere condolences on the passing of the Attorney-General's mother.

QUESTIONS

Government Finances - Surplus

Ms WHITE question to TREASURER, Mr GUTWEIN

[10.04 a.m.]

Earlier this year, you said, 'The budget will remain in surplus and as a Government we will always spend less than we earn'. Do you stand by that statement and can you guarantee a surplus for this year?

ANSWER

Madam Speaker, I thank the member for the question. As the House is now aware, revenues are being written down. GST, stamp duty, as I mentioned yesterday around half a billion dollars, slightly more, will be written down over the coming forward Estimates period. As I made perfectly clear to the House yesterday, the Government will cut its cloth to suit its circumstances. The Government's aim is to provide balanced budgets across the forward Estimates; we will achieve that and that is what we will deliver. Unlike those on that side of the House, when we came to Government, we faced \$1.1 billion worth of deficits across the forward Estimates. They were borrowing to pay the wages of nurses, teachers, police and public servants.

Ms WHITE - Point of order, Madam Speaker. Standing order 45 goes to relevance. I ask you to draw the attention of the Treasurer to a straightforward question. Can he confirm whether he will deliver a surplus this financial year?

Madam SPEAKER - Thank you very much. You all know the usefulness of standing order 45. The Premier will probably take that on board in his commentary.

Ms O'Connor - Not yet, Madam Speaker, about a year off.

Madam SPEAKER - That is very helpful, thank you, Ms O'Connor.

Mr GUTWEIN - The Premier would be happy to help me out but I will manage this one. As I said, the Government will deliver balanced budgets across the forward Estimates. The budget will be on 23 May and all will be revealed. We will assure that essential services are delivered, that we continue with our record infrastructure spend. We will continue to build the roads, the hospitals, schools and the public housing that Tasmanians want and deserve. The budget will be released on 23 May and I suggest that members wait until then.

Government Finances - Surplus

Ms WHITE question to TREASURER, Mr GUTWEIN

[10.07 a.m.]

The revised Estimates report reveals you squandered the forecast \$161.9 million surplus and there is now a wafer-thin barrier to deficit of only \$7.3 million. That was before your friends in Canberra delivered a half billion-dollar black hole to you including the latest \$140 million hit, thanks to Scott Morrison. Can you guarantee that you will deliver a surplus in every year of the forward Estimates?

ANSWER

Madam Speaker, I thank the member for the question, once again asking a question that they know nothing about because they have never delivered a surplus. Shadow finance minister, I can categorically say you have not delivered a surplus. He is completely distancing himself from the previous budgets even though he was the finance minister. One point I want to pull the Opposition Leader up on is the use of the word 'squandered'. How can you squander \$105 million-worth of extra funding into Health?

Ms O'Byrne - The golden age, you said.

Madam SPEAKER - Order, Ms O'Byrne.

Mr GUTWEIN - How can you squander investing \$105 million more into Health, which is exactly what that side of the House was calling for. How can you squander \$20 million-worth of additional investment into out-of-home care, or an additional \$5.5 million into the Justice system? This demonstrates the warped priorities and hypocrisy of those opposite. I have explained to the Leader of the Opposition that you cannot have it both ways. You cannot complain about the size of the surpluses we bring down and then complain when we invest into Health or out-of-home care or into the justice system. That is the height of hypocrisy.

Ms WHITE - Point of order, Madam Speaker. Standing Order 45. I draw the attention of the Treasurer to the question which is, can he guarantee that he will deliver a surplus on every year of the forward Estimates?

Madam SPEAKER - That is repeating the question. There is no point of order.

Mr GUTWEIN - Madam Speaker, I have provided the answer to that question. I have said that we will balance the budget across the forward Estimates and the Opposition will need to wait until 23 May when all will be revealed. It is not my role to provide gratuitous advice but when you call for additional investment into health, do not get up and ask questions and say it has been squandered. That is the height of hypocrisy.

National Disability Insurance Scheme - Funding

Ms O'CONNOR question to MINISTER FOR DISABILITY SERVICES and COMMUNITY DEVELOPMENT, Mrs PETRUSMA

[10.11 a.m.]

Last week's federal budget papers revealed the surplus your federal Liberal colleagues are crowing about relies heavily on a \$6.4 billion underspend on the National Disability Insurance Scheme over this year and next; \$2 billion of that shocking immoral underspend is the responsibility of the states. How much is your responsibility? Could you please explain to the House and, more importantly, Tasmanians with disability, their families and carers, why this state is contributing towards a serious damaging underspend on the NDIS?

ANSWER

Madam Speaker, I thank the member for her question. The National Disability Insurance Scheme is one of the most important reforms that Australia has ever seen. I can assure all members that this Hodgman Liberal Government is meeting its responsibility to people living with disability who are eligible for the NDIS. As we have said on numerous occasions, we are 100 per cent committed to fully funding the NDIS because under a Liberal Hodgman Government the NDIS will always be fully funded because of our strong economy and strong budget management. The budget is back on track in Tasmania because of this Government's strong, responsible financial management.

Members interjecting.

Madam SPEAKER - Order, please.

Mrs PETRUSMA - It does not rely on any changes to the state Government's contribution to the NDIS because we are committed to fully funding the NDIS -

Members interjecting.

Madam SPEAKER - Order, please.

Ms O'CONNOR - Point of order, Madam Speaker. The only mechanism I have is standing order 45 - relevance. What we need from the minister is an explanation of how much the state has contributed to the underspend and if it is nothing, then tell the House.

Madam SPEAKER - That is not a point of order but it was good to clarify that.

Mrs PETRUSMA - Madam Speaker, there has been no change to the Heads of Agreement signed by the previous Labor-Greens government that the member has conveniently forgotten about seeing, as she was in government and the minister at the time. Under the Heads of Agreement that you signed the states and territories agreed to make a capped, fixed contribution to the NDIS based on population share. It is only the Commonwealth's contribution that fluctuates, with the Commonwealth paying the full balance of the NDIS costs.

As shown in the 2018-19 Budget, Tasmania has fully budgeted for its future NDIS funding requirements. From 2019-20 there is a fixed upfront funding contribution under the full scheme arrangements, which for 2019-20 is \$233.3 million, which again is fully funded which even gets escalated at a fixed rate of 4 per cent per annum until 2027-28. I repeat, our contribution is fixed. It is only the Commonwealth's contribution that fluctuates.

If the member cares to listen, we are spending more money on people with disability than ever before with a massive \$982 million in 2018-19 Budget and forward Estimates, including the \$878.7 million in cash and in-kind supports. We are delivering on our commitments to the NDIS. I repeat, this Government is fully committed to our contributions to the NDIS because it is one of the most important schemes. It is one of the most important once in a lifetime generation significant things that people with disability can look forward to under this Government because we are 100 per cent committed to fully fund it.

Economic Growth and Job Creation

Mr SHELTON question to PREMIER, Mr HODGMAN

[10.15 a.m.]

Can the Premier please update the House on how the Hodgman Liberal majority Government is getting on with delivering our plan to grow the economy and create jobs?

ANSWER

Madam Speaker, I thank the member for the question and the opportunity to talk about Tasmania's very strong economy and what we, as a Government, have done and are doing to ensure we keep it that way.

The performance of our economy has ranked amongst the highest in our nation in a number of key economic indicators. For the first time ever we have been consistently outperforming other states. Another great sign of the confidence in our economy was the plan released yesterday for a \$100 million investment, a redevelopment of the Hobart International Airport.

It is important that we also identify the things that we are doing to make sure that Tasmania continues to be a place with a strong economy, more job opportunities for Tasmanians but also is a place that is ready for investment and sensible development. The Office of the Coordinator-General

is our repository for inbound investment opportunities, for prospects that are presented to our state, in fact for putting to the rest of the world what is attractive and appealing about investing in Tasmania. It is promoting our state as a place in which people might invest because that in itself sustains further economic growth. It continues to keep us at the front of the pack and most importantly supports jobs for Tasmanians.

I know opposition parties have not supported the Office of the Coordinator-General and may well have plans to cut, to axe, the Office of the Coordinator-General and take it out of Launceston in the process, which we think is a great spot for our agencies, particularly this one. This was an important reform of this Government to better coordinate not only the efforts of all government agencies but local government, Commonwealth government, the non-government sector as well to make sure that it is easier for businesses, for investors to get on with delivering, and delivering more job opportunities and economic prospects for Tasmanians. That is exactly what the Office of the Coordinator-General does and will keep doing under this Government.

I am advised that it has been responsible for attracting well over half a billion dollars of investment which creates many job opportunities. Some projects in which the Office of the Coordinator-General has been involved include: the Cradle Mountain Gateway Precinct development and its master plan which will transform this iconic destination and elevate it to its rightful place as one of the world's great tourism destinations; the three major northern cities project; the EOI tourism opportunities process; the City Deal and a range of Smart City projects together with a variety of specific investment projects across manufacturing, education and training, primary production, food processing and tourism.

The Office of the Coordinator-General has not only made great progress with these important projects but also impressively secured great investments for our state as well. Many of them are occurring in regional areas of Tasmania which goes to our strategic growth agenda as well as spreading the economic growth of our state right across it and into our regions.

I will give you some examples such as the Hermal project, the development of a forest-based \$190 million hardwood mill plant to be constructed by the Hermal Group. Financial assistance was provided and approved - a grant of up to \$12 million, a loan of up to \$30 million, endorsed by the TDR board, again another robust process to assess the merits of the project. Hermal anticipates that initial products will be coming off production at Wynyard before the middle of the next calendar year. It will be Australia's largest plantation-based hardwood facility and the first ever hardwood cross-laminated production plant. It will be a game changer for our state's forest industry, certainly for the north-west, creating 221 direct FTE positions, many more indirect jobs and processing our plantation timber into high-value products. This is a great example of investment in our state and one which has been supported and facilitated by the Office of the Coordinator-General.

The Treasurer mentioned the CH Smith redevelopment. That is well underway in Launceston and has transformed what was a really sad and depressing image you had of this beautiful northern city every time you entered Launceston. Now the CH Smith site is being redeveloped, preserving its aesthetic, but also making it a much more impressive entry point into Launceston. It is a demonstration that you can get stuff done. I acknowledge Mr Errol Stewart and Mr Scott Curran on helping deliver that project that we can be proud of.

There are a number of others and I do not have time to list them all, but much of what the Coordinator-General and his office is doing is published online. It is a great example of government making Tasmania a better place to do business, create jobs, opportunities, prosperity right across

the state, and to break down the barriers, reduce red and green tape, which we are doing as well, reduce business costs to make Tasmania a more attractive place to do business - we have done that - keeping power prices down, and we also have the most competitive payroll tax regime for SMEs in the country.

These are important reforms that show that having a strong economy does not happen by good luck. Opposition parties like to pretend it just happens by good luck. It does not. This Government, from day one, opened our state up for business and as a result we have Australia's strongest performing economy that is creating jobs and opportunities for Tasmanians in the process.

Tasmanian Government's Credit Rating

Mr BACON question to TREASURER, Mr GUTWEIN

[10.22 a.m.]

Can you guarantee that Tasmania's credit rating will not be further downgraded as a result of your half billion-dollar budget black hole, your warped priorities and your budget incompetence?

Mr Hodgman - Tell us which ones are warped?

Mr Bacon - This guy's head, for a start.

Madam SPEAKER - Order. Mr Bacon, that was not very parliamentary.

Mr Gutwein - That was beyond the pale, frankly.

Madam SPEAKER - It is beyond the pale and I ask Mr Bacon to retract that.

Mr Bacon - Yes, I will withdraw it.

ANSWER

Madam Speaker, he cannot control himself in this place. This Government is doing everything it can to protect our credit rating, unlike that side of the House that ran deficit budget after deficit budget. We will be ensuring that we work through this sensibly and responsibly. We will cut our cloth to suit our circumstances and we will deliver balanced budgets across the forward Estimates.

I want to make a point here. It is interesting to see the new-found interest in the Budget on that side of the House. We have had a revenue downgrade brought about by no fault of our own as a result of lower consumer spending across the mainland. That is what has affected the GST pool. Other states and territories across the country are doing exactly what we are doing, and that is writing down their expectations and forecasts in terms of GST, and in other states they are slashing their stamp duty budgets. As I indicated yesterday, the major markets of Melbourne and Sydney have suffered significant falls and those governments will have to revise downwards again their stamp duty budgets.

You wonder where that side of the House have been. In the Revised Estimates Report and I argue very strongly that we did not squander the spending on health or on out-of-home care or in terms of the Department of Justice, as the Leader of the Opposition has. To characterise a \$105 million investment into health as 'squandering' it is an absolute disgrace. It points out the scant attention they have been paying.

In the Revised Estimates Report we revised the GST down. In the Revised Estimates Report we revised stamp duty down. What we have heard from the Opposition is zip until today, when a significant investment into health, out-of-home care and our justice system has been described, quite erroneously by the Leader of the Opposition, as squandered. That is a disgrace and she should correct the record to the House. If the Leader of the Opposition believes that investing into health, into children and into justice is squandering money, then it is time for a new Leader of the Opposition.

Funding for Disability Support Services

Ms O'CONNOR question to MINISTER for DISABILITY SERVICES and COMMUNITY DEVELOPMENT, Mrs PETRUSMA

[10.25 a.m.]

Do you agree strong independent advocacy empowers people with disability? It helps them understand their human and legal rights, communicate their needs and have those needs met. It also helps to promote these rights to the wider community and acts as a safeguard against abuse and neglect. Funding for the state's three advocacy bodies for Tasmanians with disability, Advocacy Tasmania, Speak Out and the Association for Children with Disabilities, runs out on 30 June this year. These services and the people who rely on them are in limbo at a time when there are huge problems with the NDIS. What reassurance can you provide that there will be funding to protect the rights of people with disability through strong, independent advocacy from 1 July this year?

ANSWER

Madam Speaker, I thank the member for her question. In regard to advocacy services and the rollout of the National Disability Insurance Scheme, there has been a very large body of work undertaken at both the national and state level regarding how advocacy services should be delivered and funded in the NDIS environment. This is because under the NDIS there will be an overlap of services that were previously under state existing services, and also the new services that are currently being funded under the NDIS, which are all still being finalised and commissioned. There were announcements over the weekend and there are more announcements of funding to come.

Some information and communication-type advocacy services will be auspiced under the Information, Linkages and Capacity Building program which is administered by the National Disability Insurance Agency for which commissioning has now commenced.

On the weekend, Speak Out and ACD, as well as other Tasmanian organisations, were announced as successful recipients under one of the various rounds for the ILC grants which will assist Speak Out and ACD as disabled people's and families' organisations, known as DPOs or FOs, to build organisational capacity and the capacity of NDIS participants. ACD received nearly \$130 000 in that round, and Speak Out nearly \$181 000.

The federal government last week announced the opening of the \$51 million National Information Program ILC grant round. That program is available for organisations to apply for grants from \$300 000 -

Ms O'CONNOR - Point of order, Madam Speaker, under standing order 45. Minister, what you are saying is quite relevant but there needs to be some clarity about when the money is rolling out. When? Is it 1 July? Is it state funding?

Madam SPEAKER - Thank you. I will take that as a point of clarification.

Mrs PETRUSMA - As I said, Madam Speaker, the money is rolling out. There are grants for this one and other opportunities will be provided for them to build their capacity with further ILC grant rounds coming out.

The Australian Government, through its National Disability Advocacy Program, has also committed to fund advocacy services until 2020. In Tasmania, three organisations received funding of \$650 000 under the National Disability Advocacy Program. These include Advocacy Tasmania, Speak Out and another organisation in Launceston, Citizen Advocacy (Launceston Region).

The Australian Government has also recently announced another \$6.5 million will be further invested to boost advocacy services in relation to the NDIS, including \$5.3 million for the NDIS appeals program. There is also \$1.2 million going into the National Disability Advocacy Program, decision support pilot. The federal government has also announced an additional \$148.8 million will be provided for advocacy in support services.

Ms O'CONNOR - Madam, Speaker, point of order, again under standing order 45, relevance. The minister is reading out a long, prepared response that provides no clarity on state funding for three disability originations from 1 July this year.

Madam SPEAKER - Thank you, that is not a point of order. Please proceed.

Ms O'Connor - We need to understand when the money will hit these organisations.

Madam SPEAKER - We do not know what is about to come out of the minister's mouth, so we have to wait and hope.

Mrs PETRUSMA - Another \$148.8 million from the federal Government has been announced. It is complex but this money is rolling out now. Tasmania has been participating in work at a national level regarding the reform and delivery of advocacy services, which is being led by the Australian Government in cooperation with the other states and territories. Disability and Community Services within the department is also closely monitoring the use of existing advocacy services so that we can identify any future gaps, which will become apparent at full-scheme NDIS. We are obtaining the data by working closely with these organisations. We are quantifying the demand and as we transition to the full scheme.

Advocacy services are receiving funding. It is being rolled out and I can assure the honourable member we are working closely with the advocacy organisations and will have more to say on this in the near future.

Greater Hobart Legislation - Benefits to Local Government

Mrs RYLAH question to MINISTER for STATE GROWTH, Mr GUTWEIN

[10.31 a.m.]

Can the minister provide the House with an overview of the benefits that will arise from councils working together under the framework of the Greater Hobart act?

ANSWER

Madam Speaker, I thank the member for the question and for her interest in this important matter. The Greater Hobart bill has been developed to provide a framework to support collaborative decision-making between the Clarence, Glenorchy, Hobart and Kingborough councils and the Tasmanian Government. The Government has worked closely with the four central councils to progress this bill, as members and the Speaker would be aware.

In 2017, the Premier received a letter on behalf of the Clarence, Glenorchy, Hobart and Kingborough councils proposing the establishment of legislative framework to support collaboration. The Government was supportive of this suggestion and the decision was made to pursue the proposal as part of the suite of initiatives being progressed through the development of the Hobart City Deal. This commitment was reflected in the final Hobart City Deal signed on Sunday 24 February 2019. The Greater Hobart bill will further the Hobart City Deal by prescribing objectives that identify priority areas for us to collaborate on, requiring the establishment of a work program to identify actions to achieve those prescribed objectives and creating governance arrangements to support the development and implementation of that work program -

Members interjecting.

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

Mr GUTWEIN - There is a fair bit of verbal congestion coming from that side of the House, Madam Speaker.

Focusing the development of the Greater Hobart act on the four central councils provides for a targeted urban overlay to complement broader mechanisms such as the southern regional land use strategy which captures broader regional drivers and challenges. The bill has been prepared with a focus on the four major councils located in and around central Hobart. However, it also specifically includes an opt-in mechanism for other councils that may be impacted by strategic decisions taken by the larger councils such as Brighton, Sorell and the Huon Valley. This mechanism will enable any council in the southern region to be invited to be a part of the work program and to support the implementation and specific actions, where appropriate. This will be at the discretion of the invited council.

The prescribed objectives of the bill will apply a whole-of-area lens across the four municipal boundaries to ensure: a strategic approach to planning decisions; the facilitation of and efficient flow of transport; the management of existing and planning of new cultural sporting recreational community facilities; the encouragement of urban renewal and affordable housing; the development of hubs and precincts such as for science, sport, recreation, social activity, economic activity, industry, education and the arts; and it provides for the alignment with transport and service infrastructure.

For a work program to be agreed between the parties, at least three of the four councils must approve the decision, ensuring the balance of power is shared and that the councils and the state are equals at the table. The legislation will link to the Land Use Planning and Approvals Act 1993 and Southern Tasmanian Regional Land Use Strategy and will include specific actions to be progressed through the governance structure provided for in the legislation. This will ensure policy robustness, accountability and that the work is done.

This Government wants this legislation to lead to better outcomes for the greater Hobart region. We believe it will because decisions on major routes or developments with impacts across municipalities will be able to be considered strategically for all the residents affected and not only those in a particular municipality. This legislation will provide a forward-looking work program to support shared, strategic decision-making and planning in and across the central Hobart area. I will be tabling the bill later today and I urge all members to support the bill when it is debated in the House.

Government Finances - Government Business Enterprises and Trust Funds

Mr BACON question to TREASURER, Mr GUTWEIN

[10.35 a.m.]

In the face of your budget mismanagement and incompetence, and that you cannot explain how you will plug your half-a-billion-dollar budget black hole, can you give a guarantee today that you will not raid Government business enterprises and trust funds?

ANSWER

Madam Speaker, I thank the member for the question and his new-found interest in financial matters. I assure the member of one thing: what we will not do is to raid the superannuation account, because it is not there. They spent the lot. If you want to talk about raiding trust funds, talk about the \$1.7 million that disappeared under that lot. It was a 20-year bipartisan agreement made by governments to fund the unfunded superannuation liability, and when that lot were in government they spent the lot. The member raised it before when he spoke about warped priorities. I will ask him to explain what those warped priorities are -

Mr BACON - Point of order, Madam Speaker. The Government is in the midst of a health crisis and next year they plan on spending \$15 million less on Health. I would say that is a warped priority.

Madam SPEAKER - What was the point of order, please?

Mr Bacon - He asked me to tell him. That \$15 million less on Health is a warped priority.

Madam SPEAKER - Okay, a point of clarification.

Mr GUTWEIN - Mate, you could not answer the questions when you were on this side, let alone trying from that side. They said this morning that we squandered a \$105 million investment into Health. I would point to them if anybody wants to talk about warped priorities.

Ms WHITE - Point of order, Madam Speaker. Standing Order 45 and it goes to relevance. I ask you to draw the Treasurer's attention to the question. Can he rule out raiding trust funds and GBEs? It is a serious question and I hope he will provide an answer to the House.

Madam SPEAKER - I am yet to find out what the minister will speak about.

Mr GUTWEIN - We will not be squandering investments on this side of the House. We will ensure we invest into the essential services that Tasmanians want. We will definitely not be raiding

trust funds. That is the form of those on that side of the House. A point we will consistently make in the lead-up to the budget is that, as a result of their new-found interest, it is incumbent upon them to provide an alternative budget this year. On this side of the House, we will have difficult choices to make but we will have to cut our cloth to suit our circumstances. Tasmanians need to know what those opposite are going to do and how they would respond. Once before, they raided a trust fund.

Ms O'BYRNE - Point of order, Madam Speaker. I know that standing order 45 causes you some distress but previous rulings have said that we are entitled to have the minister answer if we ask a specific question. Can the minister confirm he said in his response that he is going to raid GBEs?

Madam SPEAKER - That is not a point of order.

Mr GUTWEIN - That is ridiculous. Madam Speaker, I think it goes to the bereft nature of the ideas and questioning of the shadow treasurer. They have now had two people try to clarify his question.

There will be difficult choices to be made. We will cut our cloth to suit our circumstances. The one thing that Tasmanians can be assured of is that we will be responsible. We will be sensible. We will balance the budget across the forward Estimates and on this side of the House we look forward with great interest to their budget reply and alternative budget.

Health Services - Funding Boost

Mr TUCKER question to MINISTER for HEALTH, Mr FERGUSON

[10.41 a.m.]

Can the minister outline how the federal government's Tasmanian health plan will provide a funding boost to health services in Tasmania?

ANSWER

Madam Speaker, thanks to our fantastic new member for Lyons for his question. It is an important question. It is great news to receive the significant funding boost that Tasmania is receiving from the federal government. The Hodgman Liberal majority Government has a strong record of investing into the health system. We know there are challenges. We know there is always more to do but we have brought funding and resources in Tasmania to hit record levels. We have done that in partnership with the federal government. Members here will be pleased to know that we are now spending almost \$2 billion more in funding and expenditure in our Government and forward Estimates than Labor and the Greens' last budget. That is a big increase. Also, that is reflected with our extra staff. There are 800 more staff working in our Tasmanian health system and that includes 500 more nurses. That is great news for our health system.

Members interjecting.

Mr FERGUSON - We have been building new services. We have restored services that were cut. I am pleased that the old, terrible reputation of Tasmania having a 10-year surgical waiting list has been massively reduced.

Ms O'Byrne - Gone up by 500 per cent.

Madam SPEAKER - Order, Ms O'Byrne, please.

Mr FERGUSON - Some of the specialist vacancies that have been difficult to recruit for many years, we have recruited to them and we have built new services that people have been crying out for, for a long time. We are making progress. It is a strong record in this Government. More funding means more staff and that means more services than ever before. While there are always challenges, we are giving Tasmanians a better quality of service than previously has been possible. Why is it possible? It is because of this Government's funding boost to health and the federal government is helping us with that in our strong partnership.

This morning I am pleased to welcome the announcement of the latest new funding from the Morrison federal Liberal Government. For our State of Tasmania this means \$92 million for the Tasmanian Health Plan. That is welcome news for Tasmania's health system. I am sure all members here will welcome it. The Tasmanian Health Plan, announced this morning, will deliver vital new services for our state, for Tasmanians in need. It will make significant investments in the infrastructure our communities need for the future and the centrepiece of this plan is \$34.7 million for elective surgery and care support, which will mean more Tasmanians getting the specialist care and the surgeries they need. It is a lot of money, \$34.7 million, and we look forward to getting that into our budget, into our system, and providing it through to more care.

Thanks to the federal government's plan, this means thousands more surgeries, procedures and specialist clinic appointments in the regions of Tasmania. How good is that for Tasmania? These are hips, knees, endoscopies. These are not just surgeries. As I hear members opposite also welcoming this, it is great because it means lives changed for the better. That is what this ought to be about. Lives change for the better.

I want to emphasise one point. In this package it does mean a significant boost to TAZREACH. TAZREACH means more access to specialist doctor and allied health appointments in our regions. I am not sure if that is the sound of the Opposition welcoming this package.

Ms White - We already announced it.

Mr FERGUSON - I hope it is. It is a big increase in funding and I hope the federal Labor Party want to match it.

Members interjecting.

Madam SPEAKER - Order.

Mr FERGUSON - Importantly, the package also includes new money for vital scans and cancer care. It has long been the case that Tasmania has had a service gap in public diagnostic mammography.

More than a decade ago, the Labor Party promised that these services would be reinstated but they never did it. It has taken the Morrison Government to fix it and it is finally fixed. That brings Tasmania into line with expectations, particularly from the National Breast Cancer Council.

There will be \$3 million to establish these services in the north and the south so that Tasmanian women with symptoms will finally have access to diagnostic mammography in a public setting, a huge boost which sits alongside the screening program. There is also \$4.4 million for the second linear accelerator at the North West Cancer Centre. This literally doubles the capacity that currently exists and \$4.7 million for the MRI licence in Devonport, a big increase in service access and capability on the north-west. More Tasmanians in the north and the north-west are getting care that they need and it is saving them travel to Launceston and Hobart. This fits perfectly with our health white paper.

There is also the huge research funding: \$10 million for multiple sclerosis, and new alcohol and drug services, including rehabilitation.

Ms O'Connor, you asked me a question a few years ago about meeting a service gap for drug rehabilitation in the north-west. This builds on that. Also, for capital projects in mental health, eating disorders.

A cause very close to my father's heart, \$400 000 to deliver improved birthing facilities in Launceston.

This is a huge package for Tasmanian health. It is a bold plan for health in Tasmania: \$92 million of new funding that has been announced today will make a real difference. It contrasts with Labor. They are only making promises around health that are about politics. We are getting on with the job. We are working together with the Commonwealth, the job of making investments that our communities need and we look forward to continuing to work with the Commonwealth.

I invite the Opposition to welcome this great news for health in Tasmania.

Public Service Wage Increase - Government Action

Ms WHITE question to TREASURER, Mr GUTWEIN

[10.47 a.m.]

Now that you have a half billion-dollar hole in your budget and you have no explanation about how you will plug that hole, can you give a guarantee today that following on from your refusal to give teachers, nurses and child safety officers a fair and reasonable wage increase, you will not start sacking them and other vital public sector workers?

ANSWER

Madam Speaker, I thank the Leader of the Opposition for her question. I wonder how many of those new nurses, teachers, especially nurses that we have put on as a result of the \$105 million she thinks that we have squandered, how many she would not have and that she did not want in the first place.

Ms WHITE - Point of order, Madam Speaker. Point of clarification, perhaps the Treasurer needs to be provided an explanation so he does not keep repeating the mistruth. The fact is that our economy is doing well yet you have squandered the opportunity our state has and mismanaged the budget.

Madam SPEAKER - That is not a point of order.

Mr GUTWEIN - The Leader of the Opposition cannot even get that right.

On the point that the member made, our economy is going gangbusters and is going very strong. Our definition of a 'golden age' on this side of the House is where we have a strong growing economy, one that is leading the country on most indicators, one that is attracting investment and importantly creating thousands of jobs. That is a golden age.

What we are hearing from that side of the House is that their definition of a 'golden age' is higher public service salaries and more public servants. That is their definition of a golden age. I make the point in terms of wages that the Government has an offer on the table until Friday. We made it perfectly clear that we would expect unions to take that offer to their members. One wrote to me last night and I know that one is doing that today. I welcome them taking that offer to their members. At the end of the day members will have a say and then we will have a discussion based on what that outcome is.

In terms of other unions, I encourage them to take the offers to their members and allow them to have their say on what is a very good, fair, responsible and affordable wage offer. It is a 7 per cent increase across the forward Estimates in wages over the three years. In terms of education, it has gone to the heart of exactly what the teachers were telling us they wanted, more teachers - 95 more on top of the teachers we had already promised. In terms of primary school teachers, allowing them to reduce -

Ms WHITE - Point of order, Madam Speaker - and I am sorry to have to do this again - to relevance, standing order 45. The question to the Treasurer was whether he could guarantee today that he will not start sacking nurses, teachers, child safety officers and other public sector workers.

Madam SPEAKER - That is not a point of order either.

Mr GUTWEIN - The hypocrisy we hear from that side of the House, Madam Speaker - they sacked a nurse a day over nine months. I have made it perfectly clear that we will continue to ensure that we appropriately fund essential services. I said that yesterday and said it again today, but we will not be lectured by that side of the House. They took us into deficit after deficit after deficit, they sacked public servants, they sacked a nurse a day, and then we hear the hypocrisy.

Wait until 23 May. The Budget will be brought down then. As I have made perfectly clear, we will manage this responsibly and sensibly and ensure that we continue to deliver essential services. Again, we have been impacted by more than half a billion dollars' worth of revenue write-down as a result of factors outside of our control.

Opposition members interjecting.

Madam SPEAKER - Order. I have asked very nicely on many occasions. The rabble on this side - and that is what it is, just muttering - is not very parliamentary. Please allow the Treasurer to finish in silence.

Mr GUTWEIN - Madam Speaker, as I have said, we will consider across the public sector where efficiencies can be achieved and we will do that without impacting on essential services. We will balance the budget across the forward Estimates but we will deal with this challenge, as we

have done with challenges before, sensibly and responsibly. On 23 May Tasmanians will understand how we are going to respond to this and, importantly, maintain essential services and maintain the record investment into infrastructure, because that will ensure that we attract further private sector investment and continue to grow our economy and create jobs.

Queensland Fruit Fly - Update

Mr SHELTON question to MINISTER for PRIMARY INDUSTRIES and WATER, Mr BARNETT

[10.53 a.m.]

Can you please update the House on the situation regarding the Queensland fruit fly?

ANSWER

Madam Speaker, I thank the member for his question and interest in this important matter. I can update the House. The lifting of the control area restrictions on Flinders Island on 30 March marked a significant achievement for Tasmania's island biosecurity status. Since the fruit fly was detected on Flinders Island and northern Tasmania early in 2018, the Government, the fruit industry, the primary industry sector and the community have worked very hard to eradicate this pest. Eradicating the fruit fly has been the single largest biosecurity operation and response in Tasmania's history and that should be noted. It involved an estimated 500 members of the Tasmanian public service, across the public service, and in particular I acknowledge Biosecurity Tasmania and my own department for the fantastic work that they have undertaken.

Last week I was in the north of Tasmania to thank them specifically for the work and service they have undertaken across north, north-west Tasmania and Flinders Island and the Premier and I were then together thanking those in southern Tasmania for the work they have undertaken for and on our behalf. I have had the opportunity as minister to thank the many growers, the industry leaders, local government and to express my gratitude at the immense cooperation that has enabled these eradication efforts to be successful.

We must remain vigilant and supportive of all the efforts to eradicate the fruit fly. It is a significant achievement. We should remember that our fruit industry is worth \$154 million to Tasmania at the farm gate, multiplying to over three times that when you value-add the sale of the processed food products. We must remain vigilant as the fruit fly from mainland Australia remains a significant risk. The normal fruit fly monitoring continues with regular checking of the permanent grid of fruit fly traps across the state. Be assured the work is ongoing.

Following the lifting of the fruit fly restrictions in northern Tasmania in early January we have been working with the Australian Government and we thank them for their support and efforts to restore our statewide pest-free area status for our fruit into lucrative international markets. We have had success in terms of access to New Zealand, South Korea and Japan and we are continuing our efforts with Taiwan, China and Indonesia and they are impacted by other national events and other parts of Australia that are still subject to fruit fly incursion.

We are working with our interstate counterparts through the new intergovernmental agreement on strengthening Australia's fruit fly management system. It is an important initiative that recognises fruit fly management is a responsibility shared by all Australians, all Tasmanians, and

that cooperation, investment and action with local government, industry and the community is essential.

I am passionate about primary industries and about achieving world's best practice in Tasmania. I recently announced the independent review into the fruit fly response, led by Mike Blake, former Attorney-General of Tasmania, and the terms of reference have been released. We are inviting public submissions and we welcome that. We hope to learn from that so we can be better prepared than ever before for future events, because there will be potentially future events. There is no such thing as zero risk and this needs to be acknowledged, as anyone with a working knowledge of biosecurity will tell us.

The Hodgman Liberal Government is doing everything it can to meet that challenge and we expect to soon table in this Parliament the new biosecurity bill which has broad industry support to ensure our biosecurity laws and systems will continue to meet the challenges of the future. I will have more to say about that.

We formed Biosecurity Tasmania as an integrated approach to better support and protect our primary industries and our environment, and in each successive budget we have invested more into developing it. This is not a warped priority; it is a priority of our Government. We are doing this. We have doubled the number of detector dog teams to 12 from six under Labor and the Greens. We have invested more to boost frontline services to meet seasonal demands and increase our inspections. We are backed up by more specialists in fruit fly and risk planning, for example. We have delivered a vital biosecurity infrastructure like the diagnostic laboratories, border signage, the Powranna Truck Wash I was able to open a month or two ago, and we are investing more to tackle pests and weeds. We are partnering with Fruit Growers Tasmania and the Tasmanian Farmers and Graziers Association in industry-led biosecurity, communication, education and support.

The message is clear in conclusion that we take biosecurity seriously. We are backing up our words with action. It is happening on our watch and we will continue to remain vigilant.

Government Finances - Fiscal Strategy

Mr BACON question to TREASURER, Mr GUTWEIN

[10.59 a.m.]

Your fiscal strategy requires debt servicing costs to be less than 6 per cent of general government cash receipts. Given that you are plunging Tasmania into net debt and have a half-a-billion-dollar black hole, can you rule out making changes to your fiscal strategy in order to mask your own incompetence?

ANSWER

Madam Speaker, I thank the member for his interest in this matter and for his question. He must have been up almost all night and almost knocked himself up.

Mr Bacon - Knocked myself up?

Mr GUTWEIN - Knocked himself out. Putting that aside, he asked me about the fiscal strategy. We have had the one consistent fiscal strategy since we came to Government. It is my

intention to ensure we continue to operate within that fiscal strategy, unlike Labor, which I believe changed its fiscal strategy seven times in a 10-year period. I will check that. You made significant changes to your fiscal strategy on an ongoing basis. You were in government for 16 years, so it might have been over that period.

Mr Bacon - I have been in parliament for nine years. This is over a 10-year period. Do you think I started as a 10-year-old? I think there were 10 surpluses. How many do you have on the board?

Mr GUTWEIN - That would be in the past history of that 16 years. They certainly were not under you, Mr Bacon. If you look over your shoulder, you would probably see some surpluses. We have consistently brought down surpluses and fixed the budget mess you left us. The member wants to hear about 23 May. He will have to wait until budget day. We will clearly explain in our budget how we will deal with this challenge. We will do it sensibly and responsibly because that is exactly what Tasmanians would expect from this side of the House.

Serious interest will be given to what happens on the Tuesday after 23 May, when the Opposition will have a chance to bring their alternative budget and explain the choices they would make. They can explain their priorities and how they would deal with a challenge like this. I am certain Tasmanians will look forward to that but we will see more of this politicking in the lead-up to the budget, as we have seen this morning. They will be asking us to rule things in and rule things out.

We will not play those games. Without being distracted, we will work to fix this challenge to ensure we balance the budget across the forward Estimates, that we do not compromise essential services and that we continue to invest at record levels of Infrastructure investment we already have in the budget.

Government Finances - Infrastructure Spending

Mr O'BYRNE question to TREASURER, Mr GUTWEIN

[11.04 a.m.]

You and the Premier have claimed you are plunging the state into debt in order to fund Infrastructure. Can you explain why the Revised Estimates Report shows spending on Infrastructure will fall by \$83 million in 2021 and fall by a further \$50 million in 2021-22?

ANSWER

Madam Speaker, I do not have a copy of the Revised Estimates Report with me. I am certain that we maintained our \$2.6 billion of record Infrastructure spend across the forward Estimates, and it increased.

Mr O'BYRNE - Point of order. The Treasurer may be misleading the House. The Revised Estimates Report talks about a cut and you have said it is a record investment and a record increase. You are cutting Infrastructure.

Madam SPEAKER - That is not a point of order. You cannot accuse the minister of misleading the House.

Mr GUTWEIN - Madam Speaker, if the member has a substantive motion to bring on, he should do so. Any reading to Revised Estimates Report would indicate that Infrastructure investment increased across the forward Estimates. We will continue with a record spend of \$2.6 billion into infrastructure to create the investment and the jobs that record investment will bring. This side of the House will continue to invest in the roads, bridges, hospitals, schools and the affordable housing Tasmanians deserve.

Mr O'Byrne - Why is it falling?

Ms O'Connor - Your priority order is very telling; roads before people.

Mr GUTWEIN - We will hear from this side of the House, that side of the House. We have a growing population and we make no apologies for continuing with our record Infrastructure spend.

Time expired.

RECOGNITION OF VISITORS

Madam SPEAKER - Honourable members, I draw your attention to our wonderful guests in the gallery. They are members of grade 5 and 6 at Our Lady of Mercy Catholic School. Welcome to parliament. I am glad you missed most of Question Time.

TABLED PAPER

Public Works Committee - Southern Accommodation Project, Lands Building Redevelopment

Mrs Rylah presented a report of the Public Works Committee on the following reference, Southern Accommodation Project, Lands Building Redevelopment, together with the evidence received and the transcript of evidence.

Report received.

ELECTORAL AMENDMENT BILL 2019 (No. 3)

Bill agreed to by the Legislative Council without amendment.

JUSTICE AND RELATED LEGISLATION (MARRIAGE AMENDMENTS) BILL 2018 (No. 47)

Bill returned from the Legislative Council with amendments.

[11.09 a.m.]

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

That the last mention message be taken into consideration tomorrow.

[11.09 a.m.]

Ms HADDAD (Clark) - Madam Speaker, I move -

That the last mention message be debated forthwith.

Madam SPEAKER - Do you seek to amend it?

Ms HADDAD - Yes. Madam Speaker, I move -

That the motion be amended by deleting all of the words after the word 'debated' and replacing them with the word 'forthwith'.

Mr Ferguson - There is no word 'debated' in the motion.

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, we support the amendment as put by my colleague, the member for Clark, the shadow attorney-general, that this debate on the amended legislation be dealt with by parliament forthwith. It is extremely important that this House recognises it has a responsibility to deal with this amended legislation today. It has been rigorously examined by both Houses of the Tasmanian Parliament and a majority of members in both Houses of Tasmania's Parliament have agreed that the Births, Deaths and Marriages Amendment Bill, as it is in this House today, should be passed. It should be passed today because every day we delay on dealing with this legislation is a day that potentially causes harm to transgender people, and that is a fact that is recognised by a majority of members in both Houses of the Tasmanian Parliament.

We sought yesterday to have the Premier provide some clarity to transgender Tasmanians about when this legislation would be debated and he refused to do so. There is no justification for not dealing with this legislation today. If the Premier gets up and says, 'We want this to be delayed because we need the Tasmanian Law Reform Institute to have a look at it', I point him to the Law Reform Institute's statement which is very clear. They cannot and will not examine this issue under the terms of reference until the legislation is enacted. If people on the Government side of the House are concerned then they should be very keen to see this legislation enacted so that the Tasmanian Law Reform Institute can examine it. This House has the responsibility here today to deal with this amendment bill.

I am just going to put some statistics out there to focus people's minds on why it is so important. The American Academy of Paediatrics has undertaken a study on the risk of suicide and self-harm for transgender people and it found that for transgender men, 50 per cent reported having attempted suicide in their teens. For transgender women, the statistics sit at around 30 per cent of transgender women attempting suicide or self-harm in their teens. When you look at the statistics for non-transgender people, for women it sits at 17.8 per cent and for men under 10 per cent. This is a fact we need to deal with. Delaying debate on this legislation is harmful. It has been months now and we have had the kind of language coming out of organisations like Women Speak Tasmania and the alleged Coalition for Kids seeking to throw in red herrings and stall debate on this legislation so that they can whip up fear and loathing in our community.

If the Premier gets up and talks about the Attorney-General's concerns relating to the Solicitor-General's advice, advice that she waived privilege on but will not make public, that Solicitor-General's advice was clearly made in the absence of knowledge about the amendments that the upper House delivered that dealt with those concerns. All the concerns the Attorney-General has

raised as part of an extremely damaging and hysterical response to this amendment bill have been dealt with by the upper House in the amendments.

If people are concerned about the legislation that left this place, I urge them to read in detail the upper House's amendments. It is important to understand that those amendments were drafted by the Office of Parliamentary Counsel. At this stage this parliament does not have access the Office of Parliamentary Counsel and we delivered those amendments in this place in good faith. However, it is hard to argue if you have concerns about the robustness of the legislation that the upper House has not made significant improvements to the language of the amendments. Some of us will potentially have concerns with some of the amendments, but it is a robust bill and once it is enacted transgender Tasmanians will have the right under law to be who they are. Small 't' Liberals on the government side should hang their heads in shame. This is core, small 't' Liberal policy - individual human rights, the right of people just to be who they are.

Madam Speaker, the House must deal with this legislation today. It must deal with it forthwith and it is on that basis that we support the shadow attorney-general's amendment.

[11.15 a.m.]

Mr FERGUSON (Bass - Leader of Government Business) - Madam Speaker, it is obvious what is happening here this morning. I have to say that the shadow attorney-general leaping to her feet on this matter is an improper use of this House. It is not appropriate.

Members interjecting.

Mr FERGUSON - I would like to be heard.

Ms O'Connor - Rubbish - standing order 224.

Madam SPEAKER - It is my understanding that standing order 224 does allow for this.

Mr FERGUSON - Madam Speaker, I seek only to be heard. The Government asserts this is not a proper use of this House at all. The amendment message has only just been received and it is extensive. Look at the detail. It shows the work the Legislative Council members saw fit to do to fix the mess that was created by members opposite, and that is what you were warned about.

Ms Haddad - Support the upper House amendments. Recognise their power of work and support their amendments.

Mr FERGUSON - If you could listen to a different perspective, please. The Attorney-General is not present today. Members opposite ought to reflect on that. This is the Attorney-General's bill, it has her name on it and it is important that she be here for the consideration of its amendments.

Members interjecting.

Mr FERGUSON - It is interesting how people will not allow others to be heard. Yesterday the Opposition did everything it could to prevent this message being received. That was very clear. The Government has important legislation to deal with this week. We started debate yesterday on our nation-leading PTSD legislation and we are keen to see it transmitted to the other place this week.

The Government needs time to look at the extensive range of amendments that have been put through and consider them, which is why this House should not hastily be ramming these amendments through without proper advice and consideration. The Attorney-General has said it is important that the TLRI inform this House before it rams through these amendments.

Ms O'CONNOR - Point of order, Madam Speaker. The Leader of Government Business is in denial of the reality that the TLRI cannot and will not look at this issue until the legislation is enacted.

Mr FERGUSON - That is not a point of order. That is a debating point.

Madam SPEAKER - Order. It is not a point of order but that is my understanding as well.

Mr FERGUSON - That is a debating point. At the moment, I am articulating a reason why you are wrong about what you are asserting.

We say that this is unseemly haste and an improper use of the House. While the standing orders may well allow this to occur, every Tasmanian will know that Labor and the Greens today intend to ram these changes through our parliament regardless of the impact it will have on the Tasmanian community.

The Attorney-General has been clear. This is a dog's breakfast. It has problems at law. The Attorney-General has indicated to Legislative Council members that she has advice from our Solicitor-General that indicates significant deep problems with these Labor-Greens amendments.

While there is no denying the significance in this issue, that should be a reason to not rush it through this House. It is clear, in the absence of the Attorney-General today - and nobody will argue her reasons for being unable to be here - this should not be rammed through this House on the power of numbers by Labor and the Greens in the full knowledge that there are deep problems with the Labor and Greens amendments. Even with the ones that have been fixed up, there are deep problems with the Labor-Greens amendments, even those that have been fixed. There are still problems and you have been told. Be it on your head. We have indicated that if Labor and the Greens combine and ram this legislation through today, you are doing so knowing there are deep problems with this legislation and it is a creation of your own making.

[11.20 a.m.]

Mr O'BYRNE (Franklin) - Madam Speaker, the member started his contribution by saying it is obvious what is happening here. It is obvious what is happening here. What is happening has been obvious for the last six to nine months. You are promoting hate in our community. You are promoting division in our community. You are promoting misinformation and intolerance. If we talk about the improper use of the House and the forms of the House, you have used every trick -

Ms O'Connor - Dirty trick.

Mr O'BYRNE - There are a couple of other words that spring to mind. You have used every attempt to deny the will of the both Houses to see this bill work through the process, to debate it, amend it, have it considered and have it put through via the formalisation of parliamentary process. You have used every trick inside this House. Through your press conferences, your media releases and your contributions on some radio stations, you have promoted misinformation, division and

disunity in this community and you should hang your head in shame. What is going on here is obvious and it is absolutely disgraceful.

Initially, you said it was not within the standing orders. It is within standing order 224 to deal with this. Both Houses have debated this matter at length: the committee process upstairs and the briefings, the amendments and the long hours of debate in the upper House, have worked through the issues you say have been raised and are a fatal flaw within the legislation. Those matters have been resolved.

Those matters have been considered in the upper House. You are being disrespectful of this House, the process of this House and the extensive work of the upper House. If you had any heart, you would listen to the heartfelt contributions of members of our community and the members of the upper House, who are not aligned with the Labor Party and are genuinely independent members of the upper House, trying to resolve a scar and a wound in our community by moving amendments to resolve this matter. It will not impact a range of members in the community one iota, but it will resolve a significant issue for a number of key members of our community. I ask the member who resumed his seat to read it and look into his heart. He regularly claims a Christian belief system. We hold this as well.

Mr Barnett - Go on, put it on.

Madam SPEAKER - Order.

Mr O'BYRNE - I did not hear that. I am not. It is a belief system and it is about caring. It is about loving and it is about reducing people's trauma. This debate is crucial. This debate goes to the heart of people in our community and how they can live their lives free of discrimination, free of intimidation and make some decisions.

Mr Ferguson - You are a grub. You are being very grubby.

Mr O'BYRNE - I am a grub, am I? I take offence to that, Madam Speaker.

Madam SPEAKER - I take offence on your behalf, thank you.

Mr Ferguson - I withdraw. I say it is very grubby.

Mr O'BYRNE - Madam Speaker, that is disingenuous.

Madam SPEAKER - He did withdraw it. I ask the minister to refrain from that kind of commentary. It is not helpful.

Mr O'BYRNE - Madam Speaker, this matter needs to be debated forthwith. It is a matter that has been considered and extensively debated in both Houses of parliament. It is important to those impacted by this legislation that this House deal with it today to resolve it, setting us on a path to remove a significant issue for members of our community. I urge you to consider these arguments and allow us to finalise the debate in this matter.

Dr WOODRUFF (Franklin) - Madam Speaker, the case has been amply made for urgency in dealing with this bill. It has been something that the Liberals, the minister, has done everything

possible to push aside, to degrade the people who have spent years, more than a decade, trying to make this incredibly tiny change that will mean absolutely -

Mr BARNETT - Point of order, Madam Speaker. On behalf of the Attorney-General, that is unparliamentary making such an allegation, the attempt to be degrading. The Attorney-General has never been in that position and expressed that view. I ask her to withdraw that allegation which was defamatory.

Madam SPEAKER - I do not believe that is a point of order. I am going to let Dr Woodruff proceed.

Dr WOODRUFF - Thank you, Madam Speaker, because I did not make any allegation. I just stated the facts.

This minister has done everything she can to hold back the tide of respect and recognition that this bill will bring in. This is a bill which has been fought for by people that will have every impact on their daily life, every impact on the life of their children and the life of their loved ones. Just listen to the statistics Ms O'Connor mentioned. Look into your own hearts and imagine why 50 per cent of trans men attempt to commit suicide. That is the most appalling figure. Look into our hearts. How can we stand here after Christchurch, the condolence motions that we made? The conversations that we have had in this place since then about language, about the importance of leadership of all people in parliament to bring people together, to heal wounds, to reach across divisions instead of opening them even further for short term aims.

Think about how we can build our community, build a stronger Tasmania, a community where people share difference, respect difference, where people feel part of a community and included rather than pilloried, denigrated, made to feel different, made to have operations they do not want to have in order to simply be able to say who they are and to be legally recognised for that.

This is a bill which must be dealt with today because people's lives have been held up for years, for decades, and every single day matters so much to them. This is something which is the business of parliament. It has been given so much attention by members' angst over words and the details for months now and the Office of Parliamentary Counsel has done everything to find the words that will satisfy members of both places.

Here is it before us today. It is our job, it is our duty, to dispatch this debate today and get it done.

Question - That the amendment be agreed to - put.

The House divided -

AYES 11

NOES 11

Mr Bacon
Dr Broad (Teller)
Ms Butler
Ms Dow
Ms Haddad
Mr O'Byrne

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch

Ms O'Byrne
Ms O'Connor
Ms Standen
Ms White
Dr Woodruff

Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Shelton (Teller)
Mr Tucker

PAIR

Ms Houston

Ms Archer

Madam SPEAKER - The result of the division is 11 Ayes and 11 Noes. In accordance with Standing Order 167 I have a casting vote. In order to give this legislation the most rigorous debate I cast my vote with the Ayes.

Amendment agreed to.

Question - That the motion, as amended, be agreed to.

The House divided -

AYES 11

NOES 11

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

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Shelton (Teller)
Mr Tucker

PAIR

Ms Houston

Ms Archer

Madam SPEAKER - The result of the division is 11 Ayes and 11 Noes. In accordance with Standing Order 167 I have a casting vote. I cast my vote with the Ayes.

Motion, as amended, agreed to.

JUSTICE AND RELATED LEGISLATION (MARRIAGE AMENDMENTS) BILL 2018 (No. 47)

In Committee

Council amendments to clause 1 be disagreed -

Mr HODGMAN - I will speak broadly to the legislation before us in the hope of avoiding the need to repeat myself on each clause. However, I will be speaking to specific provisions and the Government's view in relation to those. It is appropriate for me to inform the House of our opposition to this legislation, which we consider to be flawed in its operation and its impact on other statutes. It has not undergone adequate consultation with stakeholders or with the community. The Legislative Council has completely changed the bill introduced by Labor and the Greens that they wanted to have parliament pass swiftly, which shows how badly it was drafted in the first instance.

Ms O'Connor - You might take this opportunity to commit to giving us access to Parliamentary Counsel.

Mr CHAIRMAN - Order.

Mr HODGMAN - Without a full legal review, we consider it to be a subversion of good lawmaking. It is an important responsibility for any government to ensure the laws that pass through this place are good -

Ms O'Connor - The majority of members in both Houses, are you accusing them of subversion?

Mr CHAIRMAN - Order, Ms O'Connor.

Mr HODGMAN - and not to have legislation rushed through to the Legislative Council. We now have a complete re-write of that initial body of legislation. It is entirely unrecognisable from what was first before this House. We will be voting against the bill, as we did in the House of Assembly last year and in the Legislative Council last week. Our position remains that these matters should go through full legal review before being passed by parliament. That is why we have referred the matter to the Tasmanian Law Reform Institute.

Ms O'Connor - They cannot look at it until it is enacted.

Mr CHAIRMAN - Order, Ms O'Connor. I officially warn you for the first time for constantly interjecting. That is three times you have interjected on the Premier.

Mr HODGMAN - I want to bring to the members' attention a statement from the Tasmanian Law Reform Institute in relation to the reforms before us and the reference before them. It says -

Preliminary work on this reference has commenced, and will continue regardless of the status of the Justice and Related Legislation (Marriage Amendments) Bill 2018.

Ms Haddad - Keep reading until the end.

Mr HODGMAN - I will read the whole thing out -

This means that the work of the TLRI should not defer consideration of the bill by the Legislative Council. Our research will incorporate consideration of the terms of any bill passed into law.

It goes on.

Ms Haddad - They won't consider it until it is passed into law - that's what it says.

Mr HODGMAN - The Law Reform Institute is perfectly placed in our view to provide the full legal review that has been expected by this parliament -

Ms Haddad - After it is passed.

Mr CHAIRMAN - Order.

Mr HODGMAN - It is proposed by members of this House that this be rushed through in contravention of legal advice we have received and which has been the subject of this debate and is not to be dismissed lightly. Legal stakeholders including the Solicitor-General and the President of the Tasmanian Bar Association have raised serious concerns, pointing out there has been no opportunity to undertake a full review of what is being proposed and how it impacts on other statutes. In our view it is entirely negligent and irresponsible for Labor and the Greens to seek to enact a bill that may cause legal uncertainty for Tasmanians.

The fact that the term 'gender' is not included in the short title of the bill demonstrates how far outside the scope both the House of Assembly and proposed Legislative Council amendments are. I acknowledge the efforts of the Legislative Council to try to fix clauses inserted by Labor and the Greens into the bill but the Government does not support the inclusion of the clauses in this bill, certainly not the Government's original bill.

Given the lack of consideration by Labor and the Greens to the legal ramifications to the current legislation, which are significant, it is highly likely in my view that parliament will need to reconsider and likely fix up problems with the legislation at a later date. We will take further advice on that. We will certainly not rule out repealing the Labor and Greens amendments in part or in full. It would be irresponsible of any government not to look at the effects of these amendments.

Mr Chairman, I move -

That the amendment to clause 1 not be agreed to.

Ms HADDAD - Labor will be supporting this first amendment as presented from the upper House. I will reflect on some of the comments the Premier made in his opening remarks. He said that the original bill was badly drafted, the original amendments in this place were badly drafted, and there has been no consultation. That is simply not the case. There has been extensive consultation over many years and decades on these issues. There was a report in 2016 that garnered several community consultation submissions. The amendments themselves were brought to the Government by advocates in the community months before they were brought to opposition parties.

There was a lengthy debate in the lower House and in the upper House and there has been excruciatingly long, for some people, public debate ever since then, with every member of parliament receiving multiple representations from members of our community on their views, varied that they are, on the amendments proposed here in the lower House and the amendments proposed in the upper House.

It is interesting that the Premier indicated he appreciated the work of the upper House. The Leader for Government Business in the upper House said the same last week. I sat through that debate in their Chamber and she commended the independent members of the upper House for their

power of work with the access to offers of Parliamentary Counsel to, in the Government's words, 'fix' the amendments that were passed in this place. Whether that is how you characterise the work of the upper House or not, they did a power of work that should be recognised and appreciated in this place.

The changes the upper House made make this legislation that will protect the rights of transgender people. It makes very simple changes and there has been such an enormous scare campaign that the Government has not only done nothing to dampen but has fuelled the flames of that scare campaign across Tasmania. Even this week, members of the Government have misrepresented the changes made in the upper House and misrepresented details of the bill that were debated as it was in the upper House.

As for consultation, the Law Reform Institute does have a reference in front of them; that is true. The Premier selectively read from that letter - an unprecedented step, I might add, because the Law Reform Commission said that they do not usually release terms of reference and speak about references before they commence that work. What they go on to say that the Premier conveniently did not read into the *Hansard* is that in accordance with law reform practice, they will not comment on bills before parliament or any related amendments, which means they will not comment on the Justice and Related Legislation (Marriage Amendments) Bill 2018 or any related amendments until a final form of the bill is enacted. That is what the Law Reform Institute said.

The preliminary work on the reference has commenced and will continue regardless of the status but their research will not continue until there is a bill passed into law. This means that the work of the Law Reform Institute should not defer the consideration of the bill by the Legislative Council. Their research will incorporate consideration on the terms of the bill when passed into law. They may have a reference in front of them but it is a furphy for the Government to say that this legislation and these amendments can wait until they have received a report in September from the Law Reform Institute because that report will not be completed until a bill is enacted into law, and that is the next step for these amendments.

Ms O'CONNOR - Mr Chairman, we are debating the first amendment which alters the short title of the bill to reflect the inclusion of matters relating to gender. Of course we support this amendment. I want to challenge something the Premier said in his contribution. It is quite clear to me that the Premier is not across the amendments and changes that were made to the amendments by the upper House. He has also demonstrated total disrespect for upper House members and of course - but we are used to it - Labor and Greens members in this place by accusing upper House members of subverting good legislative process.

Mr Hodgman - No.

Ms O'CONNOR - That is what you said - 'a subversion of good law-making' was exactly -

Mr Hodgman - By you, Labor and the Greens -

Ms O'CONNOR - You can try that, Premier, but you are in denial.

Mr Hodgman - Greens members upstairs, if there are any.

Mr CHAIRMAN - Order.

Ms O'CONNOR - Regrettably, there are no Greens members upstairs, and I remind you of the vote, Premier, which was eight for the amendments and six against the amendments. There are four Labor members upstairs and that is irrelevant. A majority of members in the upper House, having thoroughly examined and tested the amendments and having met with the Office of Parliamentary Counsel at a meeting which I understand they were told they could not take notes at, have backed these amendments after a full summer of examining the bill that we sent upstairs. That is not a subversion of good law-making. That, Chair, is good law-making.

The Premier says that his Government wants proper process and expert advice. Well, the summary of the Solicitor-General's concerns was only given to upper House members a day before debate on the bill was due to start. Chair, that is not good process, that is an ambush, and we have seen this from the Attorney-General and other Government members. You can read it in the debate in the other place. There has been constant subversion of the facts and constant willingness to play politics with this issue regardless of the human collateral damage.

We will support this amendment and every amendment the upper House has delivered to this place. Those amendments reflect the will of this House, yet they have been through Parliamentary Counsel. This is robustly drafted, tested and passed legislation in the upper House, Chair, and our concern remains that we just heard a threat from the Premier to potentially repeal this legislation. You people need to get over the fact that you are not in control of this House. You do not own this parliament. It is the will of the parliament that we reform the Births, Deaths and Marriages Act, the Anti-Discrimination Act and those other parcels of legislation in a manner that is in the legislation before us today, the amendment bill.

Premier, I am sure that you would rather not be sitting there defending your Government's odious position on this legislation. I feel that you are uncomfortable. I am certain that you are not across the amendments. I am certain of it because of the contribution that you just made. If you want us to take you seriously on legal concerns, table the Solicitor-General's advice. Privilege has already been waived on that advice. Let us remember that that advice which was dumped on the Legislative Council the day before the debate was due to start was advice that was given before the Legislative Council had debated the amendments.

Ms Haddad - It was not given on the Legislative Council's amendments at all. It was in terms of the original amendments.

Ms O'CONNOR - That is right. Thank you, Ms Haddad. That advice, it needs to be understood, is outdated. It is a redundant piece of advice but it would be good for the House to see it, given that Government members and the Premier keep referring to it. If you are going waive privilege table the advice. Otherwise what you are putting on the Table here is a big, fat, stinking red herring and really, Premier, you should be ashamed of the comments that have come out of the Attorney-General throughout the course of this debate. The willingness to throw up furbies, to give voice to those awful organisations like Women Speak Tasmania and the alleged Coalition for Kids -

Mr Ferguson - Oh, gracious. Really. You have just called them out as awful, these Tasmanian people.

Ms O'CONNOR - Awful. I stand by that. I could have said a lot worse. I could have told you what I really think of them, Mr Ferguson, but I chose not to.

What worries me, Mr Ferguson, is that when members of our transgender community read the kind of garbage that your Attorney-General put out on Government media release letterhead, it hurts them. When organisations like Women Speak Tasmania, who clearly do not understand transgender issues, put out the kind of rubbish that they are, it hurts people. When self-appointed experts who call themselves the Coalition for Kids - yet it turns out that the lead spokesperson is from the Catholic Church - when they come out and lecture us on the wellbeing of children, frankly I want to vomit.

We will be supporting this amendment. We will be supporting every amendment that the upper House has delivered to this place. We know that when today is over and the law has changed, people who have been stigmatised and discriminated against under Tasmanian law since forever will breathe out and breathe a sigh of relief. They will know that a majority of members in both Houses of the Tasmanian Parliament support their right to be who they are under the law, not to face obstacles in the law. Part of the reason that this debate has become so difficult is because, in fact, Tasmanian law really does not recognise transgender people other than in the Anti-Discrimination Act 1998. That is part of the reason this has become so complicated. That is a challenge for law makers but it starts here and it starts today.

Mr CHAIRMAN - The question is that the amendment be disagreed to.

The Committee divided -

AYES 10

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Tucker (Teller)

NOES 12

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

PAIR

Ms Archer

Ms Dow

Council amendment to clause 1 agreed to.

Council amendment to clause 2 -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendment to clause 2 be agreed to.

We are supporting this based on advice provided by the Registrar that at least four months is required for systems upgrades.

Ms O'CONNOR - Chair, this is the amendment which inserts a new clause A to replace the clause to enable time for the transition arrangements required by the Registrar to be facilitated. This is an improvement to the legislation and acknowledges that it will take some time for the transition to be in place with the Registrar. I need to understand what the Premier said then. Is there new advice from the Registrar that this is not enough time? We certainly have not been privy to that advice. I do not believe it was made available to the upper House. We will be supporting this amendment as delivered to this place by the Legislative Council.

Ms HADDAD - Labor supported this amendment in the upper House and we will be supporting it here. It was an amendment moved by the member for Murchison, Ruth Forrest, which allows for a later commencement date for amendments to be dealt with later.

Council amendment to clause 2 agreed to.

Council amendments to clause 6 -

First amendment -

Mr HODGMAN - Mr Chairman, I move -

That the first Council amendment to clause 6 be agreed to.

I advise that with respect to the first amendment to clause 6, the Government, as we did in the Legislative Council, will support it, as we will the second.

Ms HADDAD - This was an amendment moved by the member for Launceston. It is an example of some of the community consultation that has been undertaken on this bill by every member of parliament. Many members of parliament received correspondence from members of our electorate who were concerned with the Government's move in the original bill as dealt with in this place, which was to make the legislation gender-neutral.

I acknowledge it is parliamentary drafting practice spreading around the world that legislation should, where possible, be gender-neutral, and I agree with that premise. Labor supported this in the upper House in recognition that this has been one of the concerns raised by members of the community. Albeit that I agree that legislation, where possible, should be gender-neutral, it is an opportunity for us to reflect on the fact that not just this but the bulk of the amendments that were moved by the upper House were done so after considerable consideration of the bill and the amendments moved downstairs and community consultation.

Ms O'CONNOR - I agree with the contribution made by Ms Haddad. The reason the Premier is comfortable in supporting this amendment is because it is a significant improvement on the amendment the Government had included originally in the bill, which was to leave out the words 'a parent or guardian' and insert the words 'the father, the mother, or parent or guardian'. This should allay some fears in the community about a false perception that parliament was trying to do away with motherhood and fatherhood and trying to eradicate gender. This is a substantially improved amendment that has come down after rigorous testing in the upper House, together with the other amendments.

Amendment agreed to.

Second amendment -

Mr HODGMAN - Mr Chairman, I move -

That the second amendment to clause 6 be agreed to.

Amendment agreed to.

Council amendments to clause 6 agreed to.

Council amendment to clause 7 -

Mr HODGMAN - Mr Chairman, I move -

That the amendment to clause 7 be agreed to.

Amendment agreed to.

Council amendment to clause 7 agreed to.

Council amendments to clause 13 -

First amendment -

Mr HODGMAN - Mr Chairman, I move -

That the first amendment to clause 13 be not agreed to.

The Government remains concerned that the definition of gender declaration only requires a person to identify what gender they personally identify as at the time of the declaration. It does not require any intention to permanently live as the changed gender and there are no limits on the number of times a person can change gender.

Ms HADDAD - Labor will be supporting this amendment. I hope the Premier's tongue stuck in his mouth a little when saying those things just now. I am lost for words, which does not often happen to me. I will reiterate what I said about the power of work done by members of the upper House. This amendment was moved by the member for Murchison and was respected in the upper House by the Leader for Government Business there as having significantly improved on the attempts downstairs. The member for Clark has outlined the fact that because we do not have access to the Office of Parliamentary Counsel in the lower House, the intent of those amendments we made in the lower House are still being met by the amendments moved by the member for Murchison.

I do not know what kind of world the Premier is imagining that we might live in and transgender people might live in. Right now, there are requirements for somebody to have a simple change made on their birth certificate to have their gender marker changed from one to another, not on the Register of Births, Deaths and Marriages, not on government records. All of that information would continue to be kept and recorded, but it is simply so that the piece of paper you walk away with from Service Tasmania reflects the true gender that you are. Right now, there are onerous

requirements for those people to go through in our legislation - to be divorced if married and have invasive, life-altering, dangerous, often unneeded and unwanted surgery. I spoke on that in my second reading contribution when we debated this last year. I am appalled anyone would think politicians should have the say in whether somebody undergoes invasive physical surgery. If I were to undergo invasive physical surgery of any kind, with respect to all colleagues, it would not be you I would be asking for advice, or to check the statute books for permission for what surgery I might require. I would be talking to my doctor about that, to medical professionals, to my family and loved ones about such a thing.

The Premier said that the Government is not supporting this amendment from the upper House because it does not require people to intend to live as the other gender. How would somebody demonstrate that to your satisfaction? I am not wearing a skirt today. Does that mean that I do not intend to live as the gender I express myself as? How would somebody meet that bar, 'intend to live'?

As for changing willy-nilly, it is offensive to imagine anybody would be so calculating as to daily change their gender on their birth certificates. Is your purpose to prove some kind of bizarre bureaucratic point? An amendment to outlaw that practice is to be considered in this package of amendments. It was moved by the member for Windermere, Mr Dean. If accepted, and I hope the Government will accept Mr Dean's amendment when we come to it later in this package of amendments, it would allay the fears in the community that any such behaviour could be entered into by a transgender person or anybody else in the community. They would not be able to do so. As the Premier expressed, some Government members may be concerned that people would change their gender day on day. This would not be possible if the bulk of these amendments and this specific amendment from the member for Windermere are accepted.

Ms O'CONNOR - I am glad I asked the Premier to clarify why he does not want this amendment agreed to. It exposes the Premier and his alleged Liberal values. Premier, you are feeding into the myth and the narrative that transgender people will treat transitioning and living within their true identity as trivial, that this will be something people want to do once a week because transitioning is so much fun. It is not. I do not believe the Premier has spoken to enough transgender people about their lived experience of claiming their identity, being respected for their identity and the lived experience of coming up against the barriers in law to having their true identity recognised by the law and by society. There is nothing fun, enjoyable or easy about transitioning for a transgender person. This is the clause in the legislation dealing with this in part; the requirement for a transgender person to undergo invasive surgery before they can have their birth certificate changed.

I resist talking about personal issues in this place but I will talk about my kid for a minute. Jasper is Jasper. Jasper is a 20-year-old young man, but every single official document he has misnames him: his bank account, tax file number and his student card. Every time he and other transgender people, who cannot have their birth certificate changed because of the sexual reassignment provisions, apply for jobs or any other element of officialdom where formal identity documents are required; they have to out themselves. My child's name is not Mara. Every piece of official documentation lies about my child's name. Right now, the law says to my child, 'You have to have a hysterectomy before we recognise who you are'. That is garbage and we need to fix this. We support the amendment.

Question - That the amendment be disagreed to - put.

The Committee divided -

AYES 10

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Ms Rockliff
Mrs Rylah
Mr Tucker (Teller)

NOES 12

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

PAIR

Ms Archer

Ms Dow

Amendment agreed to.

Second amendment -

Mr HODGMAN - Mr Chairman, I move -

The second amendment to clause 13 be not agreed to.

The Committee divided -

AYES 10

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Tucker (Teller)

NOES 12

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

PAIR

Ms Archer

Ms Dow

Amendment agreed to.

Council amendments to clause 13 agreed to.

Council amendment to clause 14 -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendment to clause 14 be agreed to.

Amendment agreed to.

Council amendment to clause 14 agreed to.

Council amendment to clause 15 -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendment to clause 15 be not agreed to.

Ms HADDAD - Speaking on the change that the Legislative Council made to clause 15 which is to leave out the word 'gender' and instead insert the word 'sex' into proposed clause 15 as debated by the upper House, it makes sense for my comments to relate to this clause change and also to the previous one agreed to by the Chamber to leave out clause 14.

What these two changes do is deal with how births are notified by hospitals at the time of birth. The reason it is important to point out some of the reasons the member for Murchison moved these two amendments is that they go to the very heart of some of the scare campaign that has been allowed to play out in Tasmania and around the country over the last several months. Part of that scare campaign that we heard from several organisations and the embers of which were stoked constantly by members of the Government, was that we were erasing gender from Tasmania. Everybody has heard those claims in the community or read newspaper articles by extreme conservative journalists who have claimed that what the attempted amendments in the lower House did were effectively to remove gender from Tasmania. How ludicrous.

It was hard for me as a new politician to hear but it was a lot harder for the transgender people and gender diverse people in Tasmania and around Australia to hear that, and who were asking, why is this Parliament choosing to play games with our lives? Why is the Tasmanian community choosing to play games with what is actually an extremely serious health issue for transgender and gender diverse people?

What these two changes moved in the upper House do, the removal of clause 14 and the amendment to clause 15, will make it extremely clear that upon birth there are two things that happen within quick succession. One is the hospital must notify the government within 21 days that a baby has been born. That has to happen, thanks to the amendment from the upper House. That is the current law and that will stay as it is: within 21 days for a live birth, and within 48 hours of a stillbirth. The hospital must notify the government that a child has been born and they must notify the government whether that child is male or female. No other options are available to the hospital other than to notify the government that it is a live birth within 21 days, or a stillborn baby within 48 hours; a baby has been born either male or female.

The amendment to clause 15 recognises that at birth, it is sex that is being registered by the government. It is notified by the hospital that a live birth has occurred, the baby was a boy, put that on the register please, and that is what will occur. It is sex that is registered at birth. That goes to the heart of why the remainder of these changes are so important today. It is sex that is noticed at birth. To put it crudely as the member for Murchison explained, in her experience as a midwife, basically we have a look between the legs and say 'this one is a girl, this one is a boy'. That is what will be notified by the hospital to government. That is what will be registered and recorded and kept in government records.

Gender on the other hand is something that might be wrong. It might not correlate with what is noticed at birth and what is put onto the register. Gender is more complicated than that. There are not only two genders and that is why the remainder of the changes in this package of amendments from the upper House that we will go on to debate, are important to recognise. The fact that when somebody's sex is assigned at birth and does not correlate to the gender that they later seek to live, and that the law in Tasmania will protect them, protect them from discrimination and the kinds of administrative pain we have heard the member for Clark explain of having a series of documents that simply do not reflect who you are.

[12.30 p.m.]

Ms O'CONNOR - Mr Chairman, the Greens will support this amendment which changes 'gender' to 'sex' as it is the sex of the baby that is recorded at birth. For the benefit of the Premier and some of his colleagues who do not understand the distinction between sex and gender, our office has put together some information I am happy to share with the Premier. I will put some of it on the record now.

There is a distinction between sex and gender. If there were not, there would be no need for two distinct words. It is important to remember that both sex and gender are human-defined terms and, while they may have a basis in observable traits, it does not mean that either are naturally defined terms. A mismatch between apparent sex and how a person identifies is a real phenomenon. It is a very strong drive causing gender dysphoria, in some a condition that is recognised by all significant psychological bodies. It is not simply a vague feeling. There is also some debate over even the use of the term 'dysphoria', because dysphoria medicalises a fact and dysphoria seems to indicate that there is something wrong with the person and that is not the case.

Institutions such as the Australian Psychological Society and medical publications such as the *Diagnostic and Statistical Manual of Mental Disorders* base their position on the research and evidence, not activism. The idea that these organisations are incorrect about the distinction between sex and gender is not supported by evidence. In fact, the only basis for the idea that gender and sex are not different comes from an individual's own strong belief that they are not different, which is ironically the exact motion opponents are trying to discredit as meaningless.

This is a significant change. It should allay some of the fears that were expressed in quite hysterical terms by the Attorney-General and others in the community about the gathering of statistical data that relates to births in Tasmania. This is a straightforward amendment. I hope that the Government, the Premier, does not call a division on it. There should not be an argument about this particular clause.

Question - That the amendment be disagreed to - put.

The Committee divided -

AYES 10

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Tucker (Teller)

NOES 12

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

PAIR

Ms Archer

Ms Dow

Council amendment to clause 15 agreed to.

Council amendment to clause 16 -

Mr HODGMAN - Mr Chairman, I move -

That the amendment to clause 16 be not agreed to.

Ms O'Connor - Why?

Mr HODGMAN - We don't support it.

Ms HADDAD - I am genuinely asking this question. There is no politicking here. I would like to know the Premier's reasons for not supporting this change and I hope he will outline them. This one was moved by the member for Murchison. It was a hard one to follow in some ways but we are supporting it here. What this amendment does is make the recording of sex mandatory by the Registrar of Births, Deaths and Marriages. The current legislation is silent on whether the Registrar must record that information. Under the Tasmanian legislation as it stands right now, the only thing that the Registrar is required to record is a name.

There was a lot of discussion around this in the community and in the parliament. The member for Murchison did a lot of work, but in particular on this very clause we are debating right now she did an enormous amount of work consulting on this. It was not an easy process for her. There was a lot of unease in some parts about this change.

What this change now does, if it is accepted, is to make it a requirement by law that the Registrar of Births, Deaths and Marriages will record sex on the register and will keep that information on the register. Right now it is recorded and kept by government in a range of different

ways, but this will be a first in Tasmania's history. There are several other jurisdictions that do not make it a legal requirement that sex is recorded at birth. This will change under this amendment.

I am genuinely interested in the Premier's views on that and I say that in good faith. I would like to know the Premier's reasons, and hope that they are heartfelt ones, about why it would be better for the Registrar not to record sex on the register.

Mr HODGMAN - This is another example of something that was certainly not in the Government's original bill for a start and not a matter that has been, in our view, properly considered. The advice that we have received is that this clause does remove the power for a person to change their sex and allows only for a person to change their gender. As a result of this clause, if an individual has sexual reassignment surgery, they will not be able to change their sex.

[12.41 p.m.]

Ms O'CONNOR - I am having trouble believing right now that you are concerned about the rights of transgender people to change their identity documents given the palaver on this bill.

This amendment replaces the existing amendment that was sent upstairs that allows information about sex or gender to be collected under section 50 by the Registrar with amendments that require the Registrar to register the sex of the baby as either male or female.

I share Ms Haddad's relative discomfort about boxing human beings into that binary construct but acknowledge that this is a mandatory provision that will require the Registrar of Births, Deaths and Marriages to register a person's sex as either male or female at birth.

This clause ensures the Registrar has the statutory power to correct errors made in determining the sex of the baby and prevents future changes of registered sex, instead allowing the amendments in clause 21. It also enables the subsequent registration of a gender or a change of gender. Any registered change of sex made before this bill comes into effect remains valid as the registered sex of the person.

I continue briefly with some education materials, information for the Premier on the difference between sex and gender. The reason I express a concern about the Registrar recording sex as male or female is that there is a whole lot of medical evidence that it is more complicated than that but this is an improvement on the current situation. We are looking at this in the context of the bill in its entirety.

Whether a person has a penis or a vagina is not the sole factor in sex. Genitalia are primary sex characteristics, characteristics presenting at birth and characteristics such as breasts in female are secondary sex characteristics which develop during puberty. This has been a long-standing conceptualisation of sex characteristics.

We are not conceived with an immutable blueprint of our adult form. Genes guide our development, most of which is enacted at various stages between conception and the end of puberty. At six weeks, in utero, the gonads in a foetus become either ovaries or testes which will secrete either oestrogen or testosterone, typically causing one of the potential sex organs to wither away and the other to develop. Much can happen both before, during and after this development which can lead to inconsistent or unexpected presentations of sex characteristics.

People can be born intersex, neither clearly male nor female. Sex is not so much determined at conception but rather by a range of characteristics, some of which are developed in the womb and some of which develop during puberty. Sex chromosomes are not an absolute measure of sex. They are one factor that guides development of sex characteristics.

Based on available data, about one in 100 people develop in a way that presents observable, physical characteristics that are contrary to what would be expected from their primary sex chromosome. I say primary sex chromosome because not all people have only one sex chromosome. Microchimerism means that it is unlikely that any males are completely devoid of female sex chromosomes and this number could be higher as many people go through life unaware of these variations. For example, a womb was discovered in a father of four children, which was only discovered at the age of 70 when he was undergoing a hernia operation. Human beings are complicated and miraculous. People who the law currently does not adequately, in fact, barely recognises in Tasmania, their unique, miraculous being must be recognised by the law and their rights to that individual identity must be recognised and protected. That is what parliament is seeking to do today for transgender and gender diverse people.

Dr WOODRUFF - I also want to encourage the Premier to provide a bit more background to parliament about the reasons for not supporting this particular amendment. I do not understand the basis for why you would not agree with this amendment. It is, from where I sit, a lot harder to support this amendment because we have come to a place of understanding through working on this bill, about the complexity of human existence.

This has challenged me to look past the statistics and abnormalities and to stop treating this as an academic exercise about this kind of chromosomes, genetics and hormones and understand that for all of those different categories of obscure and wonderful variation in human existence there is an individual life behind that statistic. The individual life that we are talking about that we care about is an individual Tasmanian life, those people Ms O'Connor quoted a statistic of about one in 100 people who are believed to be born with variations such that they would be neither male nor female in the strict term that we have come to understand that definition. Another statistic I have heard is that it is actually more like one in 52. One in 52, I understand, is about as common as redheads.

If we reflect on that and think about the fact that the more we understand because of science, because of genetics, because of all of the tests that are available, DNA testing, we have access to information we have never had as a human race. A lot of research in this area has been done around the Olympics. It has been done around elite sport where a huge amount of money and research has gone into determining this very question: how can you tell if a person is a male or a female? Which box do we let them fit into for elite athlete sport? Which box do we allow them to fit into so that they can stand on the podium and be the best woman javelin thrower or the best male javelin thrower? What we have come to understand to the surprise, and probably the sorrow and the grief of many of those individual people, is that they have travelled through their life being put into a box only to have revealed to them by the Olympic committee, or some other body, that they are not actually who they thought they were.

The case I heard yesterday was of an Indian woman who comes from a poor village in India and through dint of her own tenacity and strength of character made it to the Olympics only to find through some testing regime that she has a particular chromosomal difference, so that she is not technically - according to where the Olympics have got to on this very complicated issue - considered to be a woman. What a shocking thing to come to terms with in that environment.

This bill is not really about all of that stuff, that is academic stuff. This is actually about people's lives and for the people this bill will make a difference to it is not an academic issue. They know they do not fit into the binary box. Some have known it from the very day that they have memories. There have been beautiful documentaries done, Australian and overseas documentaries, about children who knew well before they were able to talk to their parents that they just did not fit in their skin. Then they grew up and were able to take control of their life and decide for themselves. This is core. This is about recognition, recognition from your parents, recognition from your school and from your community that you are who you feel you are.

We can go through chromosomal testing and genetic testing and hormonal testing but what it comes down to is where a person is in themselves in their lives and their right to be recognised as who they know they are. It is our job to pass this bill today as efficiently and expeditiously as possible because it will make so much difference to the lives of Tasmanians. I encourage the Premier to make a strong statement so we can understand why he does not support the amendments that have been made in the upper House, and this is one of them.

Question - That the amendment be disagreed to - put.

The Committee divided -

AYES 10

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Tucker (Teller)

NOES 12

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

PAIR

Ms Archer

Ms Dow

Amendment agreed to.

Council amendment to clause 16 agreed to.

Council amendment to clause 18 -

Mr HODGMAN - Mr Chairman, I move -

That the amendment to clause 18 be not agreed to.

This lowers the age at which a person can independently apply to change their name from 18 years or older to 16 years or older. It was not the Government's position in the original bill and both the bill and these amendments to lower the age at which a person can make that application.

This is inconsistent with the law in other areas and indeed in relation to major decisions that one might make, it is inconsistent with laws in other jurisdictions and has the potential to cause issues for existing data-matching rules. On that basis we do not support the inclusion of the clause in the bill.

Ms O'CONNOR - This amendment is a refinement of the language that was in the amendment that went from the House of Assembly to the Legislative Council. In fact it is grammatically better. I point out to the Premier that young people at the age of 16 are in a very good position to know who they are. It is Greens policy that young people, 16-year-olds, if they wish to, should be given the vote. It is extremely disappointing to hear the Premier suggest that 16-year-old transgender and gender-diverse people should not have the right to have their true gender reflected on their birth certificate and should have to go through unnecessary hoops in order to have that happen. We strongly support not only this amendment but the following one, which is consequential and almost identical.

Ms HADDAD - There was a quite heart-wrenching debate in the upper House on this amendment where we heard some eloquently put personal stories from transgender and gender-diverse Tasmanians about their lives and experiences of coming to the realisation that something was not quite right for themselves. It happens long before 16 and the idea that somebody would have to wait until adulthood to have their identity documents simply reprinted with information that reflects their true gender is quite cruel.

For that reason we introduced this change in the lower House. The upper House amendment makes the language more consistent with Tasmanian parliamentary drafting styles and as we have heard a few times, we do not have access to the Office of Parliamentary Counsel, so through the OPC the member for Murchison corrected that language. We had the words '16 years or over' and she amended that to read 'who has attained the age of 16 years'. In effect, this amendment itself is a simple one changing language and the next one also does the same, and for that reason we will be supporting it.

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

JUSTICE AND RELATED LEGISLATION (MARRIAGE AMENDMENTS) BILL 2018 (No. 47)

In Committee

Resumed from above.

The Committee divided -

AYES 10

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman

NOES 12

Mr Bacon
Dr Broad
Ms Dow
Ms Butler (Teller)
Ms Haddad

Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Tucker (Teller)

Ms Hickey
Ms Houston
Mr O'Byrne
Ms O'Connor
Ms Standen
Ms White
Dr Woodruff

PAIR

Ms Archer

Ms O'Byrne

Amendment agreed to.

Council amendment to clause 18 agreed to.

Council amendment to clause 19 -

Mr HODGMAN - For the reasons articulated with respect to the last clause, Mr Chairman, I move -

That the Council amendment to clause 19 be not agreed to.

Question - That the Council amendment to clause 19 be disagreed to - put.

The Committee divided -

AYES 10

NOES 12

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Tucker (Teller)

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

PAIR

Ms Archer

Mr Bacon

Amendment agreed to.

Council amendment to clause 19 agreed to.

Council amendment to clause 20 -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendment to clause 20 be not agreed to.

Amendment agreed to.

Council amendment to clause 20 agreed to.

Council amendment to clause 21 -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendment to clause 21 be not agreed to.

This is an entirely new part of the act. The Government has consistently made the point that the amendments have not been properly considered or consulted and presented a range of practical problems. The fact that there have been dozens of amendments and an entirely new part in this place demonstrates that is correct. It is clear there are uncertainties that still exist in the bill. As the Solicitor-General has said in his briefing to the Legislative Council, there are very real legal consequences and, while the amendments proposed seek to fix the problems, we need to be mindful that there were examples identified by the Solicitor-General in his preliminary view.

A new section 28B also removes the best interests test so a magistrate no longer needs to be satisfied that it is in the child's best interests in order to approve the registration of a child's gender. This potentially allows one parent to change the gender of their child without the need to consider at all what is in the child's interests or the view of the other parent. The Commissioner for Children and Young People wrote in a letter to all members of the Legislative Council on 19 March 2019 that article 3 paragraph 1 of the Convention on the Rights of the Child gives the child the right to have his or her best interests assessed and taken into account as a primary consideration in all actions and decisions that concern them. The Commissioner has suggested that a best interests test should apply where there is an application to a magistrate to register a change of gender. Again, this was not in the Government's original bill because the Government does not support its inclusion via this clause of the bill.

Ms HADDAD - The Premier is right. This does, on paper, represent a new part of the act. In fact, most of the way that the lower House approached the changes that needed to happen to part 4A of the Births, Deaths and Marriages Act last year when the original amendments were considered in this place, it was logical in essence to re-write that section of the act as an amendment. Most of what exists right now in part 4A of the Births, Deaths and Marriages Act was replicated in the words of that amendment.

I will not go back over what the Premier said about this being unconsulted or not well-considered and that there are uncertainties remaining. I do not agree with those statements. There has been months of public consideration and public consultation on these changes.

There is one part I need to respond to in what the Premier said which is that the Solicitor-General expressed concerns. We know that the Attorney-General has waived privilege in regards to the Solicitor-General's advice but has not released his advice. I ask the Premier his views on whether he would release that advice. My understanding was that advice was given on the basis of the bill that was presented to the upper House. The advice was not given on the amendments that

the member for Murchison and others had drafted. Many of the concerns they raised were dealt with in those amendments that were moved by the independent members in the upper House.

I find it extraordinary that the Government would go to the lengths they are going to now to alienate those members of the upper House who worked so hard, in the Government's words, 'fixing the amendments that were attempted in the lower House'. These have been done in good faith. They have been done to retain the essence of what was attempted in the lower House and to achieve it in a way that represents good law.

From my memory, one of the issues that the Solicitor-General raised as a concern was that changes represented in the bill and in the amendments may cause problems for police conducting searches on transgender and gender diverse people. The member for Murchison followed that up quite rigorously with the Commissioner of Police who explained that they already have policies and procedures in place when searches are required on people who are transgender or gender diverse or non-binary. Notwithstanding that, the point I want to make is the fact that those problems might occur is not a reason not to support the reforms we are changing and suggesting here.

It is a demonstration of the fact that there are problems with those policies and the behaviours of public service agencies who do not have legislation or policies in place that deal with the fact that there are transgender and gender diverse people in our community who interact with every part of our community: education, health, justice, police and so on.

That advice from the Solicitor-General should motivate the Government to improve other areas of the law that do not treat people the way they should expect to be treated by their state. This amendment from the upper House articulates the fact that we are removing the current test of how somebody is to have their gender marker changed on their birth certificate, which at the moment is divorce and surgery. If you remove the existing processes, they must be replaced with something else and these changes replace them with a new process for how somebody would go about having their gender marker changed on their printed birth certificate and identity documents.

Despite the upper House members giving every impression that they understood the intent of those changes, they understood the differences the member for Murchison's changes represented as compared to what was passed in the lower House, senior members of the Government have continued to bandy about things that are completely ill-informed and wrong. I give an example of a radio interview that was given last week by a very senior member of the Government. She was asked 'Under these changes, will parents now have the option of putting a sex on the birth certificate of their child, be able to put a sex that is demonstrably not the biological sex of the child?' The answer to that question should have been, 'No, that will not be possible under these changes because all children at birth will be registered male or female'. That is not what the senior member of the Government said. She said, 'It is hard to say at the minute because it is not finished yet'. He said, 'So you don't know the answer to that question. I thought that is pretty obvious. If you have the opportunity as a parent to make these sorts of judgments, you look at your little girl and say oh well, we want to call him Jack. We will put him down as a boy. Is that possible?' The answer to that question should have been, 'No, that is not possible under these changes. It is not possible under existing law and it will not be possible if these changes pass'. Her answer to that question was, 'At the moment, that is a very real possibility'.

That is heartbreaking. How do you combat that? When someone is willing to say something that is completely a distortion of everything they have heard in the weeks and months of consultation and writing and debating amendments and speaking to one another. I do not have the

words for it. It is hard to come up against people who will do and say whatever is required to make something go away, regardless of the veracity of those claims. I was very disappointed to hear that interview.

We will be supporting this change. It is a very well-written and thorough new piece of legislation that will replace the current requirements and laws regarding how gender changes are dealt with under Tasmanian law.

Ms O'CONNOR - We strongly support the amendment as it has come back from the other place. This clause is for transgender and gender diverse people and is a substantive part of the reforms and the legislation. It will deliver a fairer, non-discriminatory process for people who need to change their gender identity in order to have documents that reflect who they are.

I pay my respect to Ms Haddad for the thoroughness with which she is approaching this legislation and that contribution she made then which said it better than anyone else in this place could have said it.

Premier, stop insulting the upper House. They rigorously debated this section of the legislation we are looking at today. The debate was over a number of days and to point out to the Premier, this legislation is about the best interests of the child at its core. It is about the best interests of transgender, gender-diverse and intersex children and I argue that we should approach it in this way.

I simply point out again to the Premier the way his Attorney-General has dealt with this issue, and Ms Haddad did not name the other member but it was the Leader for Government Business in the upper House running the Attorney-General's talking points of Women Speak and the Coalition for Kids. In fact, when media, as I understand it, went to ask the Attorney-General for comments on the Births, Deaths and Marriages amendments often there was a suggestion that journalists go and talk to Women Speak Tasmania or the Coalition for Kids. It has been handled extremely poorly, insensitively and, in fact, dangerously.

This amendment we are dealing with here, which is the heart of the reforms, is not only reflective of the will of the House when it went through late last year, but it is an improvement on the language because it was drafted by the Office of Parliamentary Counsel, and we strongly support it.

Mr HODGMAN - To repeat, we will not be tabling the advice as requested. I make the point also that there were concerns raised directly by the Solicitor-General in that briefing with members of the Legislative Council. I am advised that the Solicitor-General's advice was based on the amendments brought forward by members in the other place as they were available at the time, the 20 versions. Examples were independently cited by the Solicitor-General as to his concerns. He indicated to the Legislative Council members at that open briefing that a fuller body of work was required.

In relation to the interests of the child, I was citing the views expressed by our Children's Commissioner.

Ms O'Connor - She was actually supportive of the intent of the legislation.

Mr CHAIRMAN - Order, Ms O'Connor.

Mr HODGMAN - That element I have referred to conveys a different impression, a different view.

Ms O'Connor - The Commissioner for Children supports these reforms.

Mr HODGMAN - As I have said earlier today, we will be getting further advice in relation to the laws that pass this place, as governments typically do. I ask members, particularly those who have taken the opportunity today to unfairly besmirch the Attorney-General, who in my view has handled a very sensitive and complex matter of law in a considered and thoughtful way, to desist from that. She is not in this place to defend herself -

Ms O'Connor - You do not read the media releases that land in your email.

Mr CHAIRMAN - Order, Ms O'Connor.

Ms O'CONNOR - Mr Chairman, unfortunately I do not have in front of me some of those inflammatory, dishonest and divisive media statements that were issued by the Attorney-General, but they were not sensitive. They were highly politicised and threw out so many red herrings in order to create fear and confusion within the community about these reforms. I am responding to what the Premier has said about the Solicitor-General briefing upper House members. Yes, sure, eight of those members who attended that briefing took on board his concerns, and as experienced legislators they backed these reforms.

Question - That the Council amendment to clause 21 be disagreed to - put.

The Committee divided -

AYES 10

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Tucker (Teller)

NOES 12

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

PAIR

Ms Archer

Mr Bacon

Amendment agreed to.

Council amendment to clause 21 agreed to.

Council amendment to clause 22 -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendment to clause 22 be agreed to.

Amendment agreed to.

Council amendment to clause 22 agreed to.

Council amendment to clause 23 -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendment to clause 23 be not agreed to.

[3.00 p.m.]

Ms HADDAD - I do not intend to speak for a long time on this clause but I want to give the Chamber the benefit of an example of what happens when you apply for a birth certificate in Tasmania to explain the intent of this clause. All through this debate, part of the scare campaign has been to say it is going to be opt in or opt out, we are removing gender, and all these kinds of ridiculous claims. How the Registrar of Births, Deaths and Marriages administers these changes will be a matter for her but the way we imagine it may play out is that when you apply for a birth certificate there would most likely be a box on that form asking, 'would you like the relevant gender marker as registered?', because gender and sex will be registered, and 'would you like that printed onto this form'?

A friend of mine had a baby recently. I have a de-identified example of their application for a birth certificate. This is the third administrative step required when a baby is born. The first is the notification of birth that the hospital must lodge within 21 days and is often done within hours. That will say the child's gender, male or female. Next comes the parent's responsibility to register the birth of the child, which has to happen within 60 days. Third, you can apply for a birth certificate. You do not need to. I did not apply for one until I applied for a passport when I was about 16.

If a parent chooses to apply for a birth certificate for their child at an older age, or an adult applies, a series of questions need to be answered. You have to say who you are, who your parents are, where you live, where you want your birth certificate posted, and the existing tick-a-box asks whether you want to be issued with a standard birth certificate, standard and decorative birth certificate, or a decorative birth certificate. Then there are two sets of boxes or options to tick. People are coping with this right now, when babies are born. They are coping with this onerous task of ticking boxes on a form. The second layer of boxes states that if you have chosen the decorative certificate, you must specify whether you would like that decorative certificate to include flora, pictures of flowers and leaves, a teddy, a picture of a bear, or pictures of children's hands. They are the current options you can apply for when you are applying for a birth certificate for your child or yourself. We suggest another box be added to that form asking whether you would like to have the relevant gender marker included, as registered by the state of Tasmania.

[3.02 p.m.]

Ms O'CONNOR - This clause provides for application for a birth certificate, enables the registrar to issue a birth certificate including the facts as reported on the register. I take the opportunity on this amendment to read the story of a truly impressive young man, George Kennedy, who's mum Melina is in the Chamber watching today's debate.

George is now 23 and transitioned at the age of 13. He wrote recently on Facebook -

Yesterday was Trans-day of Visibility and I am torn with every year it passes. I see horrible things in the news and online about trans people, the treatment of us and the media's portrayal of us. It all breeds misinformation, fear and hatred, as the media and some of our politicians love to do to any marginalised group.

Our own Prime Minister thinks it is 'ridiculous' for birth certificate laws to change in order to accommodate trans people.

George says -

I was humiliated applying for a job. I had to show my birth certificate form, which has my old name and female written very noticeably. It is dehumanising to be treated like a freak, something that most trans people have almost certainly felt at some point. It is psychologically damaging and I was suicidal for a long time, having no place in society and no hope for my future.

Now that everything in my life is coming up Millhouse, it is easy to fade into the background and pretend I am a regular guy. I don't have to constantly answer questions about any surgeries or genitals or how I have sex, among other disgusting things you never ask a stranger if you don't consider them to be below you. I don't have to constantly defend my identity when people with 'good intentions' are 'curious'. It is a relief not to have to prove myself or strive for anyone's validation anymore.

I am well aware I have always had it easy compared to many of my trans brothers and sisters and I am often ashamed not to be more public, helping to normalise the trans community because, from what I have learned, people arguing on the internet, debating on TV or rallying for a cause, rarely changes the opposing camp's mind or opens them to acceptance. It is meeting people one-on-one, who have never met a trans person before or someone who has a media-filled fear or hatred of you and showing them you are a regular person too. I have been surprised by some of the people who have accepted me and, by extension, trans people in general. I am aware that saying this to an echo chamber of mostly progressive young people is not making any profound changes, but this has been difficult to share and maybe it is a good start.

George, you have shared it more widely. I feel proud to read your contribution into the *Hansard*. We strongly support this amendment and note for the House we are nearly done.

Dr BROAD - There has been this myth in the community throughout this long and torturous debate that birth certificates are somehow are an infallible piece of identification completely free of flaws, or that if there is something wrong on it we will see the end of all things good.

I looked at my own birth certificate. I cannot remember why I applied for a copy. My birth certificate does say I am male, but there is an error on my birth certificate and more than likely an error on my birth record: my father's birth date is incorrect. The idea that birth certificates and birth records are an infallible piece of information is not correct because I stand here with a birth

certificate that is demonstrably incorrect. It has my father's birth date, stating that he was born in 1944 but he was born in 1942. These errors can be propagated.

Ms O'BYRNE - If we are offering full disclosure, in my post-baby haze, when I was filling out the form I managed to spell my husband's place of birth wrong but it appears that Eleanor can still attend most public institutions, so it seems to have been okay.

Question - That the amendment to clause 23 be disagreed to - put.

The Committee divided -

AYES 10

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mrs Rylah
Mr Rockliff
Mr Tucker (Teller)

NOES 12

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

PAIR

Ms Archer

Mr Bacon

Amendment agreed to.

Council amendment to clause 23 agreed to.

Council amendment to clause 24 -

Mr HODGMAN - Mr Chairman, I move -

That amendment to clause 24 be not agreed to.

Ms HADDAD - We will be supporting the amendment as described coming back from the upper House. This changes one of the attempts of the lower House to have gender and sex recorded off the register. It relates to the amendment discussed earlier which will mean that the Registrar will be required to record sex on the register.

Question - That the amendment to clause 24 be disagreed to - put.

The Committee divided -

AYES 10

Mr Barnett
Ms Courtney

NOES 12

Dr Broad
Ms Butler

Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Tucker (Teller)

Ms Dow (Teller)
Ms Haddad
Ms Hickey
Ms Houston
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms Standen
Ms White
Dr Woodruff

PAIR

Ms Archer

Mr Bacon

Amendment to clause 24 agreed to.

Council amendment to clause 24 agreed to.

Council amendments to clause 32 -

First amendment -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendment to clause 32, first amendment, be agreed to.

First amendment agreed to.

Second amendment -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendment to clause 32, second amendment, be agreed to.

Second amendment agreed to.

Third amendment -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendment to clause 32, third amendment, be agreed to.

Third amendment agreed to.

Council amendments to clause 32 agreed to.

Council amendment to insert new Clause A -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendment to insert new Clause A be agreed to.

New Clause A agreed to.

Council amendment to insert new Clause B -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendment to insert new Clause B be not agreed to.

The Committee divided -

AYES 10

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Tucker (Teller)

NOES 12

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

PAIR

Ms Archer

Mr Bacon

Council amendment to insert new clause B agreed to.

Council amendment to insert new clause C -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendment to insert new clause C be not agreed to.

The Committee divided -

AYES 10

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Tucker (Teller)

NOES 12

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

PAIR

Ms Archer

Mr Bacon

Council amendment to insert new clause C agreed to.

Council amendment to insert new clause D -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendment to insert new clause D be not agreed to.

Ms HADDAD - I want to put on the record some of the details of this amendment and make some final remarks, recognising that we are not far from the end of these amendments. This clause creates an offence in the Births, Deaths and Marriages Act. The reason I wanted to speak on this is that it creates an offence relating to some of the unease that was felt in the community about these changes and some of that unease fuelled a widespread hate campaign and scare campaign. It creates an offence if you attempt to use a birth certificate that does not reflect the right information, so in other words a fraud type of offence. There are already offences on the books that would have covered this kind of thing.

The reason the upper House saw fit to include an offence provision was driven by the level of scare campaign being run in the community and the radio interview I referenced earlier covered this topic as well about using wrong birth certificates or changing genders on birth certificates multiple times. The question that was given to the Leader for Government Business was whether there was any clarification she had been given in the legislation that would limit the number of times a person is able to alter their gender in a defined period of time. How many times could you do it? Could you do it every day? Clearly the answer to that should have been no, it would not be possible to do that every day, but she answered, 'At the minute there is nothing in the legislation to say how many times you could or you could not'. Either she was misinformed or just malicious to say that on the radio.

Not only is that not something that could happen under these changes but there is even an offence provision created that relates to it in one way or another. We did hear horrible hate campaigns that were encouraged and fuelled by members of the Government and others that public toilets would not be safe places anymore, that women's shelters and women's legal and health services would not be female-only places anymore, that we would erase gender, that sporting organisations would not be able to cope with these changes, and indeed that we had legalised male pregnancy, which is quite farcical.

All of these were rebutted by people who understand these changes and by the organisations that were criticised. In the middle of the lower House debate last year there was a joint press release issued by Women's Health Tasmania, Hobart Women's Shelter, Engender Equality, which is the domestic violence service, and Women's Legal Service Tasmania, that explained they already serviced the needs of transgender women and recognised that transgender women are women. Those services are women-only spaces and that includes transgender women. This misnomer that transgender people are out there to trick people, which is deeply offensive and should be offensive to everybody in this Chamber, was allowed to fester and grow wings in ways that the Government assisted along the way; indeed, pulled out all stops to encourage women and did nothing to dampen those fears.

The changes that we have seen pass today in this Chamber, the Government has proved its point. We have divided on every clause and I am sure we will divide on these two remaining clauses. The Government has their tallies. I am sure the press releases are already drafted and ready to be emailed out to the media right now to explain how parliament has been hijacked once again by opposition parties, to explain that what the upper House did was unparliamentary, unconstitutional. That is how it was described by some of those members upstairs last week. That it was a flawed process. It was unparliamentary. The parliament had never seen something like this process before.

I might be new to this place but I thought a Chamber of a parliament amending a bill and sending those amendments for consideration by the other Chamber, that Chamber making further amendments to be reconsidered here, surely that is at the heart of parliamentary democracy. That is what making laws is about. The fact that the Government does not have the numbers to ensure that any changes that get made to legislation are the changes they want is not an issue with parliamentary democracy. That is an issue with this Government.

Time and time again, this Government has given commitments to transgender people in Tasmania, commitments to the lesbian, gay, transgender, intersex and gender diverse communities, that they have their interests in mind. That has been done through Government policy in education, in health, in justice. Written policies, documents that exist out there about how the rights of transgender and gender diverse people should be respected and how those people should expect to be treated by their public institutions. I commend the Government for those policies. We support them and agree that people who are transgender or gender diverse should be treated with respect and should be expected to be treated under the principles that are outlined in those policies.

What are those people to feel today when they see every Government member speaking out through divisions on the floor of the House? It may have proved the point that the Government wanted to prove, but it is proving mine too. How can those people feel that those principles that the Government seeks to stand behind in those other policy documents across departments have any weight and mean anything to those people? Those people have been given assurances by the Premier, by the Attorney-General, by heads of agencies that transgender and gender diverse people matter, that they are cared about, that they are recognised as existing in the gender that they are and yet, at this opportunity, for political reasons, we see every clause divided on and opposed. It is not right.

Maybe I am wrong and, Premier, I invite you to tell me why I am wrong. I am wrong that the Government cares about transgender and gender diverse people. I am wrong that the Government has those policies in place across government about how those people are to be treated, and treated with respect and free of discrimination. Or alternatively I am right that the Government feels that way and it is an utter anomaly to have so publicly gone against those principles by opposing every part of this change.

The Premier is right to say this is the Attorney-General's bill - and my condolences are absolutely with the Attorney-General and with her family. I have not brought her into disrepute in this place today but your words have weight, Premier, through you, Mr Chairman. Your words matter. You are the leader of this Government, you are the leader of this state. I respect the office of the Premier of Tasmania and your words matter to transgender and gender diverse communities.

I invite you in these final moments of this debate to put aside those scare campaigns that we have seen over the last several months, weeks and days of debate in the Chamber and elsewhere and tell me that I am wrong that those things matter to Tasmanians. At their simplest description

these laws do a few simple things: removes the forced divorce provision, which we were required to do under Commonwealth legislation; removes the forced surgery provisions and changes the existing process of how to have a gender marker changed on the birth certificate from the existing processes to a new, simpler administrative process involving a statutory declaration. That is it at its core.

I will read into *Hansard* that I hope can be followed up tomorrow. It is a letter that appeared in today's *Mercury* from Charlie Burton of Sandy Bay. Charlie said:

I thank and congratulate Upper House members who voted in favour of legislation to give trans and gender diverse Tasmanians equality and protection before the law. Thank them, because this legislation will make a real difference to our lives. And congratulate them, because many members kept an open mind, were willing to hear personal stories of those affected and did not allow themselves to be swayed by the misinformation and outright lies being spread by opponents of reform. This legislation must be among the most scrutinised in the state's history, having been the subject of days of debate by the Upper House and in a previous form, also the Lower House. Tasmanians have nothing to fear from these reforms. Once passed, it is unlikely anyone other than trans and gender diverse Tasmanians will even notice! I urge members of the Lower House to be true to the will of the Parliament and pass this legislation.

It is my sincere hope that Charlie will be able to write a follow-up letter, congratulating members of the lower House for respecting the will of the parliament and passing these changes into law. Charlie is quite right when he says no-one will notice the effects of these changes except for the people who need these changes most which is transgender and gender diverse people. It will not affect anyone else in the community except for those people who need them most.

I am proud to be part of the Labor Party that has, and will always, stand up for the rights of LGBT people. These changes represented today will simply further protect the rights of people who need it while not infringing upon or diminishing the rights of anyone else in our community.

Question - That the Council amendment to insert new Clause D be disagreed to - put.

The Committee divided -

AYES 10

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Tucker (Teller)

NOES 12

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

PAIR

Ms Archer

Mr Bacon

Council amendment to insert new clause D agreed to.

Council amendment to insert new clause E -

Mr HODGMAN - Mr Chairman, I move -

That the Council amendments to new clause E be disagreed.

Question - That the Council amendment to insert new clause E be disagreed to - put.

The Committee divided -

AYES 10

NOES 11

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Guwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Tucker (Teller)

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

PAIR

Ms Archer

Mr Bacon

New clause E agreed to.

Council amendments agreed to.

Reported the Committee had resolved to agree to the Council amendments.

Resolution agreed to.

**MOTOR ACCIDENTS (LIABILITIES AND COMPENSATION)
AMENDMENT BILL 2019 (No. 4)**

Bill agreed to by the Legislative Council without amendment.

HEALTH MISCELLANEOUS AMENDMENTS BILL 2019 (No. 12)

First Reading

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

GREATER HOBART BILL 2019 (No. 11)

First Reading

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

STATEMENT BY SPEAKER

Justice and Related Legislation (Marriage Amendments) Bill 2018 (No. 47)

[3.47 p.m.]

Madam SPEAKER - Honourable members, given that we have an historic occasion occurring in the House, I will make a brief comment. I have listened carefully to the debate on the previous bill in this House and thereafter in the other place and I now provide my reasons for supporting it.

This rigorous debate has shown a true parliament in action, where a majority of members of the House of Assembly and a majority of members of the Legislative Council voted in favour of this bill after all the facts were covered in excruciating detail.

Many people spoke to me about this bill, as I am sure they did with all my parliamentary colleagues, representing passionately held views for and against this bill. I note the passage of this legislation would have been much easier if the Office of Parliamentary Counsel had been made available to members of this House.

I believe wholeheartedly that this bill removes discrimination of the transgender community and the only unintended consequence would be that a failure to pass this legislation would result in more psychological damage to the transgender community and their families.

This is not a win for any particular political party, rather it grants dignity to the transgender community. Therefore, I record that I supported this amended bill.

ORDER OF BUSINESS

[3.49 p.m.]

Mr FERGUSON (Bass - Leader of Government Business) - Madam Speaker, members of the House may note that as the Government looks at the program for the remainder of the day, I will contact Mr O'Byrne and Ms O'Connor regarding the conduct of business. After the MPI, we will commence with the program as scheduled and the Premier's Address. The Government intends to catch up on yesterday's lost time and complete the Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) Bill, and I will discuss an approach to this with

other members. If the Premier's Address is to run past 6 o'clock, I suggest we work past 6 o'clock to complete the workers rehabilitation bill.

[3.49 p.m.]

Mr O'BYRNE (Franklin) - Madam Speaker, I will take the Leader of Government Business at face value. We are more than happy to deal with the PTSD legislation, which was the debate concluded last night at 6 p.m. We are more than happy to continue with that work and then proceed with the response to the Premier's Address. That is obviously an issue of importance to the Government and all public sector workers, particularly those first responders. I know it would be a change on the blue as circulated but we are very keen to crack on with that legislation.

MATTER OF PUBLIC IMPORTANCE

Legislative Council Special Report on Failure to Provide Documents

[3.53 p.m.]

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

That the House take note of the following matter: Legislative Council Special Report on Failure to Provide Documents.

This is a matter of public importance in that the Legislative Council has conducted an inquiry to identify a problem that has been presented to them that they are unable to procure the information they need to complete reports. Members of this House may not be aware that in the other place a special report was handed down recently on the failure of Government ministers to provide documents to committees so that they can properly interrogate what is happening in different areas of government. Of particular note is the failure of the Minister for Health to provide a report to the inquiry in the other place looking at acute health services in Tasmania.

Members here would remember that the KPMG report that the Government has continued to refuse to release has been argued to demonstrate a \$100 million black hole in funding for health each and every year. There is an RDME Consulting report that was made public that provides an analysis of that KPMG report. The problem that has been identified by our colleagues in the other place is that when committees of inquiry are looking into different matters - and this was specifically about the operations of the Health department and whether they had enough money to fund the services to meet the demand in the community - they were unable to be provided with the information they requested, so much so that the committee set up a special inquiry, the findings of which are important. I will read them into *Hansard*.

The subcommittee finds -

1. That the Minister for Health has not made a valid claim in relation to the decision to refuse to provide a copy of the KPMG report to the subcommittee in accordance with its numerous requests.
2. That the Minister for Health incorrectly relied upon the provisions of the Right to Information Act 2009 as being relevant to the question of whether or to what extent he is required to comply with the requests from the subcommittee for the production of documents. The minister also relied

upon the principle of the need for frank and fearless advice to support this refusal.

This special committee that was set up has also made a significant recommendation, and that is -

That the subcommittee recommends that the Legislative Council consider an effective mechanism to deal with the issue of ongoing disputes arising between the Government and committees of the Parliament of Tasmania in relation to the production of papers and records.

This highlights the lack of transparency from this Government, especially when it comes to the critically important area of Health. The minister was not alone in being criticised; in fact, the Treasurer was also criticised for his failure to provide a document to a committee of the parliament in the previous term relating to the energy crisis in Tasmania. That too is covered in this special report.

It is fundamentally important for us as members of this place that we are able to do our job and not be prohibited from securing information that would enable us to do that job because of the Government trying to hide the true state of funding for the health system, or what their intentions were when it came to the energy crisis and the allegation they were going to flog off the Tamar Valley Power Station to provide a dividend to the Government and the Treasurer to provide a buffer for his budget. It sounds like we are back in that same situation again where there is a budget black hole, a minister refusing to provide documents to a committee to demonstrate whether that is because of chronic underfunding of the health system and whether the Government might try to plug those black holes by flogging off public assets. It is history repeating itself.

This report is damning in its analysis of the Minister for Health and his failure to keep his word. It is alleged in this document, and written down as evidenced by the committee, that the Minister for Health provided a verbal assurance to the chair on 7 December 2018 that the KPMG report would be provided to the subcommittee in camera. The subcommittee chair subsequently informed the secretary and subcommittee members by email of this commitment.

This special report goes on to find that on 17 December 2018 a response to a question taken on notice was received from the minister to the subcommittee declining to provide the KPMG report. The committee resolved that the secretary contact the minister's office to seek clarification in relation to his change in position concerning the release of the document but no response was received from the minister's office, despite subsequent contact by the secretary.

Not only is it alleged in this special report that the minister gave his word to the chair of that inquiry that he would provide the document and then went back on his word, when the secretary of that committee dutifully followed up on behalf of that committee with the minister's office, there was no reply, just complete stonewalling of an inquiry of the upper House looking into the serious issue of whether there is adequate funding for health services in this state.

That was not the only time. This report identifies that on numerous occasions when the committee requested information from the minister, he refused or failed to respond. They are treating the upper House with contempt and they have done it time and again.

This report also talks about the Tamar Valley Power Station and the refusal of the Treasurer to provide the letter as a part of that inquiry.

These findings from the upper House are particularly damning of the minister and this Government for their lack of transparency and cooperation with well-meaning members of this parliament who are trying to do the best job they can and are seeking the best information they can to make sure they provide recommendations to this parliament that can be enacted. That is our job, to work with the best information at hand and provide advice so that the people of Tasmania can have confidence that we are doing our job properly. But every step of the way this Government tries to stonewall, block access and even refuse to respond to very straightforward requests for information.

This is a matter that goes to the heart of the rotten core of this Government and its lack of transparency, its complete disregard for anyone else in this parliament trying to do a good job on behalf of the people of Tasmania, and its complete contempt for the upper House. The way they have been treated over the last couple of weeks is more evidence of that and the minister should be embarrassed by this special report.

Time expired.

[3.58 p.m.]

Mr FERGUSON (Bass - Minister for Health) - Madam Speaker, there is not much appetite around the room on this one; that is interesting. I will happily speak to rebut the Leader of the Opposition's attempt to lather up a frenzy on this. This is an example of the Government actually working with the Legislative Council, not against the Legislative Council.

When the Labor Party was ripping \$500 million out of the Health budget there was an inquiry into health by the Legislative Council. The then Labor-Greens government, the then health minister, the then premier, and the member for Lyons, Ms White, would have nothing to do with that inquiry and stonewalled it. We have conducted ourselves quite differently, and I will come to the detail of the level of engagement, which is probably unprecedented.

This Government is committed to the highest standards of public disclosure transparency and accountability. We have introduced a range of measures to make government more open, including the amendments delivered last year to broaden the Parliamentary Disclosures Act, publishing all right to information disclosures and being the first-ever Tasmanian Government to proactively release information on government spending.

We have cooperated fully with the Government Administration A committee and we stand by all the representations that have been made over this time. I have appeared, in fact I can give you some numbers here, Madam Deputy Speaker. The minister has appeared before the subcommittee three times, unlike Labor who has zero. I have spent three occasions with the committee, I have provided two comprehensive written submissions, and I have also answered quite a large number of questions on notice and through correspondence which arose from their deliberations. I seem to recall the Labor Party made how many submissions to this inquiry? Zero.

Ms White - We have members on the inquiry.

Mr FERGUSON - No you did not, you are wrong. It was Mr Finch, Mr Valentine and Ms Forrest - unless you are asserting that they are Labor members.

The Government and the Cabinet remain committed to longstanding principles around receiving frank and fearless advice as well as Cabinet confidentiality conventions which the Leader of the Opposition failed to even mention in her address, poor as it was.

In relation to the two findings, I will make the following responses. The first finding that suggested or claimed that the minister had not made a valid claim I respond as follows: this finding is without basis and dismisses the reasoning that the Government has consistently relied upon in not releasing the report. We have been very consistent on this point. The report remains an internal document of the Government. As I have indicated before, it has been procured for budget preparation. It is important that governments are able to commission frank and fearless advice in making robust decisions.

In relation to finding two, this finding is simply an expanded and differently worded claim of finding one. Neither of the two findings substantiate the reasoning of the basis of the claims that the Government's reasoning is both invalid and incorrect.

There is a bit of pure politicking going on here. I will now point to a reminder to Ms White, who I do not think has served any length of time as a minister to know, that these reports for government are useful to assist government and departments to inform policy development, to inform budget development and are a worthwhile investment. It is important that the Government can receive frank and fearless advice. This is a cornerstone of our system of government, and I have made this point before.

Mr Bacon - What system of government?

Madam DEPUTY SPEAKER - Order, Ms White was heard in silence, please respect that.

Mr FERGUSON - If you want frank and fearless advice, if people who are producing advice believe it is for a public audience, it may not be quite so frank and fearless. Governments want frank and fearless advice. The requirements of the RTI act speak for themselves and are administered at arm's length from the government. That is referred to in the report, Mr Bacon, if you had read it.

Mr Bacon interjecting.

Madam DEPUTY SPEAKER - Order, Mr Bacon.

Mr FERGUSON - Calm your farm, please.

I now turn to the response that I provided to the committee on 13 November 2018. I wrote to the chair:

Dear Chair

Thank you for your letter dated 6 November 2018.

I note from the recent Matter of Public Importance debate in the Legislative Council that the subcommittee intends to possibly produce another 'interim report' and assumedly continue working into next year.

It would be unusual for a sessional committee subcommittee inquiry to appear to continue into perpetuity without a clear final reporting date, especially given the

stated intention of the Committee in its 2017 report that it would table a comprehensive and Final Report this year.

Whilst the future of the sessional committee's subcommittee Inquiry and any decision to produce multiple reports, is a matter for the members of the subcommittee, I would query its continuation.

The Terms of Reference state that the committee be 'established to inquire into and report upon the resourcing of Tasmania's major hospitals to deliver acute health services'.

Since your subcommittee inquiry commenced, we have seen a State Election campaign with a significant focus on health, and a State Budget faithfully reflecting the roll-out of the Government's \$757 million six year plan.

Not only has our plan been openly shared with Tasmanians and put to voters before the election, it was and is subject to usual budget scrutiny through the Estimates processes, as well as parliamentary scrutiny through question times in each place.

...

Noting this, whilst my offer to provide an in-camera departmental briefing on the health budget remains open to you as a substitute to the KPMG budget advice, that will be our concluding engagement with your subcommittee.

As a Government, we will focus on getting on with the job of improving Tasmania's health system without distraction, implementing our plan as Tasmanians would rightly expect of us.

Regarding your subcommittee inquiry. Over the past year and a half, the Government has participated extensively in your inquiry, including two personal appearances from me, three Ministerial submissions, facilitation of site visits to hospitals, and responses to numerous questions in writing. Furthermore, I attended a 10 hour estimates session with each of your subcommittee members earlier this year along with senior departmental officials.

These efforts to cooperate and assist your inquiry stand in stark comparison to record of the former Government, which refused to participate in the 2011 Legislative Council inquiry ...

For the benefit of the House I table the full letter.

Time expired.

[4.05 p.m.]

Mr BACON (Clark) - Madam Deputy Speaker, again we have the minister getting to his feet and refusing to be drawn on the actual questions that have come about through this special report in the Legislative Council regarding his own conduct as a minister and the culture of this Government when it comes to providing information to the Tasmanian people.

We know that this is not the first time a situation like this has occurred. The other time was through the energy crisis when the incoming government in 2014 set out to take dividends from Hydro Tasmania that Hydro Tasmania told them themselves, in writing on Budget day, that they could not provide. We know that this was predicated on the sale of the Tamar Valley combined cycle unit. It is in black and white, it is in writing, but we are still to see the letter that Mr Gutwein sent to Mr Groom back in 2014. We know that when it came time to providing that letter to the Public Accounts Committee and their inquiry into the energy crisis, Mr Gutwein had to be summonsed to appear before that inquiry and to produce that letter. He refused to do so. We know that he mistakenly relied on the RTI act to deny the Public Accounts Committee that letter. We know that the truth was not told about that letter. We know that it was claimed that information in that letter contained Cabinet deliberations, which is not plausible. You do not have one minister writing to another about Cabinet deliberations. It just does not happen.

We know that Mr Groom, the former energy minister, was caught out misleading the House on at least one occasion. We know that was his form when it came to the proposal from the Government to decommission and sell the combined cycle unit.

We have seen it now again with the Minister for Health refusing to provide a report. It was not a report done for the Cabinet. It was a report that was done for the Tasmanian Health Service. This is a report that should have been provided to this committee. We know that it has left members of the upper House frustrated. We know that Mr Ferguson got to his feet just now, said it was incumbent on the Labor Party to provide a submission to the health inquiry in the upper House. This was an inquiry that had two Labor members. It would be a ridiculous proposition to then send in a submission telling the committee exactly what should be looked at.

We know that relying on the RTI act to refuse to provide documents to a parliamentary committee effectively reduces the committees of this parliament to having the same rights as every citizen in this state to access information from the Government. Every time we set up a committee we say the committee has the powers to call on people and papers, but this is a Government that is hell-bent on secrecy, a lack of transparency. It is the hallmark of this Government.

It was all started by Mr Gutwein in the first term and now we have seen it continued under this failed health minister. We have a health system in crisis. We know there is at least a \$100 million black hole in that health budget. Every year we know now the broader budget has a \$560 million black hole, so good luck fixing that long-term structural deficit in the health budget when it comes to 23 May. We have yet to get any answer from the Treasurer on the budget until 23 May. It would be good to see if he can fill that \$100 million black hole, not on a one-off occasion like he has this year.

He got to his feet this morning in question time and said that the \$105 million is being used to employ nurses, which is a little strange when it is not recurrent funding. Does that mean they are all out of a job on 1 July, Treasurer? Is that what it means - that you use that one-off \$105 million to employ a lot of staff? It does not bode well for their future. We had the Treasurer get to his feet this morning and refuse to say whether people will lose their jobs. With his incompetent handling of the state budget he has managed to head the state to around \$350 million of net debt. That is before we had the \$560 million writedown. He has done all this in what he calls the golden age for Tasmania. Now he is at pains to point out on the radio and in here that the economy and the budget are totally separate things, and then he talks about stamp duty being written down because of smaller transaction values around the state and the national economy, so somehow the budget is linked to an economy, Mr Deputy Speaker, but not the golden age here in Tasmania.

This is a government that has been hellbent on keeping information from the Tasmanian people and the Tasmanian parliament from day one. One of their first acts when they got into government was to put the Tamar Valley Power Station up for sale and they have never told the full story about it. We know that the letter to the Treasurer from the minister for energy was dated 9 April 2015 and the Treasurer spent what felt like years to me on the Public Accounts Committee refusing to provide information to that committee. Hydro Tasmania provided hundreds, if not thousands, of documents to that committee so it could look at what happened through the energy crisis but there was effectively nothing provided by the Government without it having to be dragged from them kicking and screaming. The biggest example is that letter to the Treasurer from the minister for energy, which was heavily redacted in an RTI release with Treasury advice attached to it.

It is time the Minister for Health released all the secret documents he has hiding his incompetence and it is time that the Treasurer released that letter.

Time expired.

[4.12 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, it was no surprise to read the special report from the Legislative Council on failure to provide documents. Unfortunately, it is the modus operandi of this Government when it comes to uncomfortable information. Secrecy has become a standard way of covering up uncomfortable information. This is one in a series of things that the Health minister in particular has been responsible for failing to release. The other one in addition to the KPMG report, which is understood to have indicated a \$100 million black hole in the health budget, was the Deloitte report from 2017. Late in 2017 a Deloitte report was written as an exercise undertaken to investigate the operations of the health service executive and to provide the minister, who works on behalf of Tasmanians and has carriage of the health system on behalf of Tasmanians, with a full picture about the failures of the previous model and how it needed to be reformed.

There are no surprises that this report was never made public, although it came on the back in 2017 of a horror year for the minister of his own making. In April or May that year the AMA had made public statements where they had indicated a lack of confidence in the senior public servant in the THS executive, the whole management and secrecy, the centralisation of decision-making that was happening in the hospitals and the bunkering up in Launceston. The failure to communicate across the three hospital areas reached an extreme level in early 2017. There was terrible ambulance ramping and serious emergency codes being called on a regular basis at the Royal Hobart Hospital and the Launceston General Hospital.

These things escalated to a point where a report was done and everyone could see there was a problem with the way the THS model had been established by the Health minister and this Government in the last term, but the minister failed to listen to his doctors and his nurses, he failed to listen to the allied health sector and to the community health sector, and he especially failed to listen to the patients and the people waiting desperately on hidden waiting lists for elective surgery and waiting for access to services in rural areas.

That culminated in a report at the end of 2017 that the Health minister never released. He never made that information public and that is a stain on him. I hoped he would have learned from that that it does you no favours as a minister if you hide the truth. It is far better if you have the confidence of your convictions to stand up, open yourself to public scrutiny and bear the brunt of the mistakes you make and move on in partnership and in conversation with people. Bunkering away, hiding information, making it almost impossible for anybody in the public domain to talk to you, be they members of parliament, journalists, people in the community or from key health

agencies, making yourself completely unavailable to scrutiny and refusing all RTIs in the standard course of business is what this Government does on every single matter.

Particularly in the health area, the information has been very hard to come across. Only last Friday the Health Dashboard was released, four months overdue. This is information that three years ago was available on a rolling basis. We now have to suffer waiting to find out what is happening in our health service with quarterly reports but even that last quarterly report was delayed by four months.

This is not a government operating in an open manner and we all suffer for that. The people who suffer the most are patients who are not getting access to services and who are not getting the information they need about what is going wrong and what can be fixed.

Time expired.

[4.18 p.m.]

Mr GUTWEIN (Bass - Treasurer) - Mr Deputy speaker, I do not intend to speak for long. The Minister for Health has clearly put the Government's position, but with a number of erroneous claims made in terms of the Health minister's performance I want to put on the record that as Health minister, Michael Ferguson has delivered for this state. When you consider that under the previous government a nurse a day was being sacked for nine months, Mr Ferguson has overseen additional staff of more than 800 being added to the health service over the time he has been minister. He has also opened more than 130 new beds. You simply cannot do that without strong advocacy by the Minister for Health and, importantly, a strong financial position. The point needs to be made that every year we budget more for Health and every year we have flexed up our spending to meet any additional demand.

I reiterate my support for the Minister for Health and, importantly, for the position he has put in this matter of public importance today. He has articulated the Government's position very clearly and the Government's reasoning and position in terms of the findings of the committee.

I make the point as well that Mr Ferguson appeared before the subcommittee on three separate occasions, provided written submissions and answered dozens of questions on notice arising from the deliberations and other correspondence. This stands in stark contrast to the former Health minister, Ms Giddings, who would not appear before the upper House committee, which says it all.

Matter noted.

SITTING TIMES

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

That the House, consistent with sessional order 18A, continues to sit past 6 o'clock.

Motion agreed to.

PREMIER'S ADDRESS

Resumed from 21 March 2019 (page 86)

Dr BROAD (Braddon) - Mr Deputy Speaker, I have refreshed my memory of the Premier's Address. A week can be a long time in politics, and three weeks and one day can be an eternity. In the section on budget and the economy, the Premier said the Government remains committed to strong, disciplined financial management, spending less than we earn, keeping the budget in surplus and achieving our fiscal strategy targets, all the while keeping our economy strong and investing in areas that matter to Tasmania. We will once again balance the budget, which will mean in surplus across the forward Estimates while at the same time responding to the needs of Tasmanians investing more in Health and Human Services et cetera.

What has happened in this last three weeks and one day? During question time, we asked simple questions of the Treasurer, whether he will guarantee the budget will be in surplus this year when it is brought down in a few weeks. These simple assurances were in black and white in the Premier's Address, a mere three weeks and one day ago. The Treasurer will not give an affirmation to a simple question such as, will the budget be in surplus? Things have gone from being rosy, in surplus and spending within our means to something completely different. What has happened? Have we fallen off the fiscal cliff in the last three weeks and one day, or has the Treasurer been misleading the Premier about the true state of the budget? What is the situation, if the Treasurer cannot guarantee the budget will be in surplus?

I noted we were heading toward \$343 million in debt, which was highlighted in the mid-year financial update. There was no debt because it was paid by the Bacon government many years ago. Where has all the money gone? Where has this so-called golden age gone? We see the Treasurer trying to divide Tasmania into an economy and a budget, as if the economy does not impact budget and the budget does not impact the economy. The economy is apparently going great guns, but the budget is not.

How did that happen? I thought the budget took off as soon as they began Government, that it was their great management that saw increased GST revenues and a massive decline in the Australian dollar making our exports more competitive. I thought that was all down to Government. Apparently, it is due to the economy; the economy is great but the budget is completely different.

We have seen this massive change in rhetoric over this past three weeks. There is a \$100 million black hole in Health. This goes to the Government's pea and thimble trick and their attempt to justify stating the budget was in surplus in the past, which was achieved by underfunding Health to the tune of \$100 million and sneaking it in with a supplementary request to Treasury for the cash right before the next budget is called. If people bother to go back and look, they will find there was no surplus the year before; there was a deficit.

The problem is the Treasurer's own language. He was talking about half-a-billion dollars in spare cash in the budget in 2016-17. Half-a-billion dollars is completely gone and we are looking at at least another \$300 million in debt. We are now in a position of net debt. There is something like \$843 million extra spending, and counting. We have blown half-a-billion dollars and we are looking at more than \$343 million in debt. That is a huge turnaround. The economy is apparently booming but the budget has gone backward at a rate of knots. How is this possible? This is without taking into account the costs of things such as fires.

How can the Government argue there will be balanced budget across the forward Estimates? It seems like they are crab-walking away from it because the Treasurer will not make that guarantee that our credit rating will not be struck down. The Treasurer has claimed they will not try to sell any GBEs, but what about other assets? There might be some assets to flog off, such as the Elizabeth Street Pier and the Treasury building. Is there anything else? Are you thinking about MAIB, TasPorts or something else? We could not obtain a guarantee not to raid GBEs. We have seen this Government raid GBEs when under pressure. We have seen that in the past.

In my shadow portfolio, in Sustainable Timber Tasmania there is \$45 million simply sitting there from plantation sales. The temptation for this Government to grab that \$45 million must be immense. That money is supposed to go into restructuring and investing in Sustainable Timber Tasmania. That asset sale propped up the budget when all the plantations were sold to Reliance Forest Fibre. I am sure the Treasurer is tempted to switch it from STTs column back into Consolidated Revenue to prop up the bottom line. This would not be good for Sustainable Timber Tasmania.

What else do they have planned? The temptation to raid the GBEs will be too alluring and that is why we will not receive a guarantee from the Treasurer. Going through the bottom lines of all the GBEs, we will see significant cash inflows on 23 May. This does not cover up the incompetence because the cash surplus has built since Jim Bacon paid off that debt. The Treasurer talks about coming into Government with net debt. We know that is not true and this is the difference between a projection and reality. The projection was a loss of revenue across the forward Estimates when Labor was last in government, but we saw an upswing in the economy in 2013. That budget, that projection, did not occur, yet the Treasurer goes back to the out-years of a budget projection from 2013 to argue the state racked up debt when we know that is not the case. There was money in the bank when he came into Government. The Government was in the black and now we are looking forward to a budget that shows significant debt.

The \$343 million in the mid-year financial update will be increased. Subsequent to this Address telling us everything is rosy, we have the language of the Treasurer changing to talking about cutting his cloth. There are limited options. Maybe tomorrow we will hear him talk about public service efficiencies, cutting our cloth with public service efficiencies and so on. We all know what that means: it means sacking people. The Treasurer would not rule that out today. He talks about the public service. We know that cutting our cloth, as he says, means cutting jobs. We are yet to see this and we cannot obtain any assurances. I am sure public servants are wondering what is going on. They have a Government that is combative about wage increases. We have staff across the public sector looking for a wage increase that keeps pace with the cost of living. We know that the Government successfully argued that the pain should be shared across the public service and public servants agreed to a 2 per cent wage cap for the good of the state because things were tough apparently. Well now we have the 'golden age' that suddenly arrived and the public servants are being told now that the golden age is over. They cannot have a pay rise that keeps pace with the cost of living and the Government no doubt is going to use that reasoning as an excuse to sack people.

If the public servants push through with their request, the threat is that we are going to have to make some savings here, we will have to cut our cloth which means cutting jobs. The Treasurer will not rule that out. Then he talks about infrastructure: we are going into massive debt, we are racking it up on the credit card that will be paid off across the generations, using the language of Tony Abbott. Debt and deficit disaster across the forward Estimates - but, hang on, they are going to spend it all on infrastructure. That is okay if we spend it all on infrastructure isn't it, Treasurer?

The Treasury will say, okay spend it on infrastructure; that is good debt. We will have good debt and bad debt no doubt.

We look at the Bridgewater bridge, and I swear I have a really good idea if you have a coffee van. What you should do is park it in that nice little spot they have at the Bridgewater bridge where all the Liberals get out once or twice a year and do their photo shoot, patting themselves on the back for funding the Bridgewater bridge. They should set up a coffee van there because you could make a killing. It is only a matter of time before the Government goes back out there again and claims to have funded the Bridgewater bridge. It was supposed to have been built in 2016. That was when it should have started. In 2016 it was going to cost \$535 million, according to the Liberal propaganda sheet. Now we are here in 2019 and it is going to cost \$576 million. What is that, an extra \$41 million if my maths is right because they have delayed the project for three years. What was in the federal budget again for the Bridgewater bridge? I think it was \$5 million. That is going to go a long way. That will be 1 per cent of the cost.

Today we heard crowing about the Bridgewater bridge. When is the bridge going to be built? Waiting so long to do a project like that and pretending that it is going to be built every year and we have seen the former minister Rene Hidding announce it a couple of times; we have seen Mr Rockliff, the current Infrastructure minister, announce it a couple of times. We are still waiting for it. We are waiting so long that inflation is actually adding millions to the cost. That cost increase of \$41 million from the delay in building it, that is \$41 million that someone is going to have to find eventually when they get around to it.

In May 2017, under pressure because there were no dollars in the federal budget, the then minister Rene Hidding said, do not worry, there are no dollars or business plan. We did not see a business plan. The planned start date was 2019 but now the planned start date is 2024. Another five years so that coffee van could probably get a good few press conferences and sell lattes over the next five years. Yet the Treasurer has the hide to talk about how this is an infrastructure budget and crow about record infrastructure spending. The infrastructure spending is on things like the hospital, which was agreed under previous governments.

He was also talking about the Midlands Highway. If the Government is using the Midlands Highway infrastructure spending as a highlight then all it highlights is that they cannot count to four. There are only three lanes along the highway and the areas that were four lanes are being reduced to three. If that is a highlight of budget management it highlights that they cannot count to four.

What did we hear in the Premier's Address? What we did hear was a continuing pattern. We heard a lot about plans; we have plans he said, strategies, targets, and we have a new one, we are developing concepts. Wow, we are developing concepts, apparently. This state is really moving forward because the Government is developing concepts. Once you have a plan, a strategy, a target and maybe you are developing concepts, then you can commence planning. Then, maybe things go wrong and you need a review, so there are plenty of reviews and not to mention consultancies. There are consultancies and we have seen that is the way to keep kicking the can down the road.

One of the things I started off with when I was on my feet three weeks ago, was the whole idea that this Government continually kicks the can down the road and this is the way they do it. They develop plans, strategies, targets. They develop concepts, commence planning, do reviews and have a consultant's report, or they start working groups. All this means is that there are no tough decisions made. They kick the can down the road and issues are not dealt with.

We are not learning lessons from the past in doing this, with issues like the fires. We thank the volunteers and the career firefighters did an amazing job and continue to do an amazing job fighting fires even today. We have a bushfire inquiry from 2013 and a Tasmanian Wilderness World Heritage Area and Climate Change Research Project from 2016 where the recommendations were not adopted.

We have another review now and the review is welcome but when you have a review and you have learnings from that, you learn your lessons and you actually implement change. Otherwise, it is just a review. It is a piece of paper that sits on a shelf. Nothing else changes. You kick the can down the road, you have the same problem down the track, you do another review and it is not appropriate. We need to see some change.

We saw with the fires that the lessons from the fires on the West Coast were not learned because there is still an uncertainty about who has control of the fire in world heritage areas. We have firefighters who wanted to put a bulldozer into the world heritage area to put a firebreak around a fire and that was years ago. That needs to be fixed.

The fires in the Huon Valley had the same circumstances where there was confusion and the desire by firefighters to put a bulldozer into the area to bulldoze a firebreak around a fire, contain it, but not being able to do that. These are the sorts of problems we need to fix.

While we welcome the review of the recent fires, we need some action. That is what government is about. It is not about kicking the can down the road and pretending to have action. We see the recommendations from the fire department and a report about remote area firefighters. I am sure the firefighters have not had a response to that proposal. I have talked about confusion in the issue.

Then we have climate change, lightning strikes and so on. These are going to become more prevalent we are hearing. We were very lucky with the fires that we had wind changes. A friend of mine in Geeveston, and with the firefighters coming past him, he and his brother decided to stay and defend the farm. The firefighters were saying, there is going to be a fire come screaming down that hill. It is going to be 700 degrees and the trees are going to be exploding. I have spoken about this before, but he remembers stories from his father of the 1967 bushfire. Luckily for everybody there was some wind changes and when the fire did come over the brow of the hill, it was only coming at a trickle that he could manage.

I would be interested to see some staff numbers in the budget. I am reliably informed that Sustainable Timber Tasmania used to have 70 trained firefighters in the Huon region. Now there are only 12. Decades, if not a hundred years of experience went with those firefighters. The firefighters had to get some of these people out of retirement for their guidance.

This is why issues like pillaging that spare cash in Sustainable Timber Tasmania meant that we went from 70 down to 12 and maybe we will go even further. That is what happens when you make budget choices to strip money out of GBEs. Let us hope that the temptation of that cash sitting in Sustainable Timber's balance sheet is not raided and that Sustainable Timber Tasmania can learn from the fires down south and build on the really good work of the firefighters by employing more of them so we are more prepared and so that we do not rely so much on volunteers.

The length of these fires put them under significant stress. They did an amazing job but we cannot expect in the future for them to be on a fire front for a month or more, as we have seen in the Huon. We need to have some trained firefighting experience within our GBEs like Sustainable

Timber Tasmania. We know that the ministers are happy to play dress-ups, put on the uniforms and the hats and go down and talk with firefighters, but one thing they seem to be happy about is for our firefighters to be the lowest paid in the country. If these pay agreements go through, if their warped budget priorities mean they do not give the firefighters the pay rise they are seeking, which only just keeps pace with the cost of living, then we will have our firefighters being the lowest paid in the country. We have issues with the firefighters and volunteers around fatigue as well.

We have also seen that with the police and now the police are asking for a special operations group, which was one of the Government's election commitments. I had a look in the state of the state glossy and did not see anything about the special operations group being funded to be a full-time unit as promised, so I am wondering what is going on there. What I did see in that glossy was the statement of employing an extra 125 police officers; in fact it was in there at least five times, so I am wondering if the 'cutting of the cloth' terminology applies to the 125 extra police officers. I am sure that would probably be the last area they would cut, given some of their rhetoric. However those 125 police officers are in there five times so it will be a bit hard to back down on that.

Today we have talked about presumptive PTSD too, which is obviously welcome. That is a welcome addition and hopefully we will be discussing that so I will not pre-empt an order of the day.

When we get to biosecurity we talk about not learning the lessons. We heard today from the minister confirmation that fruit fly is now under control on Flinders Island and the island is now fruit fly-free. That is welcome news, obviously, and although Flinders Island does not have a fruit industry we do not want fruit fly there and it is even more the case that we do not want fruit fly on mainland Tasmania. Let us hope that the review - again another review - of the fruit fly outbreak can teach us some lessons from the past. We saw lessons in the past not being learnt. We saw how myrtle rust came into Tasmania through the nursery system from Victorian nurseries and has resulted in the spread of it around the state. A few years later we saw blueberry rust first come into the state through the nursery sector, so we did not learn the lessons of the past.

In the fruit fly outbreak we saw that fumigation was a massive issue and that problems in fumigation failed and were not addressed and then the chambers failed again. As the minister said, we cannot have a zero-risk biosecurity system. There has to be some risk; however, we need to be prepared, and this is an argument that I have been putting on numerous occasions. We need Government to do a whole bunch of preparedness projects so that when fruit fly or something like that arrives that has not been in the state before, the Government is prepared and people know what to do. They go to a shelf and pull out the preparedness project which says step one is to do this, step two is to do that, step three, and so on. Everybody knows what they are doing and then you can do war game situations where you can go into training and you can prepare. But what we saw in Tasmania was that we failed our fruit fly preparedness. It was mere months before the actual fruit fly outbreak that the report showed that Tasmania was not prepared for fruit fly and that fruit fly that were placed on traps were not discovered. As a test of preparedness they were not discovered.

We have to get over this because otherwise if another disease shows up in the state, a disease like phylloxera, which would devastate our wine industry, what would we do? We need to be prepared to say this is exactly what we do, we isolate that vineyard, we control it this way, we would this, that and the other. The same can be said about the tomato potato psyllid. If that showed up in Tasmania it would be a bad thing.

What we also see is a whole bunch of issues not being addressed. We have seen issues with polo ponies, with the RTIs showing that things are not particularly going well. We have the RSPCA being given talking points from government. All these things are not good.

I will talk about forestry. I have touched on it a little with Sustainable Timber Tasmania but I am sure the industry is happy to have a new minister who is not looking for a fight. There was a cartoon in the *Mercury* where the former minister was in the boxing ring saying, 'Come on someone, have a go', and no-one was up there to fight him because that is the last thing the industry wants. The industry wants there to be a long period of stability so that the forest industry can rebuild. We keep hearing this perpetuation of untruths about Labor, like the Labor government sold Triabunna, for example. All I will say about the state of the state is that things are not as they seem.

Time expired.

[4.46 p.m.]

Mr GUTWEIN (Bass - Treasurer) - Mr Deputy Speaker, I thank Dr Broad for that interesting contribution. I will make a couple of comments on a few of the matters raised by Dr Broad. First, I really look forward to your alternative budget. This Budget will be a budget of choices and you will have the opportunity on the Tuesday after I bring down the Budget to explain what your choices would be. Then Tasmanians will have, hopefully, the opportunity to look at an alternative budget that might set out what your priorities are in the areas you have just discussed.

You can carry on all you like about what we will or will not say in the lead-up to the Budget but we are going to go through a process. There are difficult choices to be made. I thought it was extraordinary that you mentioned what has changed in the last three weeks. There just happens to have been a federal Budget last week.

Dr Broad - You said it was a good one.

Mr GUTWEIN - In terms of the forecast decrease in GST, one noted economist, Chris Richardson, said it is not the federal Government that has changed any decisions to make that happen, it is just that Treasury has revised down their estimates. That is what happened. Across the forward estimates the GST pool was revised down and every single state and jurisdiction will need to deal with the fact that the pool has not grown as it was forecast.

Dr Broad - When the pool grows the other way you take credit for that.

Mr GUTWEIN - If the pool grows the other way then we make choices again. In this situation we will deal with the circumstances we are dealt. I look forward to the Opposition presenting an alternative budget on the Tuesday after 23 May and explaining to Tasmanians what they would do and what their choices are and, importantly, what their priorities are. To date, as I have said on many occasions, we hear a lot of whingeing and moaning, but whingeing is not a policy and complaining is not a platform. At the end of the day you will have to explain what your priorities are.

In terms of the Premier's Address, the Tasmanian economy is strong, diverse and growing. Under the Hodgman Government ours is one of the fastest-growing economies in the nation. We are at or near the top on every major economic indicator. In the last financial year gross state product was over \$30 billion and grew at 3.3 per cent, its highest rate in a decade. This growth was higher than the country's, only the fifth time this has occurred in a quarter of a century. On a per capita basis the economy is growing at the fastest rate in the nation and nearly double the Australian average. The growth is broadly based and nearly all sectors are growing. Tasmania's state final

demand is growing strongly. In the December 2018 final quarter, Tasmania's state final demand grew by 4.5 per cent, indicating Tasmania is the second strongest growing state in the country, only 0.1 per cent behind Victoria. The largest contributions to growth were from increased activity, household consumption, and private investment. Household consumption growth as reported in state final demand was up 4.1 per cent in the December quarter compared to the same period the previous year.

People in Tasmania feel confident. They are prepared to invest and they are prepared to spend. When the ANZ Stateometer was brought down in December 2018, the ANZ said Tasmania remains only one of two states with above trend conditions and that consumer confidence was higher than a year ago. We should all be pleased with this and proud of Tasmania, now that we have a growing economy and the people within it are confident.

Tasmanian exports have been exceptionally strong since early 2017. In the year to February 2019, Tasmanian exports were worth \$3.8 billion and in nominal terms, having grown by over 10.8 per cent in comparison to the previous year. In 2018, we saw the highest level of exports ever reported in Tasmania in a calendar year. Asian markets remain the most important destination for international exports, with China accounting for 33.1 per cent of our exports. Other export destinations in Asia, such as Japan and Korea, have grown strongly with exports to both countries increasing by over \$60 million over the past year. The Premier had a good trade mission to Japan last month, demonstrating the commitment by this Government to increase markets available to Tasmanian businesses.

Education exports have increased by 22 per cent to over 7000 students in our higher education, VET and schools' systems in the last year. That is tremendous growth and significantly strengthens our educational institutions and links with other countries. The link between international education and tourism is strong. For every student there will be at least a couple, if not up to four visits by family or friends each year, on average. This has underpinned the Hobart tourism market and it is something we hope to see in the north of the state to a greater degree as a result of the university relocation. Tourism is important to the Tasmanian economy and more of Tasmania's employment and GSP depends on it than other states and territories.

Over the past five years, visitor numbers have grown by almost 30 per cent, with over 1.32 million total visitors to the state for the year to December and, of those, over 80 per cent were from interstate. International visitor numbers have almost doubled over the same period. China, including Hong Kong, is Tasmania's most important market with growth of over 170 per cent over the past five years. Visitor numbers from the United States, Singapore and Malaysia have also more than doubled since September 2013. It is no surprise that Tasmania's economy is growing above trend as a result. The good news is the strong growth is expected to continue and the mid-year update provided by Treasury revised growth up to 2.75 per cent this year.

As to business confidence, noting that prior to coming to Government two out of three small businesses felt the previous government's policies were working against them. Survey after survey have indicated Tasmanian businesses are among the most confident in the nation. The Sensis Business Index recently confirmed the Government's policies are the most popular in the nation for the sixth quarter in a row. The TCCI December 2018 Survey of Business Expectations found that its members had positive expectations for the Tasmanian economy. The NAB survey released recently showed once again Tasmania maintained the strongest business conditions across the country.

High confidence leads to investment and investment leads to jobs. Private new capital expenditure data, which looks at the major industries of mining, manufacturing, construction, utilities, transport and retail, confirmed investment in the December 2018 quarter was 18.5 per cent higher in real trend terms than the previous year. This was the highest annual growth rate in Australia, significantly outperforming the national average of 1.2 per cent annual growth. Investment can be seen in the pipeline of projects around us, including the construction of more large hotels, commercial developments and the two major windfarm developments at Granville Harbour and Cattle Hill.

This confidence and increased investment is leading to the creation of jobs. In the last 12 months under the Hodgman Government, employment has reached heights not been seen before. While there is always some variability in the figures from month to month, more than 13 000 Tasmanians have become employed and the unemployment rate has dropped to around 6.3 per cent since we came to Government. Those benefiting from this jobs growth include women. As at February 2019, there are 7500 more women employed than in March of 2014. As at February 2019, there are 1500 more young people employed compared to March 2014. As at February 2019, there are 800 fewer Tasmanians who are long-term unemployed, representing a reduction of nearly 15 per cent compared to March at 2014.

We continue to invest in skills and we continue to implement our long-term plan for TasTAFE, including our guarantee for it to receive 70 per cent of the state's training budget. We are investing in the training and work pathways program to provide \$1.95 million for innovative projects that will improve the skills and employment opportunities of disadvantaged Tasmanians. We are investing in a workforce development program to further support our priority industry and regions to build the workforce they need now and in future.

It is also why we are continuing to support UTAS, its strengthened partnership with TasTAFE and expanded presence in the north-west. The university's transformation project in Launceston has taken a little longer than first envisaged under Professor Peter Rathjen. The expectation is that by the middle of this year, the university will have submitted its first development applications for the Inveresk site. Nearly \$300 million will be spent in the centre of Launceston as part of that transformation, providing contemporary university facilities for Tasmanian students, interstate students and an increasing number of international students. That will change Launceston for the better for the next 100 years, there is no doubt.

On the north-west coast, progress is being made in the transformation project of the Burnie campus. The process is well underway. This will have a positive impact on Burnie and the entire north-west coast. It will put education front and centre in the north and north-west. Not everybody agrees with the relocation projects but when these buildings start coming out of the ground, there will be household conversations around dinner tables about the university and whether they like it; they will be talking about that institution. For many households, for the first time, it will encourage discussion about tertiary institutions. We will need to ensure that we build on that interest. Whether it is in seeing the projects go ahead or not seeing the projects go ahead, we will need to build on that interest and make sure that we capture the attention of the north and north-west region in terms of ensuring we can improve the tertiary outcomes and tertiary qualifications across the north of the state.

I want to touch on population and the importance of our investment into infrastructure. Across the forward Estimates we have \$2.6 billion allocated as part of our four-year rolling infrastructure program, increased by around \$88 million in the Revised Estimates Report. Across the forward Estimates it is now around \$2.66 billion I think in round numbers in terms of the total investment

in infrastructure. That will provide the opportunity and confidence for the private sector to leverage off it. Importantly, it will create jobs and provide training pathways for young people. We will need more workers in the civil space and in the construction space and this will provide a very important pathway for young people and mature-age people who are looking for a change in direction. This Government continues to support both small and large business through the financial incentives included in the budget in terms of \$5000 for small business for putting on apprentice or a trainee or payroll tax relief for larger businesses in terms of apprentices and traineeships.

One of the measures I welcomed in the federal Budget was the doubling of the support for employers who want to put on a trainee or an apprentice, from \$4000 up to \$8000. It is well understood, especially in the trade space, that apprentices in the first couple of years of apprenticeship or traineeship can be a cost to the employer. This helps to ensure that we can train people into the necessary skill sets we need for our growing economy while at the same time support employers to provide that training pathway.

One of the other very important aspects in the space that was announced in the federal Budget was \$2000 to assist apprentices with their tools and kit because that comes at a cost. That additional support I think will be very much welcomed by apprentices and trainees. On top of that, there was the further announcement recently that the Budget contains funds that will reduce the fees to be paid for training and the block release that occurs with apprenticeships and traineeships.

Our population is currently growing at its fastest rate in nearly a decade. Our long-term average growth rate was 0.4 per cent to 2014 and an annual growth rate of 0.3 per cent in that particular year. Tasmania is growing at almost three times the long-term average at the moment. Our population grew at an annual rate of 1.15 per cent over the year to September 2018. There are now estimated to be nearly 530 000 Tasmanians. Last financial year net interstate migration added 2370 people to that figure, an increase of 30.7 per cent compared to the previous year. In stark contrast, Tasmania lost 551 people from net interstate migration in the year to March 2014.

I am particularly pleased with the growth in our population. It means that more Tasmanians are choosing to stay in the state because we have created opportunities for young people, and more Tasmanians are choosing to return home because there are more jobs available. In addition, the federal government recently announced new measures that will better match migration to regional needs, ease the pressure on the bigger cities and ensure Australia remains an attractive destination to live and work for highly skilled and talented people from around the globe.

Included in the measures are two new regional visas for skilled workers required to live and work in regional Australia for three years before being able to access permanent residency. Around 23 000 places will be set aside for these regional visas nationally and we worked hard to maximise our share. We have recently been advised that we received approval for an increase in our skilled and business nominated visas for 2019-20 up to 3000 positions up from the current level of 2540.

We need to ensure that we provide pathways for Tasmanians to access the skills and training they need. We need to ensure that our institutions can provide them with the necessary tutoring and skills training required to ensure they can grasp the opportunities we have in this state. Importantly, we need to ensure we can provide the broad range of skills, specialist skills in some cases, that are going to be required to meet the needs of some of our growing companies, in the civil and construction space but also across other industry sectors.

I mentioned our infrastructure investment and to keep pace with population growth, the Government has responded to increased demand and over the previous three budgets has been investing record amounts into infrastructure to support our growing state. We are of the view that we should work the Government's balance sheet hard to deliver intergenerational assets like schools, roads, bridges, health infrastructure and affordable housing, but it must be efficient, responsible and strategic. That is why we have a population strategy and, importantly, an infrastructure pipeline with a 30-year infrastructure vision and strategy, soon to be released.

I met with civil contractors recently and the fact that we now have a 10-year infrastructure pipeline has provided them with great confidence in terms of being able to plan their workforces and improve the skill sets they need. At the end of the day, businesses will live by tendering from job to job. What we know is that the businesses we have are prepared to invest in their people and take the steps to ensure they can provide the skilled workforce we need in terms of the projects that we have in front of us. Great confidence has been taken from the Deputy Premier's initiative in terms of outlining a 10-year infrastructure program.

I will spend a couple of moments on the Budget to cover some of the matters I outlined in question time today and also in terms of the discussions we had yesterday when I apprised the House of the circumstances regarding our revenue situation. Our revenues are expected to decline by \$560 million over this year in the forward Estimates. The revenues that have been impacted will be GST and stamp duties. I want to provide some context in terms of that. I spoke briefly at the beginning of this contribution about the impact on the GST pool and the fact that federal Treasury have changed their forecasts and growth rates for that pool and now over the four-year period, it has been written down by more than \$10 billion. Every state and territory will be affected by this in one way or another.

The challenge we have in terms of the loss of GST is to ensure that we cut our cloth to suit our circumstances. One thing we know will occur into the future with a strong growing economy is that, as happened with Western Australia, the better we do the lower the relativity we receive in terms of the GST. This means that if we were to follow what Western Australia did, and that is to have a booming economy but to make no regard at all for the fact that their revenue stream would be affected as a result of their success, they got themselves into significant trouble.

In terms of this state, we will not become Western Australia. We will ensure that we keep a clear focus on what we believe the impacts on GST will be into the future and over both this forward Estimates period and beyond in terms of the fact that as an economy we are growing strongly. Regarding the way the GST is applied, the effect over time will be to reduce the state's reliance on that revenue stream. We will always receive a significant portion but we know that the GST is set up to work on the basis of the better you do the less you get. We will need to plan to ensure we are in a strong position. As a Government, we are determined to ensure that we do not become Western Australia.

I have been surprised by some of the commentary around my comments yesterday and the writedown of stamp duty. In the mid-year report, we significantly wrote down our stamp duties and we have taken them down another step further as I informed the House yesterday. The total writedown of both the GST and stamp duty is around \$280 million over the four years for each of those two tax lines. In Melbourne and Sydney whilst there was an expectation by most commentators of a flattening of the property market as a result of the very significant increases that were occurring, there is no doubt that the fall in property values has been far more severe than

economists were expecting or forecasting 18 months ago. Those two markets have, for want of a better term, collapsed.

In Tasmania that has had the effect of reducing the amount of interstate investment that we would see. Those two markets are significant and therefore some of the investor activity has begun to wane. In terms of the Tasmanian stamp duty circumstance, we still have reasonably high volumes, albeit coming off a bit, in terms of sales. What has been noticeable has been a transference of the purchasing patterns from the south of the state to the north and the north-west. Properties of a lower value - and therefore of a lower stamp duty value - have been sold and Treasury has taken the view that it is important that they lower their expectations for stamp duty receipts over the period of the forward Estimates. That will have an impact on the budget for obvious reasons.

The Government will work through these matters responsibly and sensibly, as Tasmanians would expect. We will need to cut our cloth to suit our circumstances. We will need to consider where efficiencies can be achieved across the public sector without it impacting essential services. Importantly, we will maintain our record investment in inter-generational job creating infrastructure. We are strongly of the view that with a growing population and a strongly growing economy that we cannot stop that investment. We must continue and stay the course and we will build the roads and the bridges, the schools, the hospitals, the affordable housing, that Tasmania needs. We will continue with that investment.

I have consistently said that we will balance the budget across the forward Estimates. The Government will not be selling government businesses, nor will we be borrowing to fund public sector wage increases. We will not compromise essential services. There will be hard choices to be made and as a government we will work through those processes now in the lead-up to the delivery of the budget on 23 May.

In terms of the broader economy, I made the point this morning that Tasmania's economy is going very well. Job creation is strong and the inflow of investment is strong and we expect that this will continue. It has been interesting getting an understanding of the definition between this side of the House and that of the concept of a 'golden age'. A strong growing economy which is attracting investment, creating jobs, providing opportunity: I think that is a golden age. It is obvious in terms of the comments that have been made on that side of the House that they see a golden age as meaning a larger public sector and higher public sector wages.

Time expired.

[5.16 p.m.]

Ms BUTLER (Lyons) - Madam Speaker, I am mindful that it has been 12 months since I was elected as a new member for Lyons. In the last 12 months I have driven 60 000 km, I have studied everything I could get my hands on, I have asked lots of questions, and I have listened to thousands of people. I have been humbled by people's generosity with their time, agreeing to meet with me and sharing truths about their communities as well as their wisdom, experiences and hopes for their communities. It has been and continues to be an incredible experience.

I acknowledge my colleagues from the Labor PLP. We are a strong united team. The support over the last 12 months that I have received from each and every member has been outstanding. I thank our leader Rebecca White with whom I share the Lyons electorate. We work well together as a team and I look forward to what we can achieve together over the next three years.

I have been fortunate to take on shadow portfolios, these being building and construction, community development, manufacturing and consumer affairs. I thank Christina from my Bridgewater office and Kath [names okay] from my Longford office for their tireless dedication to our communities. We are a small team and I consider both of them to be brilliant at what they do.

I also welcome John Tucker as a new member for Lyons and also as a fellow St Helens person. I believe we both share the same passion for our community.

By and large the main message I am receiving from the community is that the discrepancy between those in our community who are travelling well and those who are not travelling so well is prevalent. Just this week the Treasurer made an announcement of the \$560 million blow to the budget over the forward Estimates. I was amazed to see the Treasurer's spin machine at its greatest trying to play down and normalise a cut of \$140 million. That is a lot of money and certainly not something to be smiled at, certainly not to say that we can absorb it; everything is going really well. If that does not send out alarm bells that we have a problem, I do not know what will.

We are now starting to get to the truth, not through relying upon the Government to come clean with the people of Tasmania; we have had a better idea about Tasmania's perilous financial future. A half-billion-dollar budget black hole and words beginning to be thrown into the mix by the Treasurer such as 'cutting the cloth to suit our circumstances'. That is pretty new. Three weeks ago, it was all about 'golden age' and 'surpluses' but now we are talking about cutting costs to meet circumstances. Such a quick turnaround. It is sobering. I am a firm believer that Tasmania has a bright future but I do not believe that continuing to spin yarns about a golden age and record investment is helping the psyche of the Tasmanian people. It is sending out mixed messages.

As members, we need to have frank and fearless discussions about the future of our state to make sure everyone in our state, every person, has the same opportunities. We have the people living in pain waiting on long surgery waiting lists. We have children living with abuse because we do not have enough resources to investigate the claims submitted to Child Protection and front-line service workers. We have limited drug rehabilitation places available and some of the highest readings per head of population for substance abuse in the country. This sector is not properly resourced. We have some of the highest incarceration levels per head of population in the country. Our crime prevention strategies have limited results.

Our latest NAPLAN results show no change, no improvement, and we continue to lag behind our mainland counterparts on many levels. Our teachers are still some of the lowest paid in the country, yet we have a Government that do not agree they should be paid more than the CPI. We lose a lot of our promising talent - many of our teachers leave once they finish their university qualifications. Our nurses are also some of the lowest paid in the country. There are 1600 nurses enrolled in first year at the University of Tasmania. Most will not stay in Tasmania when they can earn, on average, \$40 000 a year interstate.

If you pay public sector workers more they will spend more money in the Tasmanian economy. The money will be used on goods and services, which benefits our community. It benefits the private sector as well. It is stimulus. Tasmania is doing well in some echelons of our community. We have robust demand for new buildings. Our tourism operators are reporting large increases. There is a major issue with lack of infrastructure to meet visitor demand; public toilets, signage, appropriate roads, viewing platforms and bus transport around the state are only some of the major issues. We simply are not ready for the people to come.

The Lyons electorate has some of the richest farming lands and fabulous irrigation, with the agricultural industry contributing \$1.5 billion to the Tasmanian economy. Irrigation is David Llewellyn's innovation. I will say that every day I am in the House. It is a Labor innovation because it is forward-thinking and it was a long-term innovation. Irrigation is a key piece of infrastructure, which the Labor government built. Irrigation is a key driver of Lyons and I believe Lyons is the economic driver of our state.

The distinction within the electorate between the haves and have nots is evident with other communities in the electorates displaying some of the highest disadvantage indicators in the nation. Four out of five of the most disadvantaged communities in Tasmania are in Lyons. Literacy is also a major issue for Tasmanians - we should never forget that 50 per cent of Tasmanians struggle to read a newspaper. Other major issues are: preventable health, people who have mental ill health, young people taking their own lives, obesity, illicit drug and pharmaceutical drug addiction, substance abuse, family violence, crime rates, incarceration levels, intergenerational poverty, access to information and unemployment and people with disabilities.

Funding for people with disability continues to be a major issue in Tasmania. The full commencement of the NDIS co-share model with the full scheme will commence in July 2019. The roll-out of the NDIS has been muddled up. Customer needs have not been met. There has been a breakdown of communication and advocacy services. Advocacy services and respite for carers is not funded through the NDIS. The crossover of services has not been appropriately managed. There is basically nothing in Tasmania at the moment. If you have a child or if you are a carer for a person with disability and you need some respite, there is no funding available for that right now.

I found five lines tucked away on page 17 of the Second Year Agenda Building your Future, which was dedicated to people with disabilities. It tells me again that this Government has no understanding of real life, how people with disability live, how a large proportion of people with disability live on limited funds, often not recognised federally as having a disability and being forced to live on Newstart Allowance even though they cannot work. Cassandra Goldie, the Chief Executive of the Australian Council of Social Services, said there were unprecedented numbers of people on the dole with disability or illness. She said, 'At just \$40 a day, Newstart is not working to help people get through tough times, let alone meet the costs of disability'. In 2015, the Coalition forced new claimants to be assessed by a government-appointed doctor. Again, this inability to consider how people live in our community was clear.

We do not see many of these significant issues discussed in the Second Year Agenda. When I was reading through the Second Year Agenda, I kept coming back to a movie my four-year-old was watching at the time and it is a Lego movie. There is a song in it saying everything is awesome and keeps repeating. I kept hearing that as I was reading through the Second Year Agenda, this 'everything is awesome'. We know it is not. There are so many problems we need to deal with. That sounds immature but the intent in that section of the film was that everything was not awesome, it was a big façade. I think of it often when I am listening to figures we hear in this Chamber. I note that peak body funding for older people, volunteers, veterans, carers, men's sheds and young people will be indexed for the first time and I congratulate the Government. That is a positive step.

I found only one mention of young Tasmanians in the publication. In the latest ABS information, Australia's youth unemployment rates increased from 11.50 per cent in January from 11.20 per cent in December 2018. The youth unemployment rate in Australia averaged 13.1 per cent from 1978 until 2019. South-east Tasmania has a 17.8 per cent rate of youth unemployment. It is ranked the sixth most at-risk area in Australia. Everything is not awesome

and everything is not going perfectly. Tasmania overall has the unenviable rate of 15 per cent, noting this does not include the percentage of young people who are marginally attached to the labour force. The true rate is much higher. This Government sold the line that changes to payroll tax would tackle youth unemployment and the changes would put another 4500 young people in the state into traineeships and apprenticeships by offering businesses funding and payroll tax rebates.

There has been no evidence that the changes to the payroll tax has made any dent on youth unemployment. More investment in Tasmania's youth is needed to get them work-ready, to transition them from education to training and into the work force. We are all responsible to give our young people the best opportunities possible. We are failing them, and the crippling lack of opportunity for young people in our state is too often dismissed as too hard or glazed over under an 'everything is awesome' mantra. Let us pull apart the report and the statistics and look at youth unemployment as the young person who may live next door to you, who you see on the bus commuting to school, who is a child of your friend, a nephew, niece, sister, brother or your own child's best friend. Picture that young person suburb by suburb, community by community. The Tasmanian suburbs and communities listed as having significant youth unemployment concerns on a national level are Hobart, Collinsvale, Glenlusk, Tea Tree, Old Beach, Honeywood, Risdon, Otago, Grass Tree Hill, Campania, Colebrook, Bagdad, Bothwell, Aspley, Arthurs Lake. Should I keep going? It goes for a long time. I am more than happy to put it on the record: Broadmarsh, Brighton, Bridgewater, Elderslie, Dysart, Dromedary, Heritage, Herdsmans Cove, Granton, Gagebrook, Lake Sorell, Kempton, Jericho, Interlaken, Miena, Liawenee, Lower Marshes, Mangalore, Melton Mowbray, Pontville, Wellington Park, Conningham, Snug, Howden, Margate, Cygnet, Franklin. Are you getting the idea yet that everything is not awesome? Geeveston, Woodsdale, Oatlands, Levendale, Magra, Lachlan, Lake St Clair, Hamilton, Glenora, Allendale, Bushy Park, Boyer, New Norfolk, Plenty, Maydena, Nugent, Orielson, Sorell, Dunalley, Boomer Bay, Eaglehawk Neck, White Beach, Nubeena, Port Arthur, Koonya, Dolphin Sands, Cranbrook, Buckland, Runnymede, Swansea, Little Swanport, Orford, Triabunna, Relbia, Avoca, Rossarden, Elizabeth Town, Chudleigh, Deloraine, Mole Creek, Meander and Liena.

This is a lot of areas that have nationally urgent youth unemployment problems. We are not doing enough to combat this problem. We all know a young person in one of these communities who is desperate to start their working lives to contribute and to participate. While governments are primarily responsible for creating an enabling environment for youth employment, employers, as major providers of jobs and workers and as direct beneficiaries, have an important role in the process too. It is time to work with the private sector, as leaders, to develop strategies. Youth unemployment is a significant issue in the Lyons electorate and providing opportunities for young people to stay in our regional communities is vital, ensuring all members of our communities have equal access to education, work opportunities and information.

Creating connections in our regional communities is Tasmania's biggest strength. This is one of the reasons I continue to support and champion online access centres and will continue to push the importance of these centres to our communities, especially in Lyons where most online access centres flourish and thrive. We have the St Helens online access centre, a thriving community hub providing digital access, instruction, educational services and assistance to over 500 people per week. That is a lot of people. The Derwent Valley online access centre also provides a service directory, tuition, access to digital services. Other online access centres include Bagdad, Ouse, Glenora, St Marys, Spring Bay, Deloraine, Mole Creek, Fingal, Swansea, Exeter, Beaconsfield and Richmond.

Each centre is severely underfunded, with coordinators volunteering significant hours to compensate for poor funding. Each centre has a tremendous volunteer contribution donated by their individual communities. Online access centres are very much the glue of regional areas of Tasmania. They have been forced to operate on the smell of an oily rag and it is time that the Government increased funding. They must be properly funded and that way they can perform the tasks they want to perform.

As a new member for Lyons I feel privileged to take the next large steps in my career and take on the shadow minister for building and construction. Building and construction is a dynamic area for Tasmania and I agree with the Premier that in this area we are doing very well. For the haves, building construction is thriving. New data from the ABS shows that Tasmania has bucked the national home approvals slump to see an increase of over 30 per cent. I am pleased to see that. We know that Tasmania is historically 12 to 18 months behind economic trends from the mainland. I am reserved about where we may be heading over the next two years.

We still have a major issue with housing affordability and people not being able to even dream of owning their own house, let alone being able to afford the huge rental increases because of the surge. Data was released recently which showed seasonally-adjusted dwelling approvals fell in all states other than in Tasmania which has experienced that 30.6 per cent jump. The Labor Party will continue to support growth in the building and construction industry because we recognise that it means more jobs and opportunities for Tasmania. This extraordinary momentum in Tasmania's building construction sector is not as a result of this Government. It is a global trend and if anything, I do not think the Government has been facilitating a strong base to ensure that this momentum continues.

The Government has been gifted with an opportunity to provide a better balance of equity for our community, yet still, there is a massive discrepancy between the haves and have-nots. We have the 'everything is awesome for some people' and then the 'everything is really not very awesome for others'. The growth is not without challenges and the Government is failing to understand what it needs to do to help facilitate that growth. We have a skills shortage. There was not much in the Premier's Address to address this. We have an ageing workforce which we need to embrace, not deny. We need to find career paths for mature workers, we need them and we need their experience, their wisdom and their know-how. We need to find more opportunities for our young people to source apprenticeships and more female participation in our traditional male-dominated industries is also required.

There are moves in other states such as Victoria in this area. They are years ahead of where we are in Tasmania in this space. The latest figures show that building and construction industry needs to build 2500 homes in 2019 alone just to meet the demand. They are fabulous figures but I do not think we are going to be able to meet that demand. We need to build careers for our young people, not leave them sitting in the highest youth unemployment statistics in the country. We need young people's energy and skills and for them to stay in our state and raise their children here in our state to contribute to our community.

We need to build infrastructure to match our tourism demand. I am aghast at the lack of facilities to match the boom over the last five years. We had the worst hotel vacancy in the country yet our rental properties are now the highest in the country; this must be addressed. It is obvious that the Government is out of touch with Tasmania's direction. They are the current caretakers and Tasmania needs a better team to take a fabulous state to the next level. I believe that we will be that team.

In response to the Premier's Address I provide my support for the building of a new Bridgewater bridge, though I do not believe the promise will be fulfilled. I view the pledge as federal election pork-barrelling. The Bridgewater bridge continues to be a drawn-out process with no real commitment to the project, the half a billion dollars the project requires is a federal election promise which has been lumped into the Government's City Deal.

Previous promises of turning the first sod by 2020 have been put back once more, with a promised start date of 2024. First, three years of design and approval process and an additional three years of building leaves us sitting, by my calculations, in about 2026. You will need to excuse my cynicism but like many people in the community, especially the communities of Bridgewater, Gagebrook, Brighton and the Derwent Valley, I do not believe that this Government will ever replace that bridge. This major piece of statewide infrastructure has not proceeded past the design stage for the last five years and that has been since you have been in Government. The people of Bridgewater and Brighton really want to see some action.

I am well aware that there are 2000 people on a housing waiting list. Sometimes when I leave the office in Bridgewater I am confronted by people who do not have houses to live in; they are living in cars or couch surfing that night. I am very conscious of the plight of some people. I will do whatever I can to try to eliminate all homelessness in our state. I fail to understand why we have homelessness at all.

There are always going to be people who slip through the cracks, who do not fit into the boxes where the different services are provided, but I think we should be doing a lot more than we are to assist the homeless people in our state. A lot of people were sleeping in cars or tents during the summer. However winter is coming and they are starting to become very scared about not having anywhere to call home or a roof over their head as the temperature is plummeting and getting colder. We really need to be doing more.

I want to talk about health and the truth about the health system. Ambulance ramping is something I find absolutely incredible and I cannot believe it is now considered an absolute norm. The other day I saw an ambulance drive past and written on it were the words, 'We are the only ambulance that services Kingston'. When you have workers writing messages like that on their own equipment because they need to get the message out, that is when you know you have a problem. I have also been helping a constituent from a regional area recently who was placed on a waiting list for scans on a suspected lump. Three months later, when there was finally an appointment for her to have her scans taken and assessed, she found she was riddled with cancer. According to her, if she had got onto it earlier they may have been able to treat her cancer. As the constituent sat in my office, she was wailing and so sad because she is not going to make it. She will not be around for much longer.

I wonder if our Health minister is aware that this is what people go through whilst on those waiting lists. Does he understand how it would feel to present with such a significant health issue and to be told you are on a waiting list with the screening waiting for months? This is the everyday reality for Tasmanians reliant on the public health system. Elective surgery lists are out of control and these lists are manipulated with people being taken off waiting lists without their knowledge. They are parking people in pain, people debilitated by their illnesses and the medication they have to be on whilst they sit on the waiting list watching their own health decline.

I was recently provided of a tour of the new St Helens hospital and I thought it was a beautiful building. I congratulate members of the St Helens auxiliary on their amazing fundraising activities -

president Marg Osborne, treasurer Lyn Nichols, Ruth Bishop and the auxiliary secretary, Christine Trellogen. They have raised a lot of money for the hospital. My main question is why have you built a new hospital in St Helens without a dedicated mental health admission area or without mental health specialist areas, a space where you put people before you fly them out or refer them to Launceston for a two-hour drive before admission? One of the highest youth suicide levels is in St Helens. We cannot find staff because we do not pay them enough. How much is a teenager's life worth? Why build a multimillion-dollar facility if it does not meet the needs of the community? Mental health is a really big issue on the east coast. You build a beautiful new facility yet it does not have one of the main things that community requires. I implore for that to be looked at.

I also draw attention to the recent spate of crime in the electorate I serve. I will not name the specific place because I think there is enough stigma associated with that area. I have a lot of time for Tasmania Police, especially those who work in that area. For some of the things they have to deal with on a daily level, I take my hat off to them. In one particular circumstance in the middle of January, one family in particular was subjected to the following chain of crimes outside their property, their home. As a local member, I found it difficult to assure the families that these events were not usual. They had two shootings on different occasions, both resulting in injury and hospitalisation of other people - not them, but they were across the road - numerous assaults by visitors to the residents across the road, one Molotov cocktail thrown through the unit across the road, burning the victim and causing fire damage. They also had a samurai sword incident when a man chased another down the footpath across their home whilst their grandson was in the front yard of the property. There was also an assault, one person hitting another on the head with a hammer.

I suggest that the criminal activity in this particular neighbourhood and section of the community is at crisis point but despite my requests to housing providers to reassess tenant compatibility with predominantly older groups of residents, the situation is still largely unresolved. I refuse to let this activity be normalised and shrugged off as part of living in that particular community. The community is tired of the violence.

Time expired.

[5.46 p.m.]

Ms COURTNEY (Bass - Minister for Resources) - Madam Speaker, as a very proud member for Bass, Minister for Resources and Building and Construction and part of a strong, stable and united team, I rise to make this contribution in response to the Premier's Address.

At last year's state election, Tasmanians backed our strong record and we are delivering on the commitments we have made. There are 13 000 more Tasmanians in work than when we took office, economic growth of 3.3 per cent last financial year, the strongest in Australia, and exports growing at more than 10 per cent a year. These results did not come by accident. The portfolios I am very fortunate to have responsibility for have played an important role in these areas, both in the past and for our future. My two Resources portfolio areas of forestry and mining are the bedrocks of the Tasmanian economy and underpin the strength and resilience of our regional communities, which I know many members of the House are supportive of.

For example, the contribution of the state's mining industry to our state across generations cannot be overstated. Pleasingly, this industry is on the upwards trajectory again with high potential for a number of mines being reopened and tailing deposits being reprocessed. Across our regions our forests continue to sustain our regional communities from Smithton in the far north-west to Scottsdale in my electorate and from New Norfolk to Geeveston. In the Dorset area alone, nearly

10 per cent of the jobs rely on the forestry industry and the sector is once again growing. Across all these areas the statistics speak for themselves. For those who are not convinced by the numbers, we only need to open our eyes to see the evidence.

As Minister for Building and Construction, I must say the level of building and construction activity across the state is quite astounding. While we do not necessarily measure our success by the number of cranes on the skyline, the level of activity is at an all-time high and up until recently there were six tower cranes established in the Hobart CBD, with many more developments in the pipeline. Never before have we seen construction at this level and jobs at this sector are at an all-time high, with more than 23 000 Tasmanians employed.

In my own electorate, northern Tasmania is also seeing a construction surge, with developments such as the CH Smith redevelopment, the Silo hotels and Hotel Verge all revitalising the economy and creating jobs. The story is the same across Tasmania. Devonport is being transformed by the Living City development and the level of activity in commercial, industrial and residential construction is a clear reflection of the growth in our economy under the Hodgman majority Liberal Government. On almost any measure across the Building and Construction portfolio, Tasmania is leading the nation.

In the December 2018 quarter, total construction grew more than 20 per cent compared to the same quarter in the prior year. Residential building work is estimated to have grown more than 25 per cent in the 2018 year, a growth rate more than three times the national average. I do not think anyone in this Chamber could have imagined these statistics a few years ago and now we are almost taking them for granted. This growth underpins our economic prosperity and provides confidence for families and communities across our great state. One of the highlights of my role is meeting small business operators and understanding their pride when they are able to employ one more apprentice or one more driver, or sign up one more local contractor.

We want young Tasmanians to have more pathways to employment. We are looking to grow even more with a target of increasing employment in the building and construction sector by a further 25 per cent over the next five years with a 40 per cent increase in apprenticeships and trainees. Under the Hodgman Liberal Government's nation-leading policies, red tape is being cut and we are continually working with industry to further streamline processes to make it easier, faster and cheaper to build in Tasmania.

My colleague, the Minister for Infrastructure is leading the Government's \$2.6 billion Infrastructure Investment Plan which includes \$1.1 billion for road and rail upgrades. We are committed to building a better, safer and more productive transport system for Tasmanians, such as providing \$53 million for the Launceston and Tamar Valley Traffic Vision. This includes funding to make the Mowbray inter-connector safer, West Tamar Highway upgrades and planning for the Tamar River crossing to address growing traffic demands.

Our Government has also pledged to match the federal government's \$59.8 million commitment to tranche 2 of the Freight Rail Revitalisation Program which will allow TasRail to deliver freight in a more timely, safe and competitive manner.

In this year's budget alone, we have committed to a range of measures to keep the building industry on its growth path. We have extended the \$20 000 first home owners grant for 12 months and a 50 per cent stamp duty concession for first home buyers for existing homes up to \$400 000. We have a 50 per cent stamp duty concession for eligible seniors downsizing their homes. We have

committed to three-year land tax relief to all new build housing available for long-term rentals. The Government's Building Legislation Miscellaneous Amendments Act 2018 further streamlines processes, provides clarity and improves the operation of legislative requirements. As minister, I will continue to work with the peak organisations representing the sector, such as the Master Builders Association and the Housing Industry Association, as well as directly with individual sole traders and small businesses to keep momentum going as our population increases and as our visitor economy surges.

I now turn to my other portfolio responsibility, Resources, representing the traditional backbone industries that have made Tasmania what it is today and which are the foundation of regional economies. This Government has a long-term plan to continue rebuilding Tasmania's forestry sector with its proud heritage and a focus on an innovative future. Our plan is to double the value out of the industry to \$1.2 billion by 2036 and to double production from Tasmania's hardwood plantations by 2022. We are on the way to achieving this target.

Three years ago, the value of point of sale of primary processed timber products was \$712 million. When flow-on effects generated in other industries as the result of the spending in the forest industry are included, this value is more than \$1.2 billion. This is represented regionally by more than \$270 million in the Cradle Coast region, more than \$450 million in the northern region and more than \$420 million in the southern region. This industry clearly supports regional economies, families, and communities. Of the 5700 direct and indirect jobs in the industry, there are more than 3000 direct jobs involved in primary and secondary processing and more than 2500 indirect jobs in other industries as a result of the demand of the forest industry.

The forest industry generates full-time jobs at a higher rate than any other part of the Tasmanian economy with 82 per cent of those employed in the industry working full-time in 2016 compared to 60 per cent of the broader workforce in Tasmania. After a period in which the industry substantially contracted in size, expenditure has grown since 2013 and employment has stabilised with growth in hardwood plantation jobs, offsetting some of the losses in the past. Tasmania's forest industry has now seen a move away from the native forest sector which now makes up less than half of the harvest and half the employment. The confidence in the industry to invest in the future can be attributed to the positive policy settings and the support provided by the Hodgman Liberal Government.

The statistics can only provide part of the story of the importance of the forest and forest industries to our regional communities. I have heard firsthand the stories of industry participants who were able to secure full-time work in their chosen industry. This meant that they were able to stay in the communities that they loved. They will be able to stay with their families and they have the confidence because of their employment to be able to buy a home and support growing families. This is what is important: Tasmanians all across our state having the confidence to be able to invest in their own futures.

The southern region was hit hard by the bushfires that raged in the Huon Valley, impacting more than 70 000 hectares of private and public production forests and damaging the Southwood timber mills. Like many members of this place, I spent a great deal of time in the Huon talking to residents about the impacts of these fires. I am buoyed by the resilience of those fire-affected communities and their focus on renewal for the future. The Hodgman Liberal Government is providing support on a range of levels to individuals and businesses. We have established the Bushfire Recovery Taskforce which is continuing to support fire-affected communities. In

partnership with the federal government we are supporting the Disaster Recovery Funding Arrangements, allocating more than 9000 financial assistance grants valued at \$6.9 million.

We are encouraging tourists to visit these regions with investment into the Huon Valley during the festival in March. Further support for the region can be seen in the joint Tasmanian-Commonwealth Government support being provided for the MONA DarkLab Huon Valley project. This public art installation will help attract tourists back to the valley and this will be a key part in assisting the recovery from the bushfire incidents.

There is also a great deal of effort that is happening behind the scenes. I was delighted by the attitude and engagement of TasNetworks personnel who worked overtime to restore the high voltage transmission lines to Southwood. This restoration was completed more than a month ahead of estimates. I take this opportunity to thank the staff from TasNetworks, from STT and Tasmanian Fire Service as well as suppliers, contractors and everyone who has been engaged in a volunteer capacity for what they have done throughout this season. The collaborative approach that we have seen with the way that everyone has worked pragmatically for outcomes for the community is to be applauded and it is the reason why we are so proud to be Tasmanians.

Another important role our Government can play in supporting industry is to provide the access to infrastructure it needs to get the product to market as efficiently as possible. Forest residues from across the south of the state, including the Huon Valley, were left stranded when the Triabunna woodchip facility was sold under the former Labor-Greens government. In early March I announced strategic infrastructure measures to enable support for the industry in the south of the state. I confirmed the long-term availability of Macquarie Wharf as a working port for the export of break bulk and containerised value-added timber products.

Further, I announced the enhancement of our rail infrastructure to more efficiently transport our residue logs to the port of Bell Bay. These measures have been warmly welcomed by industry. There is no stronger supporter of the forestry industry than the Hodgman Liberal Government. We have strongly supported the turnaround of the forest industry since we were elected in 2014 and I commend my predecessors, Mr Paul Harriss and the honourable Guy Barnett for their leadership.

With the passage of the Forestry Rebuilding the Forest Industry Act we ended the lockups and increased resource security. We established the new strategic growth plan for Tasmania's forests, fine timber and wood fibre backed by funding of \$4 million. We extended the Tasmanian Regional Forest Agreement for 20 years, delivering certainty for our renewable sustainable forestry industries.

We put Tasmania at the forefront of forestry innovation by securing the Launceston hub of the National Institute for Forest Products Innovation backed by \$4 million from the Australian and Tasmanian governments. We developed Australia's first statewide Wood Encouragement Policy and we restructured the public forestry businesses and secured \$60 million of plantation rights to start to pay off the debt, end Labor's subsidies and provide a \$15 million return to taxpayers.

Debate adjourned.

**WORKERS REHABILITATION AND COMPENSATION AMENDMENT
(PRESUMPTION AS TO CAUSE OF DISEASE) BILL 2019 (No. 7)**

Second Reading

Resumed from 9 April 2019 (page 64)

[6.01 p.m.]

Ms COURTNEY - Madam Speaker, in my contribution yesterday I had started addressing some of the concerns so I will continue with that and hopefully should be able to answer the questions asked by the other side as fully as possible.

To clarify, Ms O'Byrne, when you were asking about the costings I believe I said last night it was \$5.2 million. It is actually \$15.2 million. I misread my handwritten notes, I am sorry.

Ms O'Byrne - That is a bit over 36 000 days lost and we have not any actuarial advice - that is what I wrote down.

Ms COURTNEY - I had spent a bit of time with the clarification that disciplinary action that triggers a previous PTSD will not be excluded. I will summarise that again because -

Ms O'Byrne - My only question was that if it did not appear until after the disciplinary proceedings had commenced, how you would exit those proceedings in order to avail yourself of the other cause?

Ms COURTNEY - I will give you a bit more contribution and hopefully that will address your concern. The eligibility exclusion in section 25(1A) clarifies that a reasonable performance management action undertaken in a reasonable manner will not give rise to compensation. To clarify, if a worker has developed PTSD due to exposure to traumatic events as part of their course of work previously, the fact that there is an event such as disciplinary action or performance management which then triggers the pre-existing PTSD will not impact the ability for the presumption to apply. Hopefully that addresses that one.

The next one, Ms O'Byrne, was regarding multiple claims and conditions that deteriorate after the claim has been made or finalised. Under the Workers Rehabilitation and Compensation Act, injury includes diseases and the recurrence, aggravation, acceleration, exacerbation or deterioration of any pre-existing injury or disease where the employment was the major or the most significant contributing factor to the recurrence, aggravation, acceleration, exacerbation or deterioration. Therefore a person could make a new claim for compensation if there was an exacerbation of the injury and, as such, any claim would go through the same process and you can have multiple concurrent claims.

There were also some concerns raised by a range of members in their contributions around payments, and particularly paying medical expenses. To address a number of those I can confirm that once an employer receives the worker's claim for compensation the employer must start making weekly payments of compensation if the worker has been certified as totally or partially incapacitated for work and start paying for medical and associated expenses up to \$5000 unless they think the claimed expenses are unreasonable and unnecessary. These payments are to start regardless of whether the employer disputes the liability of the worker's claim. That should clarify that area.

Dr Woodruff addressed the question of coverage for workers and volunteers, and I will clarify that. The amendments will apply to public sector workers and the employees of government business enterprises and state-owned companies, as well as volunteers currently entitled to receive workers compensation entitlements under the Workers Rehabilitation and Compensation Act 1988.

The PTSD presumption will apply to volunteers who are classed as relevant workers under the act, as they are deemed to be workers employed by the Crown. This includes volunteer firefighters, volunteer ambulance officers, police volunteers and volunteer emergency management workers. The bill will not broaden the scope of eligibility of the workers compensation scheme under the act. Therefore the PTSD presumption will only apply to volunteers who are currently captured by the principal act or the Emergency Management Act 2006.

People who are under contract for services, a contract of service, or a training contract with the department are not covered by the presumptive provisions. However, I stress that the WorkCover Board is currently undertaking further work to consider whether presumptive provisions for PTSD ought to be extended.

Ms O'Byrne - I believe the act is reasonably clear on the other part, but if you are, for instance, an agency nurse who is directly being paid but your employment sits elsewhere, would you be covered by this?

Ms COURTNEY - My advice at the moment is because they are a contractor they would not be covered. However, I have every expectation that will be covered by the further work that is being done.

Ms O'Byrne - Do you have any idea how long that is going to be?

Ms COURTNEY - I anticipate that advice will be received at the end of this calendar year on that work, but I do not want to pre-empt it because it is a large body of work and they have a lot on their plates as well.

Ms Butler, the member for Lyons, raised some concerns around training for agencies, particularly around mental health and rehabilitation. My colleague, the Minister for Health, addressed some of these in his second reading contribution and the fact that the Government takes the health and safety of our workforce seriously. This includes more proactive and preventative health and wellbeing programs in the Department of Police, Fire and Emergency Management. A request for tender was recently advertised nationally calling for the supply of health and wellbeing services to be delivered to emergency services personnel. The program will provide a mix of proactive and preventative measures to detect and respond early to health and wellbeing risks, support the promotion of wellbeing across our agencies and to educate and empower our workforce to maintain and improve their wellbeing.

To clarify the member for Franklin's question -

Ms O'Byrne - Sorry, but to save us going into Committee, I think she was also making sure that senior management would have enough training and understanding of the new provisions. Is there a program being rolled out for senior management once the legislation has royal assent?

Ms COURTNEY - With regards to?

Ms O'Byrne - The new provisions and the cover of the act.

Ms COURTNEY - The PTSD provisions, as was outlined by the minister in his ministerial statement last year, was enacted by heads of agency last year, so we are legislating for what was already enacted by heads of agency at that time. I have comfort in the understanding through senior management across different departments.

Back to the member for Franklin's question, with regard to the program \$6 million over four years has been allocated. The Government has the state's largest ever increase in investment in mental health underway at the moment in addition to our \$104 million mental health package, which is progressively being rolled out.

The member for Clark, Ms Haddad, raised some concerns about the limitations of the review. The Government acknowledges the limitations that the authors, Mr Carey and Dr Triffitt highlighted in the ministerial review relating to establishing entitlements under the Workers Rehabilitation and Compensation Act 1988 for workers suffering post-traumatic stress disorder. The report made 11 recommendations relating to legislative and administrative options to support workers experiencing PTSD. Specifically, Mr Carey and Dr Triffitt advised in recommendation 11 that there should be more opportunity for all stakeholders to provide detailed submissions in respect of a range of matters covered by the independent report, which is why the WorkCover Tasmania board has been directed to undertake the further analysis and broader community consultation to address this matter, along with the other options identified in the report to further support Tasmanian workers suffering PTSD. More work is being undertaken. I believe that answers questions raised across the Chamber during second reading contributions.

Ms O'Byrne - I will probably delete some of my questions but I have some for the Committee stage. I also have the amendment.

Ms COURTNEY - As the member indicated, we will be going into Committee. I will end my contribution now and will make further comments during that stage.

Bill read the second time.

WORKERS REHABILITATION AND COMPENSATION AMENDMENT (PRESUMPTION AS TO CAUSE OF DISEASE) BILL 2019 (No. 7)

In Committee

Clause 1 agreed to.

Clause 2

Commencement

Ms O'BYRNE - When do you anticipate royal assent?

Ms COURTNEY - As soon as practicable.

Ms O'BYRNE - Is there any reason to delay it?

Ms COURTNEY - No. There is no reason to delay it.

Clause 2 agreed to.

Clause 3 agreed to.

Clause 4 -

Section 28A inserted

Ms O'BYRNE - Minister, we said there would be questions. We thought we may edit as we worked through. If any require further follow up, I am happy for that to be resolved before it is sent upstairs. As you say, this is new work and we are carefully feeling our way to make sure we do the right thing. I will be moving an amendment. I am happy to give you or your advisers time to look at the review of operation. I will come back to that shortly.

The presumption for cancer, not the presumption for all other diseases contained in the act, include a period post-employment during which you can identify or make a claim. The Fire Service cancer provision allows 10 years after leaving the service. Some others, because of the nature of the diseases, do not qualify. As PTSD might appear some time down the track, is there any limit on claims? It is not specified in the division.

Ms COURTNEY - Thank you for the question. It is subject to the claims for compensation. The notice of injury needs to be notified as soon as practicable after the occurrence of the injury and before the worker has voluntarily ended employment.

Ms O'BYRNE - I do not doubt the intent. We know about PTSD and we have seen it in military cases. It might not be until after a soldier or serving person leaves. It may occur five years later, for example. I do not want to pin anything on it now, but would you give some consideration to reviewing that prior to it reaching the upper House? With this disease, people see their first occurrence sometime afterward. We do not want such debates when the intent seems genuine.

Ms COURTNEY - I would not be inclined to make changes between now and the upper House, given the body of work being undertaken and advice to be received from the WorkCover Tasmania board. I do not want to pre-empt the advice the Government will receive from the board.

Ms O'BYRNE - Can I ask what that advice is? I thought the advice from the WorkCover board was the work looking at its extension outside the public service. Are they still doing work within the public service? I thought this was done when we talking about the extension.

Ms COURTNEY - The recommendations that were referred back to the board were quite broad in their nature. Obviously there was the one that had been highlighted by my predecessor in terms of the exploration around the private sector, but there was a suite of recommendations and a number of those have been referred back to the board. We have not limited the board in terms of the advice that we will receive back from them.

Ms O'Byrne - Are you able to give us a copy of the terms of reference or the suite of things that were given to the board?

Ms COURTNEY - I am unable to provide the specific referral to the WorkCover board but I can reassure you that there was a number of recommendations in the tabled report and a number of

these were referred to the WorkCover board. I have an expectation that the work we will get back from the WorkCover board will cover a range of different areas but, Ms O'Byrne, I cannot pre-empt what they are going to come back with.

Ms O'BYRNE - I am not asking you to pre-empt that. I am asking what their scope of reference might be because they are obviously not able to step outside of the reference they have received from you. I do not know what to ask you in terms of what has already been referred to them and I do not want to waste the time of the House. Can I just flag that we will probably seek to get that information in the upper House? That would make life a little easier for us tonight.

You mentioned that this will apply, once it received royal assent, to undecided cases currently. Do you know how many undecided cases there are roughly? I realise with the upper House not joining us again for a little while it might be some time before we get royal assent, but roughly what kind of figure might we be looking at in undecided cases?

Ms COURTNEY - I have that information for you. Since 25 September 2018, which I believe is the date of the ministerial statement, there have been 19 claims for PTSD reported, 14 of which have been accepted, three have been rejected and two remain pending.

Ms O'BYRNE - Has the department done any work on whether it sees that there is a level of under-reporting? We know that making claims is difficult and making claims in relation to PTSD or stress is even more difficult. In the work that has been undertaken by agencies so far, you have said that agencies started some work in this, so is there an understanding of what kind of under-reporting you are anticipating, or is it too early to tell?

Ms COURTNEY - I addressed this a little bit yesterday in my second reading contribution on the back of what Ms Haddad had spoken about. The whole point of this legislative change is to minimise the stigma around reporting and try to make that easier. It is difficult to predict if there will be a rise. There may be a modest rise and that is not necessarily a bad thing because it means that we are helping more workers but I cannot give you a figure on the expectation of that.

Ms O'BYRNE - Is there a threshold on what evidence to the contrary would mean? In 28A(2) it is the standard one about 'will accept in the absence of evidence to the contrary'. Has there been an identification of the threshold of maintaining that evidence would be?

Ms COURTNEY - Is this for the rebuttal?

Ms O'BYRNE - Yes. When the application arrives and it is being assessed as to whether you are going to rebut it because there is a presumption of cause to be able to apply, what is the threshold for that, or is that something that is not defined at this point?

Ms COURTNEY - As I expected, it is a case-by-case basis because they are all quite unique.

Ms O'BYRNE - I only asked because we did have that issue with the firies and the referral of presumptive matters off to another section of the act which of course was not the intention of anyone in this Chamber. I do not know if anyone else has any questions but I am happy to move to the amendment and speak to that. I have circulated an amendment and I do not think there should be any problem with it because it is exactly the same amendment we put in for the presumptive cancer for the firefighters. Because it is, as you mentioned, minister, nation-leading, this is the first time we have had this kind of work, we believe that there should be a legislative review period.

When we originally did the fires one we did a review after 12 months and they are annual reviews. Because of the very small cohort of fires we were dealing with it was agreed that sending that out to three years would be appropriate. The reality is that we are now looking across the entire public service and those volunteers in those emergency services you have identified. I think three years is too much, but I accept another 12 months might be a bit minimal. That is in discussion with others. We thought that a two-year review period might be okay and that would form the position of being after new clause 28A. It took me some time to work out where to put it. I tried to amend clause 27 and then realised if I amended clause 27, clause 28 does not exist yet so it is a bit weird.

I move -

That new clause 29 be inserted after proposed new clause 28A:

- (1) The Minister must cause a review of the operation into section 28A to be undertaken and completed as soon as practicable after the end of:
 - (a) the 12 month period from the commencement of the section;
 - (b) each 2 year period after the completion of each previous review of the operation of Section 28A.
- (2) The person who undertakes the review must provide a written report of the review to the Minister as soon as practicable after the review is completed.
- (3) The Minister must cause the written report of the review to be laid before each House of Parliament within 10 sitting days after the report is provided to the Minister.

It mirrors the clause 28 review of operation in relation to section 27. Given that we are dealing with such a new piece of work - and I appreciate that there may be more changes coming down the track as the result of the body of work that has been sent to the WorkCover board - there will be an opportunity to revisit that if necessary but I think there would be a level of comfort if we knew we could assess exactly what kind of implications we are having, because this is the first time we have done something like this.

It is not legislation that exists in Australia or anywhere else. I know that the Canadian legislation, from my understanding, put in review processes. Sometimes that leads to amendments, sometimes that gives enough clarity and surety and you can push out the review periods into the future at another time when the act is being opened up. I urge you to take this one on board.

It is nice to be able to do amendments in the lower House that we agree on rather than allowing the upper House to do all of our business for us. I cannot see why we would not be agreeing that a review period be in place for such a groundbreaking piece of work given it is exactly the same review period that we all required in this House for the groundbreaking piece of work around presumptive cancer acceptance.

Ms COURTNEY - The Government will not be supporting the proposed amendment given the WorkCover Tasmania board is already undertaking a considerable amount of work exploring whether the presumption should be applied to broader occupational groups as well as private sector

workers, as well as the other options identified in the report that was tabled. Inserting the proposed legislative review mechanism may serve to pre-empt the advice that we are going to receive. The Government is expecting the advice by the end of the year, which I flagged earlier, which will include the findings on the community consultation that will be undertaken as well as the actuarial advice in relation to cost implications.

It is considered that adding a requirement for legislative review to be undertaken should not be considered until the board's advice has been received. Consequently, the Government will not support this amendment.

Ms O'BYRNE - I urge you to, as you are expecting a response from the board by the end of the year and who knows what might happen in the meantime. We rise late in the year. This year, we did not come back to parliament until late March. This is only our second sitting week and it is the middle of April. It may be in operation for more than a year before we revisit it in this House. I urge you to include it and, if the work is done earlier, it is work we can unpick or change to suit the circumstances if necessary. We are in the hands of the WorkCover Board. You identified they have much work in front of them. Other requests are being made of them. I understand you want this dealt with by the end of the year. In the reality of parliamentary and legislative light, it is highly possible we will reach the middle of next year, we will go into the budget session without having resolved it or reviewed the work done. I urge that we have this amendment in place, and we seek a vote.

The Committee divided -

AYES 11

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

NOES 11

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah
Mr Shelton
Mr Tucker (Teller)

PAIR

Ms Haddad

Ms Archer

Madam DEPUTY CHAIR - The result of the division is 11 Ayes and 11 Noes. Therefore, I have to use a casting vote. In accordance with standing order 167, I cast my vote with the Noes.

Amendment negatived.

Ms COURTNEY - I thank members for their thoughtful contributions. This type of legislation has a meaningful, practical difference. The leadership we show and the comments made by a number of members from every party raises acknowledgment in the community of the importance

of providing mental health assistance to workers and Tasmanians in general. It encourages people to seek help as early as possible and breaks down those stigmas. I thank my predecessor, Mr Guy Barnett, for the role he played in this. I thank WorkSafe and departmental staff who do an awesome job and will continue to do so -

Ms O'Byrne - Rene Hidding worked on the legislation, though.

Ms COURTNEY - Yes. I thank the WorkCover Board in the work they continue to do and the reviewers, Mr Stephen Carey and Dr Jacqui Triffitt and all involved in the review and the coming review. Everyone's contribution is very much appreciated because this has been done with a great deal of goodwill.

Clause 4 agreed to and bill taken through the remainder of the Committee stages.

Bill read the third time.

ADJOURNMENT

[6.41 p.m.]

Ms COURTNEY (Bass - Minister for Resources) - Mr Deputy Speaker, I move -

That the House do now adjourn.

Lauderdale Primary School - South Arm Road

[6.41 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, I speak on behalf of at least 1000 parents from Lauderdale parents, grandparents and carers of young children who walk to and from the Lauderdale Primary School each day along an incredibly dangerous stretch of the South Arm Road. For years those parents have been trying to find a safer solution for their kids. It has come to a head recently because the school has grown so large, so fast. It is now one of the largest primary schools in Tasmania.

At the invitation of a parent, Claire l'Anson, I went to have a look for myself a couple of weeks ago. Frankly, I was absolutely shocked at how frightening the conditions were and the speed of trucks, cars and other vehicles on that road. They were travelling only about one to one-and-a-half metres away from children who were streaming out of school, completely clueless and unaware of the danger that was right next to them on the road. With a parent I witnessed a tall child, a 5th grader, who fell off his bike onto the footpath because his shoelaces were not tied. He was fortunate enough to fall away from the direction of the traffic, not into the direction of the traffic. I shudder to think what could have happened if he had done that.

It is clear that it is a dangerous stretch of road. At the moment cars and trucks can travel past at 70 to 80 kilometres per hour. I wrote to the minister and he has listened to the community and is acting. He has made a commitment that he will refer the matter, as I recommended, for a short-term reduction in the speed limit to 40 kph so that the children will be safe until a longer-term solution can be found.

There are many options on the table including fenced infrastructure on the side of the road, diverting the road, putting alternative walking routes and extra carparks, all of which involve plenty of time and thinking. The most important thing is that there appears to be a commitment from the Government to take action on this issue to look after children's safety.

I am here today to make sure that the minister understands how many people in the community care about this as an issue. I seek leave of the House to table a non-conforming petition which has 905 signatures. I have shown it to the Opposition and I have shown it to the Leader for Government Business, both have agreed. With your leave, Mr Deputy Speaker, I will table this petition of 905 petitioners, an online petition, calling for safety for pedestrians and motorists between Lauderdale Primary and Ringwood Road.

Quite a number of people have made personal comments on that petition reinforcing the things I have already said, the things that I observed for myself, comments like 'My children cannot walk to school. I feel as if it is dangerous for them to navigate this section of the highway.' That was from a woman in Lauderdale. Another woman says, 'My eight-year-old child walks this stretch of road with his friends after school each day and I am constantly worried that there will be an accident due to the high speed limits and the closeness of cars to children'. Another woman from Clifton Beach said, 'Such a high volume of small children walking along this dangerous road is a tragic accident waiting to happen. I like to encourage my children to be active and walk this section to school but most days it feels less than safe to do so.' Another woman from the area said, 'My children are at risk. A road this close to school grounds with a 70 kilometre an hour speed limit at times is a tragic accident waiting to happen'.

I strongly support the minister who is both the minister for Education and Minister for Infrastructure in furthering this and making sure that we put safety as a first priority. I know the minister is personally committed to the Love 40 campaign and the safety of children. I thank him for his commitment to take action on this issue. On behalf of all of the parents, grandparents and carers at the school I really encourage him to make sure it happens sooner rather than later.

Leave granted.

Jobs for Migrants and Aged Care and Disability Graduation

[6.47 p.m.]

Ms O'BYRNE (Bass) - Mr Deputy Speaker, I rise to speak about jobs for migrants and the aged care and disability graduation that I attended. The other member for Bass, Ms Courtney, who has just left the Chamber, was also with us.

This program has had four intakes over the last 18 months. They last for 13 weeks and 50 participants have successfully gone through. It is a training and job ready skills program that includes industry specific training in aged care and disability, with wraparound support and commitment from their partners. It arms participants with targeted skills and insights of the sectors through a 60-hour practical work placement program to enable them to feel more competent as they enter the workforce. It is heavily supported by the Migrant Resource Centre, Ella Dixon, Mark Deverall and Ian Wright, St Giles and the Masonic Care group.

I wanted to read, very quickly, two speeches that were given by students that really sum up the process. From Jerelyn Orcullo:

My due respect to the people in the head table, classmates, visitors, friends who are in attendance. It is my honour and privilege to speak in front of my classmates to give my impression of this training.

First and foremost, our heartfelt thanks to the Department of State Growth Skills Tasmania who gave the funds for this training for the migrants. I am hoping that your support ... will continue.

To the Migrants Resource Centre, thank you is not enough for helping all the migrants in many ways, training like this, driving, tutoring and many more. Amazing things really, my salute to all the staff!

I came up with my own acronyms for St Giles and Masonic Care. And it goes like this:

S - sacrifice for the welfare of the migrants
T - trusted in so many years make tandem with MRC
G - giver of resources like the well ventilated venue, free coffee, milk and tea
I - integrity provider for people with disability
L - loving staff and personnel to the migrants and to all
E - energetic staff to follow up if we were okay during our work placements
S - satisfied to the services they offer with quality standard.

For Masonic Care:

M - mission to give quality care to residents in Tasmania
A - admirable in the sense their patience is 101% elastic
S - sincere staff and co-workers to impart the different skills to us
O - offered free coffee, tea, milk, bikkies and the venue, the same with St Giles.
N - neutral to all regardless of different cultures
I - inspire others by expecting the most of them
C - cooperative to MRC at all times
C - courage/confidence to the migrants
A - aware for our weaknesses as trainees
R - respect to diverse people
E - empathy given to us so we will learn new skills

She said the words she uttered were not enough to show the gratitude the students have for the support that has been extended. They particularly wanted to thank Nancy Pattinson who was their motherly teacher and gave them moral support and they found her to be utterly outstanding. She went on to say she hoped they all could find a job because who knows what they might hear from those employers into the future. Micsy Cumming, the other graduate, said:

Thank you for coming and celebrating with us. I am very happy to represent my classmates on this special day.

I also extend my gratitude to the Department of State Growth's Training and Work Pathways for funding the program ... to the Migrant Resource Centre in partnership with Masonic Care and St Giles and all the staff who helped us to realise our placement and permitted us the use of their offices for our classes.

We are a group of 13 students from diverse countries and backgrounds, languages and cultures, but with the same dreams and expectations, which are the desire to find a job and work with people with different needs in the Aged Care and Disability sector and make a positive difference in their lives, giving warm support and encouraging them to be involved in the community.

I trust we are not going to disappoint you and we are going to put our hearts into our jobs.

These people have come to our country. They have identified opportunities for employment in areas where we have workforce shortages. We need more people to work in this sector, particularly as it grows, should the NDIS continue to be funded. As that industry and that need grows it is wonderful to see our migrant community stepping into that space. I commend all the training partners and I hope State Growth is able to continue this very positive relationship.

Patricia Allford - Tribute

[6.51 p.m.]

Ms BUTLER (Lyons) - Mr Deputy Speaker, I recently attended a Railton Bowls Club presentation evening with yourself and your lovely wife, Meryl. It was at that event where Noelene Purton, president of the bowls club, advised me sadly that her mother, Pat, had passed away the day before. Instead of cancelling the event, the community decided to celebrate her life and there were tears of sadness and joy and it was a fabulous night. On Friday just past the community chose to have a wake and celebration of Pat's life and the family put together a few lines for me to read into the *Hansard* this evening to commemorate Pat's life.

Mrs Patricia Allford, nee Blaney, was born on 22 July 1930 in Devonport to Iva and Thomas Blaney. She was one of 11 children. Pat attended Our Lady of Lourdes in Devonport and was considered a good student. Pat was a fiery redhead who loved flowers but hated gardening, according to the family. The reason Pat disliked gardening came from being sent outside to weed the garden when she was naughty at school. Apparently she spent a lot of time weeding that garden.

Pat met and married Cyril Allford on 29 December 1948 and they had six children - from oldest to youngest, Greg, Grant, Ann, Peter, Julie and Noelene. They both worked hard and Pat finished her working life working at Latrobe High School. During that time Pat also worked with the Railton RSL Ladies Auxiliary where she was awarded life membership and also ran the bingo fundraising for Tandara Nursing Home.

When Patricia retired she took up lawn bowls and cooking and catering at the Railton Bowls Club, which is how a lot of us got to know Pat so well. She won several trophies and flags with the girls at the club and this, according to Pat's family, was the time she absolutely loved. Pat loved going away to play in other events and with other associations. Her sponge cakes and sausage rolls were renowned all along the coast and all events held at Railton where Pat catered were catered to absolute perfection. Pat still made sponges for the club until last year when she unfortunately had a fall and broke her hip. Pat moved into Tandara Nursing Home after this but still came to the club to meet up with the girls.

Pat will be remembered with love from every member of the club and they will all miss her beautiful sponges. Pat leaves behind 16 grandchildren, 22 great-grandchildren and one great-great grandchild. Pat passed away on 5 April 2019 aged 88 years and she was the last of her family.

Erica Lowry - Tribute

[6.55 p.m.]

Mr TUCKER (Lyons) - Mr Deputy Speaker, I rise today to congratulate Erica Lowry. On 8 March 2019, International Women's Day, at the TasPlan Awards for Excellence Erica won the Inspirational Leader Award in Local Government. Erica Lowry is a Break O'Day Council community service project officer. Her role is to support and assist the manager of community services. Her day-to-day role includes facilitating events, coordinating the Break O'Day Council stadium and running the learner drivers mentor program.

When her manager was on leave, ABC's Triple J decided to hold the biggest concert Tasmania has ever seen in St Helens, the One Night Stand. Erica effortlessly took the lead and stepped up with enthusiasm. Her dedication was infectious. Her passion meant that not only the council but the whole town of St. Helens were united and ready to host the Triple J concert, making the most of this opportunity.

She ignited excitement in the local community and business community and focused community groups on fundraising efforts. Erica was also the conduit between council, the state Government and the community with the ABC, contracting and researching councils, towns and businesses who had hosted the event previously and formulating a plan and a network of contacts. Everything crossed Erica's desk before it was delegated, from set-up to management of the event itself, budget, the involvement of community groups, volunteers and the management of information sessions. Before the event was even announced Erica presented to the Premier to secure \$35 000 funding assistance for the event.

The One Night Stand was the biggest concert in Tasmania and the biggest in One Night Stand history. The event's capacity was 20 000 people. This was reached within hours. In total about 30 000 people attended.

I now provide a quote that Chris Scaddan, the head of music and creative development at the ABC said about Erica:

I would like to extend my thanks to Erica Lowry for her tireless efforts - she made working with Council a pleasure; her work in the community had a lot to do with the excitement that built in the town.

Through the experience Erica inspired many by leading by example and showing what is achievable not just as a woman, but in a small town. She spoke passionately and articulately in front of groups, from the community to local government professionals and business leaders. Some doubted her abilities and skills, but by the end of the experience they all sang her praises and were asking for advice on their own projects. She demonstrated that there are hidden leaders in our community, which resulted in other women emerging to lead our community.

Erica has now been nominated for a number of awards and I would like to finish with a letter of support for Erica from the Break O'Day Council general manager, John Brown, which sums it up:

I write to you today to officially endorse Break O'Day Council's submission for the Emerging Leader of the Year Award for Ms Erica Lowry.

Erica is employed as our Community Services Project Officer. Prior to this she worked in our Planning and Building department.

Erica's effort in managing the One Night Stand, the reason why we have nominated her for this award, are the true definition of going above and beyond the call of duty, and exemplifies the challenges of being a community leader.

Not only did Erica manage all of the aspects of the event, she spent countless hours of her time ensuring that the community and the business community had everything they needed to embrace and be excited about the event.

She received calls at all hours of the day and night concerning the event and worked more than 12 hours on the day of the event just to make sure it ran seamlessly.

I could not emphasise enough my belief in Erica as an emerging leader, and she certainly showed this strength of character during all stages of the planning of this event.

I would now like to finish to wish Erica all the best with this award and her wedding this weekend, and wish to say how proud I am of having worked with Erica and how proud the Break O'Day community is of her.

Railton Bowls Club

Westbury Cricket Club

Bothwell Football Club

AFL Season in Northern Tasmania

[7.00 p.m.]

Mr SHELTON (Lyons) - Madam Acting Speaker, I rise to make similar comment to the member for Lyons, Ms Butler, who commented on the Railton Bowls Club. Members will be attending many sporting functions at the end of bowls season and the start of the football season. There is a lot to be celebrate within Lyons, the many clubs and the tremendous work these sporting clubs do for their communities.

I reiterate the words of my colleague Ms Butler in speaking about Pat Allford from the Railton Bowls Club. Noel and Noelene Purton, her daughter and daughter's husband, are the mainstays of the Railton Bowls Club and they have been there for the past 10 years I have been visiting the Railton Bowls Club. They do a fantastic job. You need drivers within any club and Noelene is that person. You only have to see the character of the person on that Saturday evening Ms Butler mentioned, when she had lost her mother the day before and she is the main organiser of the function. She is there, somewhat teary but doing what she had to do. It was a fantastic effort. I congratulate the bowls clubs and recipients of awards on the night.

Running around over the last few weeks at different functions, I have had the pleasure of doing a couple of things. I will start with cricket because it is the end of the cricket season. I was fortunate enough to play A grade cricket with my old team, Westbury, in the NTCA almost 40 years ago.

We look back and wonder where the time has gone. I had the pleasure of attending the Westbury Cricket Club's A Grade Premiership Dinner to present a few awards last week. Congratulations to the coach of the Westbury Cricket Club, Matthew Battle. The captain of the A grade team was Richard Howell. They won the two-day competition and the premiership for the best A grade cricket side in the NTCA competition.

We then came to the awards. It is fantastic to see one of the mainstays. To me, he is only a young guy but he has been around the club for a number of years. The batting average and aggregate was won by Dane Anderson, with 571 runs for the season and an average of 63.33. The bowling average and aggregate was won by Jonathan Chapman, who took 26 wickets at an average of 7.38. When you look at those scores and the bowling average you can understand they were strong in the bowling and batting. No wonder they won the premiership.

When I was playing with Westbury back in 1979, 1980 and 1981, the Claxton family was highly involved. Peter Claxton played in A grade premierships and Michael Claxton was running around the club at only 10 or 12 years old. Michael Claxton and his wife Gail are now the mainstays of the Westbury Shamrocks Cricket Club. Michael and Gail do a fantastic job. Michael is the President, he looks after the ground and is on the roller whenever I go past. They both work for the cricket club non-stop and it is because of people like them, and Noelene and Noel, in sporting clubs that these clubs survive well in the Westbury Shamrocks position. Congratulations to them on their premiership.

A couple of weeks before that, I had the opportunity to present a premiership flag to the Bothwell Football Club. I am patron of the Oatlands District Football Association and a patron of Bothwell. As patron of the association, I was able to present Bothwell with the flag. There is a story to that. The flag was printed the year before and they could not present it that year because they had the date wrong. They kept it until this year and, thankfully, Bothwell won the premiership again and they already had one in the cupboard. A lot of hard work is done by those in the committees to enable these clubs to stay on the ground.

We had the Friends of AFL in Parliament today, and I am AFL lover.

The NTFA season has commenced. Saturday was the first game and Bracknell played Deloraine, and I assist both. I am a lifetime member of the Bracknell Football Club and Deloraine won. Congratulations to the people of Deloraine and the Deloraine Football Club. They have started the season well. My allegiance is to my home town of Bracknell but we wish every club starting off their football season all the very best and we look forward to seeing who comes through at the end of the season.

The House adjourned at 7.06 p.m.