PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Tuesday 25 August 2020

REVISED EDITION

Tuesday 25 August 2020

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

STATEMENT BY SPEAKER

Behaviour of Members

Madam SPEAKER - Honourable members, I wish to address the events which occurred in this House during the adjournment debate last Thursday 20 August.

First and foremost, as Speaker I acknowledge that it is my task to protect the rights of all individuals in this House and to make sure that everyone is treated fairly within the framework set by the Standing Orders. It is my role to maintain such order during debate. While most proceedings pass routinely and without incident, there are occasions when passions become inflamed, excessive interjection occurs, and the House becomes noisy and unruly.

The Standing Orders provide disciplinary powers to enable me to maintain order. As you are all well aware, these vary in their severity and allow me to deal with breaches of order in the most appropriate manner. Having been in this House for just over two years I am continuing to learn the practical application of these Standing Orders in all situations.

Last week an individual member was concerned that her contribution was interrupted without due reason. I would like to reassure this House that it is my commitment to ensure the foundations of the Westminster Parliament are upheld and that individual members can rightly contribute in line with the rules and forms of the House.

For any grievances that may arise, may I encourage members to please raise them directly with me. I reiterate that I wish to see this House to be a safe workplace with the members showing relevant respect to each other and more orderly behaviour as the public expect of us all as role models.

QUESTIONS

COVID-19 - Aged Care Facilities in Tasmania

Ms WHITE question to PREMIER, Mr GUTWEIN

[10.04 a.m.]

The impact of COVID-19 on some of our oldest Tasmanians has been devastating. We watch what is happening in other states with a heavy heart. Yesterday, the Director of Public Health, Dr Mark Veitch, was asked what would happen if a Tasmanian in an aged care facility contracted COVID-19 and if they would be immediately transferred to a hospital. He responded that it would be managed on a case-by-case basis.

The federal government has committed to working with state governments to set up aged care response centres to help manage any future outbreaks. COVID-19 has been in Australia

since January and we have already seen the catastrophic impact of outbreaks in aged care settings. Yet last week you said the system in Tasmania needs more time to prepare.

How far advanced and how prepared is Tasmania to establish an aged care response centre if we have another outbreak? Can you detail what the protocols are? Can you table them so that all Tasmanians can understand what will happen if they or their loved one contract COVID-19 in an aged care setting?

ANSWER

Madam Speaker, I thank the Leader of the Opposition for that question and her interest in this matter. I will start where you finished. The protocols will be guided by Public Health and health advice in terms of what occurs in an aged care setting should somebody contract COVID-19. We have learnt from across the country that every circumstance and every situation can be different. It is quite appropriate, as Dr Veitch said yesterday, that they will take on its merits and take clinical advice in how they will deal with an aged care sector and whether they would move somebody immediately to hospital or not. I believe that is fair and reasonable.

Regarding our preparedness, we took the decision to extend our border closures until 1 December on the basis that we wanted to be prepared and across a range of sectors. One thing that should be put firmly on the table today is the fact the learnings out of Victoria, especially in the last month, are matters that we should take very seriously. Regarding our own response, we managed an aged care outbreak on the north-west coast earlier this year; and we managed a hospital outbreak.

In terms of what has occurred in Victoria and the closure of centres, and entire management teams having to be removed from site, the services that are provided to residents, the people who provide those services having to be removed off site, it is not just about the nurses in the facilities who would deal with the aged care residents. It is about ensuring that should an aged care sector need to have its management team isolated and removed off site that there is a system in place that enables that aged care sector to be managed externally. They are the sorts of things that need to be in place and need to be practised.

I have spent quite a bit of time discussing these matters with Lucy O'Flaherty from Glenview. I understand that this week there will be a drill run at their centre in terms of a COVID-19 outbreak. I understand that another centre will also be running a drill or a practice run at this to ensure their protocols and systems are in place. That is exactly what we need to do.

As a government, the Department of Premier and Cabinet together with the Department of Health have been meeting regularly with representatives of the aged care sector, including the three industry peak bodies and members of those peaks since March. These meetings have been ongoing. A member of the Commonwealth Department of Health has also participated in each of these meetings. These meetings have enabled the aged care sector to raise their issues and receive feedback and support directly from Public Health officials on an ongoing basis in terms of their readiness. They have also provided the opportunity for Government to feed key messages directly back to the sector, including through newsletters from peak bodies to members as well as through the Commonwealth Department of Health provider list.

In addition, Public Health services have facilitated a series of webinars and training focused on areas of interest to the sector as well as having developed a toolkit for use by the residential aged care facilities. This toolkit was developed to assist aged care providers with managing the prevention, control and public health management of influenza and COVID-19 outbreaks in residential aged care facilities. The Respiratory Illness Outbreaks in Residential Aged Care Facilities Toolkit is being updated regularly and includes information on case and outbreak management and guidance on whether to test staff and residents for COVID-19.

In recent weeks DPAC has also chaired a forum with representatives from the aged care sector, the Australian Medical Association, the Royal Australian College of General Practitioners, Primary Health Tasmania, as well as colleagues from across the Department of Health, to enable a roundtable discussion of issues of critical importance, such as infection control training, workforce continuity, clinical management of residents who test positive to COVID-19 and so on, to be understood, managed and worked through. We will continue to engage actively with the Commonwealth Government local aged care providers.

Regarding the Commonwealth's response, members are all aware that the Commonwealth is responsible for funding and regulating the aged care sector. However, we have Tasmanians in those centres and obviously we have a key responsibility.

Ms WHITE - Point of order, Madam Speaker, going to standing order 45. I asked the Premier if he could provide an update on progress to develop the aged care response centre, which is a directive out of National Cabinet. I would appreciate it if you would direct his attention to the question, please.

Madam SPEAKER - I believe the Premier is addressing the question. It is not a point of order.

Mr GUTWEIN - Thank you, Madam Speaker. Importantly, the National Cabinet has endorsed a plan to boost aged care preparedness for rapid emergency response to COVID-19, and has provided additional support for the sector, with more than $1 billion-worth of funding, as I understand. Joint Commonwealth and state plans are being finalised, which include activities such as infection control training, consideration of compulsory use of face masks, workforce patrols, the use of private hospital resources, as well as the establishment of aged care emergency response centres.

To support continued Commonwealth, state and territory collaboration, a time-limited AHPPC aged care advisory group has been established, bringing together a broad range of critical expertise about the aged care sector and infection control.

Madam Speaker, I will make the point that we have engaged, as a state government, actively and responsibly with the aged care sector. The sector has pandemic plans in place and is engaged with Public Health. The aged care sector and the state Government have been working collaboratively in what is a very important circumstance. The learnings of Victoria need to be taken into account. Nobody would have ever expected the impact that has occurred there and the learnings that are coming out of that are key and front and centre in the Government's mind as we work forward.

I have requested that Tasmania be elevated as a priority jurisdiction in terms of the audits and the health support visits. We are working with the Aged Care Quality and Safety

Commission to support their role as regulator in auditing the preparedness of aged care facilities in the state. In addition, I can advise that a team of specialists, comprising a Public Health specialist medical officer, a clinical nurse consultant specialising in communicable diseases, and a principal program officer will undertake pilot visits to aged care sites this week to discuss levels of preparedness, including outbreak management plans and identification of areas where assistance is required.

We will continue to work with the Commonwealth Government and the sector to ensure that we are prepared, to ensure that we can manage an outbreak, should that occur.

Mersey Community Hospital - Effect of Reduced Hours on Patients

Ms WHITE question to MINISTER for HEALTH, Ms COURTNEY

[10.14 a.m.]

The reduced hours of the Mersey Community Hospital have already affected people in need of care who have presented to the emergency department. In one case we are aware of, a woman woke up at 3 a.m. in severe pain. Knowing that the Mersey emergency department was not open, she waited until 8 a.m. to present and began receiving treatment. She was told she would need to be transferred to the North West Regional Hospital. At 6.30 p.m. she was still waiting to be transferred to the hospital, so her husband drove her to Burnie, where she spent another 24 hours in the emergency department because there were no beds available. Are you taking responsibility for adverse outcomes for patients as a result of longer travel times to the hospitals in Burnie or Launceston because of the reduced hours of the Mersey Community Hospital emergency department?

ANSWER

Madam Speaker, I thank the member for her question. I will start my response by sending a very clear message to all members of the community: if you are in urgent care at any time of day, no matter where you live in Tasmania, please call 000. We have Ambulance Tasmania and volunteers available in some of our regional areas providing supporting cover. As we have said in this place many times, we have put significant additional resources into Ambulance Tasmania and new paramedics across regional areas. It was one of our election commitments, which is continuing to roll out. I reassure communities that if there is an incident, if you are unwell, or if you are concerned, please call 000. That service is available.

In response to the Leader's question, I will not go into individual matters. I will preface the question by saying that the decision made about the Mersey Community Hospital was a very difficult one, but it was made on the best clinical advice. Senior clinicians, including the Chief Medical Officer, had been at the Mersey in discussions with senior leadership at the hospital and this decision was recommended by the senior health officials and clinicians within that hospital for the safety of patients and staff.

I want to be clear that the Government remains completely committed to the Mersey Community Hospital. This is a difficult decision and not one that was taken lightly. We are continuing to explore all options to see how we can extend the hours of coverage there. We are continuing to recruit and have had recruitment in the market for some time. As was outlined by Ms Dow yesterday, this recruitment of permanent health professionals within the north-west

has been a long-term challenge, but the Government has pleasingly made a lot of inroads in ICU and within rehabilitation as well as palliative care.

I assure the House, the community and the Opposition that this Government takes absolute responsibility for its decisions. This was not a decision that was taken lightly. We are doing everything we can to get that hospital back open 24 hours a day. I do not know what they are asking me to do. We are not going to open a service that I have been advised would be unsafe to open. That would be very irresponsible.

We want to make sure that anybody who goes into our hospitals is safe to do so. The last thing we want is to see an infection brought into one of our hospitals. All these decisions are made on clinical advice. I assure the House and the Tasmanian community that when we make these types of decisions about our healthcare system, whether it is on people coming from other places or the manning of our system, I will be taking advice from the Chief Medical Officer, not the Opposition.

Proposed Hospital Development in New Town - Actions of Coordinator-General

Ms O'CONNOR question to MINISTER for STATE GROWTH, Mr FERGUSON

[10.18 a.m.]

Your Coordinator-General, John Perry, has taken an unprecedented and concerning step, inserting himself into a planning process to try to influence council over a contentious private hospital development in New Town. This is taking oiling the wheels for private interests on the taxpayer's purse to the next level. Can you explain to the House on what basis your Coordinator-General thought it was appropriate to try to influence the decision making of the Hobart City councillors on behalf of a private developer this way?

ANSWER

Madam Speaker, I thank the member for Clark for her question. The Government supports the proponent's application that is currently before Hobart City Council. We respect Hobart City Council as the planning authority to make that judgment but we want to let the Hobart City Council know that we support that important development for the people of Tasmania and especially of southern Tasmania. I put that on the record on behalf of this Government, as the Attorney-General has already done as the Minister for Building and Construction, as I have done so, as the Minister for Health has done so. We are in support.

It should be no surprise to members that the Coordinator-General, Mr John Perry, who does an outstanding job of attracting investment in our state on behalf of Government, would adopt and promote the view of Government to the Hobart City Council, which is quite proper.

The Office of Coordinator-General is on the record. His job is to attract and facilitate investment in the state. He is expected to support projects that will deliver real benefits to the economy and our community. It is also not a new action from the Coordinator-General to be doing so. In fact it is long-standing practice of the Coordinator-General to provide in person -

Ms O'Connor - Trying to influence planning decisions.

Madam SPEAKER - Order, Ms O'Connor.

Mr FERGUSON - It is in fact long-standing practice for the Coordinator-General to provide in-person representation regarding proposals or his office's activities to different council and regional council groups over the years. I am aware that that has been the case around the state. In most councils around Tasmania the Coordinator-General and his team are most welcome to discuss proposals. It still sits with the local council as a planning authority to -

Ms O'Connor - Writing a letter to the planning decision makers.

Madam SPEAKER - Order, warning one, Ms O'Connor.

Mr FERGUSON - form a view based on their official's advice, which is quite proper. There is nothing improper about it. He does so with our blessing and support. I hope, Ms O'Connor, like the Labor Party, you might change your opposition to the Office of Coordinator-General.

COVID-19 - Social and Economic Support Measures Package

Mr TUCKER question to PREMIER, Mr GUTWEIN

[10.22 a.m.]

Can you update the House on the Government's social and economic support measures package and how it is supporting job security, job creation and assisting Tasmanian community during the COVID-19 pandemic? Is the Premier aware of any other approaches?

ANSWER

Madam Speaker, I thank the member for Lyons, Mr Tucker, for his question and for his interest in this very important matter. Throughout the early part of this year we put in place unprecedented levels of support for our community and businesses to cushion them from the COVID-19 pandemic. I thank members for their support for the packages we have delivered.

We said that we would deliver this support for Tasmania and we are getting on with the job. We have supported hundreds of community organisations to keep them going when Tasmanians needed them the most. This includes grants to our 34 neighbourhood houses, 127 community sporting organisations and 52 local RSL and ex-service organisations, totalling more than $4.6 million.

In July our emergency food relief providers provided thousands of food hampers ready-to-eat meals and around 160 000 kilograms of fresh and staple food. We have provided emergency relief grants to 4100 temporary visa holders who may lack family and other support. We have assisted 26 of them to return home. The total cost of that has been around $1.8 million.

We have supported 21 local government authorities to support their local communities with paintbrush and screwdriver projects; some a bit more than that. There were $144.3 million in zero interest loans rolled out. We are continuing to invest in health, mental health, housing

and vulnerable children and family violence systems to ensure they are better prepared. Nearly 500 GPs and pharmacies have received grant funding of $4 million. We boosted telehealth capacity by 1200 per cent to accommodate up to 5000 virtual appointment bookings. We have provided over $15 million in additional funding support to our housing, family violence, mental health and support organisations.

The Government has also supported small business. We have provided millions of dollars in payroll tax relief. We have waived rental payments on government leases to about 1150 businesses and waived heavy vehicle registration for hundreds more. We have provided over $60 million in emergency and hardship grants to more than 18 000 small businesses to keep the lights on, keep employing and access critical business continuity and digital advice.

As members would be aware, the Government has allocated a further $20 million towards the Small Business Sustainability and Recovery Assistance Package so our businesses can continue their recovery. Around 22 000 small businesses have received electricity bill relief. Last week we announced that even those in embedded networks will receive support.

There has been payroll tax relief to businesses in the tourism and hospitality industries, the most impacted by the measures that we have had to employ to keep people safe, as well as any business with a payroll of up to $5 million. Hundreds of small businesses around the state have also received fisheries licence and fee relief.

I have been clear that we will provide more assistance if needed, utilising our strong balance sheet, while continuing to manage the Budget responsibly. We are also rebooting the economy. Our infrastructure blitz will build on our current two-year $1.8 billion infrastructure package. In total it will support an estimated construction value of more than $3.1 billion over the next two years and an estimated 15 000 jobs.

I was asked about other approaches. On this side of the House we are backing Tasmanians and doing everything we can to support Tasmanian businesses and Tasmanian jobs. That is why last week we announced a measure to enable Tasmanians to take part in our seasonal harvest work. We provided $7.5 million for our tourism voucher scheme, on which we will have more to say later this week, to encourage more Tasmanians to holiday at home and support Tasmanian businesses and their employees.

It is the reason why we have decided to investigate local build options for the *Spirit of Tasmania*. With such a significant investment at stake and in the current circumstances it makes sense to have a look at how we can maximise Tasmanian jobs in the replacement of the *Spirit of Tasmania* vessels. Tasmanians understand that - from the back seats we hear Dr Broad chipping in - we want as many jobs here as we can get. That does not seem to be Ms White or Labor's position. It beggars belief that they are out there flying the flag for Finland. It appears that they have given up.

Their own colleague, Senator Helen Polley, appears to support our position. In her opinion piece in *The Examiner* yesterday, she said, 'the federal government, state governments and businesses should all collectively seek to reset supply chains to source from local manufacturers to a partial extent, if not completely'. Federal Labor is on board, but it does not appear that state Labor is.

Yesterday afternoon I was pleased to receive a letter from the Tasmanian secretary of the Australian Manufacturing Workers Union, Mr John Short, saying -

> We welcome the Tasmanian Government's decision to investigate options in finding a local manufacturer for the *Spirit of Tasmania* ferries.

Even the unions are on board, except that Labor is not. I cannot believe that you would want to take these jobs abroad, that you would want to support Finland -

Dr Broad - You signed off on it.

Mr GUTWEIN - Dr Broad - maybe it should be Dr Abroad. Dr Broad is more interested in what is occurring abroad. He even doubled down yesterday, again, with another pro-European and anti-Tasmanian media release. On this side of the House we would say, 'get on board. What do you have against employing Tasmanians?' We are pro-Tasmanian business, we are pro-Tasmanian jobs and we are pro-Tasmania. We want jobs in Tasmania, not in Finland.

Jobs in the Shipbuilding Industry

Ms OGILVIE question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON

[10.29 a.m.]

It was pleasing to hear the Premier's energy around jobs in Tasmania.

My question to the minister is about the *Spirit*s. You will understand that I am unapologetic about sticking up for my electorate. In Clark, we have the best shipbuilders, I believe, in the nation. Nowhere are these skills more apparent than in the advanced manufacturing sector, particularly in my electorate of Clark and particularly in Prince of Wales Bay.

What will you do to ensure that from welding, design, systems integration and fit out, we create a collaborative enterprise based around the Prince of Wales Bay businesses, to make sure that we deliver for Clark and for the kids in Clark using our jobs hub as well? There is potential for partnerships across industry, across jurisdictions and across sectors but we have to maximise those jobs here and I want to see them in my electorate.

We make the best ships in the world and we have other builders and manufacturers of world-class quality. Will you commit to maximising Tasmanian local jobs and content, particularly in Prince of Wales Bay? I hope you can hear the siren call of Prince of Wales asking for local content to be built here.

ANSWER

Madam Speaker, I thank the member for Clark for her question and it is an important one.

The member asks me, is the Government prepared to commit to maximise jobs for Tasmanians? The answer is, yes, we will. That is our commitment. That is how we got to this point. The national economy, indeed the global economy, has taken a walloping. We want to make sure that Tasmanian industry, Australian industry, Tasmanian jobs get the best possible look in.

We have tasked the expert group which is the task force that is headed up by the secretary of Treasury, and which has participation from TT-Line themselves, participation from State Growth, Mr Gilmore as well, together with the federal government's participation. We are all there. The task is to find a way to maximise Tasmanian industry and Tasmanian local jobs, exactly as you have asked me. I would not be prescriptive to Prince of Wales Bay but I will say -

Mr O'Byrne - Is that right? I was sure Mathias Cormann's appointment is somewhere else.

Madam SPEAKER - Order, Mr O'Byrne.

Mr FERGUSON - I totally agree with the member in her praise of Incat. They are a wonderful Tasmanian company and we are quite open in saying to them while we are in the market for monohulls - we have been very transparent about that - we nonetheless welcome the input from Incat and we welcome the expression of interest from Austal. Those expressions of interest that have been put on the record by both of those Australian companies, in fact, vindicate the Government's decision to take the time to have a look.

Members interjecting.

Mr FERGUSON - These mutterers from the other side, however, want us to minimise Tasmanian jobs in this purchase. Frankly, I am surprised that the members opposite would want to mutter or interject anything at all because what they are saying is, no we should not even look at the opportunity for Tasmanian jobs. That is what you are saying. Through you, Madam Speaker, to the Labor Party, to the Opposition Leader, it is frankly shocking to me that at a time of national economic downturn, hundreds of thousands of Australians having unfortunately lost their jobs, that the Rebecca White-led Opposition is not prepared to allow the task force to even look at the possibility of Tasmanian jobs and local industry input.

Ms White - That is not true.

Mr FERGUSON - That is true. I am frankly surprised that you now want to walk away through that interjection from your own policy position. The front page of *The Advocate* yesterday is Labor's policy - buy European. That is not our policy. Our policy is maximise local.

Spirits of Tasmania - Location of Shipbuilders

Dr BROAD question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON

[10.34 a.m.]

Bass Strait is one of the roughest stretches of water on the planet. Time-sensitive freight like salmon, cherries and berries rely on the *Spirit of Tasmania* vessels sailing, no matter what

the conditions, as does our tourism industry. The success of this service relies on TT-Line's unblemished record for reliability and safety. Do you think it is a good idea to have the new vessels built in the Philippines by a shipyard that has never built vessels of this size or type before?

ANSWER

Madam Speaker, the member is clearly getting ahead of himself. We are not going to speculate, nor interfere, in the work of the taskforce.

Ms O'Byrne - You certainly intervened when you tore up the commitment with TT-Line.

Madam SPEAKER - Order, please.

Mr FERGUSON - We want to will on the task force. We want them to find great opportunities for this state, for the men and women of this state who are looking for work and exciting opportunities for our Tasmanian businesses. It was a far more constructive question earlier from the member for Clark but from Dr Broad and the Labor Party just more negative, destructive comments.

Mr O'Byrne - Are you for the Philippines or not?

Madam SPEAKER - Order, please.

Ms O'CONNOR - Point of order, Madam Speaker. I seek some clarity around your rulings. I was given a warning earlier when I interjected on the Premier yet we have had constant loud interjections from Mr O'Byrne, Ms O'Byrne and Dr Broad. I simply ask for some consistency.

Madam SPEAKER - As you would be well aware by now with your knowledge of the Standing Orders that is not a point of order. Thank you. Please proceed, minister.

Mr FERGUSON - Thanks, Madam Speaker. I find what Dr Broad has just done in his question very shocking and odd. He is actually rubbishing an Australian business that is putting forward its opportunity to the task force.

Dr BROAD - Point of order, Madam Speaker, it is relevant to standing order 45. The question is quite succinct in that, 'Do you think it is a good idea to have new vessels built in the Philippines by a shipyard that has never built vessels of this size or type before?' It is quite a defined question.

Mr FERGUSON - I am very appreciative of the non-point of order because he has actually double-downed. He is rubbishing that Australian business, that is what he is doing.

Members interjecting.

Madam SPEAKER - Order.

Mr FERGUSON - In the House of Assembly it is not my role to advocate for that industry. I will say that, in the public statements that have been made by that company, they

propose an arrangement that they believe sits with the Government's objective: to maximise Australian and Tasmanian jobs. Frankly, I am surprised that members opposite have -

Members interjecting.

Madam SPEAKER - Could I please ask for some order?

Mr FERGUSON - anything to say on the subject because you have locked into Europe. I do not see why you are complaining about jobs in any place in our country, or the Philippines for that matter, when you are locking into Europe. Really, what is your relevance here at all? We know where Labor stands. You stand for -

Dr BROAD - Point of order, Madam Speaker, relevance, standing order 45. Once again, the question is very simple: do you think it is a good idea to have the vessels built in the Philippines?

Madam SPEAKER - Dr Broad, as you are aware I am unable to understand what is going to come out of the minister's mouth, nor can I dictate what should come out of his mouth. Please proceed, minister.

Mr FERGUSON - Thank you, Madam Speaker. What I am hearing here is a little bit of a death rattle on this dog of a policy from the other side. I do not know how the Labor caucus cooks up these European policies -

Members interjecting.

Ms OGILVIE - Point of order, Madam Speaker. I am particularly interested in this topic for obvious reasons. It is almost impossible to hear with the interjections. I agree with my Greens colleague, which is an unusual thing in itself, that it is very hard to hear.

Madam SPEAKER - I appreciate that, and that is not a point of order either.

Mr FERGUSON - John Short from the Australian Manufacturing Workers Union is wondering what is going on in the Labor Party. He has written to the Government and, on behalf of his manufacturing workers union members, he is applauding the willingness of the Government to just have a look beyond the European option that Rebecca White and Dr Broad have locked in on.

I would not try to pre-empt the recommendations that come from the task force. We are open-minded to what the task force will say to us on this side of the House.

Dr Broad - You are not going back to Europe then? You are ruling that out?

Mr FERGUSON - Would you just care to listen? I am surprised you have anything to say. You should be ashamed of turning your back on jobs in this state. This Government is prepared, for the sake of a six-month examination, to look for jobs for our people. That is what we want. You have turned your back on Tasmanians. You have turned your back on Australians. You have locked in for Europe. That is your decision and you can stand accountable for that.

We take our policy position as vindicated by the early expressions of interest from Tasmanian shipbuilders, Australian shipbuilders and even from the Australian Manufacturers Workers Union, who I reckon are going to come after you.

Major Projects Bill - Submissions

Dr WOODRUFF question to MINISTER for PLANNING, Mr JAENSCH

[10.40 a.m.]

During the height of COVID-19 restrictions and despite the unjustly short time frame, your department has confirmed 1755 people made submissions to the controversial major projects bill. As at 5 p.m. yesterday, some 206 of those submissions had not been uploaded to the department's website, including those from the Residents Opposed to the Cable Car and members of the East Coast Alliance who spoke out against the Cambria Green development. Of the 1549 published submissions, 98 per cent of them explicitly oppose the bill and only 12, a tiny 1 per cent, are in support of it, almost all from organisations with a vested development interest. The views of 206 people are not available to us as legislators to consider, despite the fact the bill is listed for debate today. What do you say to those people whose voices have been shut out on this controversial issue?

Madam SPEAKER - Apparently I have to draw the line on issues that are about to be debated today, so I will ask the minister to address only the parts that are relevant to planning.

Ms O'CONNOR - Point of order, Madam Speaker, on that ruling. The question did not relate to the clauses in the legislation. It related to the department's failure to upload the submissions. We were quite careful about the wording.

ANSWER

Madam Speaker, acknowledging the constraints on us to discuss a matter which is an order of the day, I can confirm that all submissions made to the major projects process in its most recent 10-week consultation period were acknowledged and responded to individually. The department went through a process of de-identifying those submissions for uploading to our website. We have had questions raised about some that people could not identify as being their own. We have asked the department to ensure that they follow up and make sure that those submissions are uploaded to the website so that people can see them.

The most important issue is that also on the website there is a report summarising matters raised in submissions and the responses to those from us -

Dr Woodruff - That's not the same thing as people's views. That's your take on people's views.

Madam SPEAKER - Order, Dr Woodruff.

Mr JAENSCH - and included in the latest version, as tabled, of the major projects bill. Those submissions have been received, read and acknowledged, and the matters raised in them have been included in the Government's response -

Dr Woodruff - Then why aren't they available for me and every member of this House to read for the debate today?

Madam SPEAKER - Order, Dr Woodruff.

Mr JAENSCH - and in the final version of the bill which we will be commencing debate on today.

Spirits of Tasmania - Location of Shipbuilder

Dr BROAD question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON

[10.44 a.m.]

Last week you failed to answer how many jobs would be created as a result of your decision to abandon the TT-Line ship replacement plan which would have seen new ships on Bass Strait by 2022. Western Australian shipbuilder Austal has outlined a proposal to build the new *Spirit of Tasmania* vessels at a shipyard in the Philippines that has never built ships of this size or type before. As we know, Austal has a history in Tasmania. They acquired North West Bay Shipping in Margate in 2007 and closed it three years later, putting 116 people out of work. Just this month in the *Australian Financial Review* under the headline 'Navy Shipbuilder Austal accused of modern slavery', Austal was accused of bringing in 30 Filipino workers to Australia and paying them less than $9 per hour. TT-Line considered Austal when they were investigating shipyards to build the replacement vessels but they ruled them out. Why have you rejected TT-Line's advice in order to conduct an experiment with Tasmanian taxpayer money?

ANSWER

Madam Speaker, what is going on right here in the House of Assembly is that the official opposition is backing jobs in Europe over jobs for Tasmanians. That is what is happening. I can understand the insecurity and the weirdness of that for you, but what is going on here is really quite shocking for anybody in our state or in this country who is out of work and looking for a job. All they are hearing is the Labor Party rubbishing the Australian shipbuilding industry. That is what is on display here. You can whinge and whine all you like but that is what the modern Labor Party has come to in this state.

The member asked me how many jobs. I will tell him how many jobs he is proposing for Finland - 3000 jobs. Not Tasmania, not Australia - a European nation. That is a matter only for Dr Broad and his Leader, Ms White, as to how, in whatever weird universe in which they live, they have settled on that for a policy for this state.

Opposition members interjecting.

Madam SPEAKER - Order, Mr O'Byrne and Dr Broad. I will be giving you a warning.

Mr FERGUSON - Federal Labor is getting out there and supporting Australian manufacturing industries. Helen Polley is out there advocating for Australian industries, but

the Tasmanian branch of the Australian Labor Party is acting more like trade ambassadors for Europe.

In their own question in this House, they are bringing in concepts, such as they have just done, around an Australian company. If you want to make that your target, if you want to target an Australian business, if you want to bring in that innuendo and accusation, that is a matter for Rebecca White and Shane Broad.

Ms White - It is a publication, the *Australian Financial Review*.

Madam SPEAKER - Order, Leader of the Opposition.

Mr FERGUSON - Our policy is much clearer and better than that. We do not need to go around rubbishing any shipbuilders. What we are looking for is the opportunity for Tasmanians to get a job building our TT-Line replacement *Spirits of Tasmania*.

Frankly, I think Rebecca White and Shane Broad have got themselves into a terrible twisted knot right now. They are out of sync with Tasmanians, they are out of sync with the union movement, and they are out of sync with federal Labor. They are out of step with the common, decent Tasmanian who recognises the value of putting experts in charge of a task force that will provide advice to government.

Tony Ferrall is the secretary of Treasury and Finance. Do you want to rubbish him? He will chair the task force. Kim Evans is secretary of the Department of State Growth. Do you want to rubbish him?

Members interjecting.

Madam SPEAKER - Order, we must have some silence.

Mr FERGUSON - It never stops, Madam Speaker. Craig Limkin, deputy secretary of DPAC; Bernard Dwyer, CEO of TT-Line - do you want to rubbish them? Dr Sacha De Re, assistant secretary, federal Department of Finance - rubbish him?

Ms White interjecting.

Mr FERGUSON - Okay, on the record. Rear Admiral (rtd) Steve Gilmore AM is our defence advocate on the task force. What I am hearing opposite is, 'We just want jobs for Europeans, we don't even want to allow the task force to be allowed to do its job to look for Tasmanian and Australian opportunities for our country and our state'. I am surprised that you need any interest in this.

Madam Speaker, I will conclude on this important point.

Opposition members interjecting.

Madam SPEAKER - Order, it is like little chirping birds over there, honestly. It is constant.

Mr FERGUSON - Madam Speaker, I need to be mercifully brief in my final point for Dr Broad and Ms White. I have answered the question but I will conclude on an important point.

The Labor Party, in their question just now, have rubbished one individual Australian shipbuilder and more or less said to the Government that we should not even consider their proposal. He said the reason was because they have never built a ship this big before so we should just exclude them now from even the task force having a look at their proposal.

Madam Speaker, in this House on 4 March, that is what he said about RMC in Finland.

Dr Broad - I did not.

Mr FERGUSON - He says he did not say this on 4 March. In his usual grizzling, moaning style he said this -

> Now we learn that an MOU is with RMC, a Finnish boatbuilder, that has not built a ferry this big before.

Honestly, I do not know why the Rebecca White Opposition even bothers.

Tasmania Police - Planning for Future Policing Needs

Mr TUCKER question to MINISTER for POLICE, FIRE and EMERGENCY MANAGEMENT, Mr SHELTON

[10.50 a.m.]

Can you update the House on the work Tasmania Police has been undertaking to plan for future policing needs in Tasmania and actions being implemented to tackle crime and keep Tasmanians safe?

ANSWER

Madam Speaker, I thank my colleague from Lyons for his question. Before I start that answer, on behalf of all of Tasmanians and particularly when it comes to COVID-19, I thank all the police for the incredible work they have done through the whole COVID-19 issue.

The Liberal Government went to the 2018 election with a strong commitment to policing. It was the only party with a credible law and order policy. As a result of the community's endorsement at the election the Government tasked Tasmania Police to undertake a project to identify long-term future service delivery requirements and assess the changing and operating environment based on a strategic scanning and workforce planning analysis.

The capability review project has been completed through two separate phases. Each phase involved consultation with the workforce and the Police Association of Tasmania and examined existing practices within Tasmania Police and other Australian and New Zealand policing jurisdictions. The project also reviewed Australian and international literature and engaged extensively with the University of Tasmania.

Phase one of the project looked at future needs of a contemporary police operating environment which is characterised by rapid change and technological transformation. The findings are organised around five themes:

1. Capability focused business. Continuing to build an accountable, agile and scaleable police service with the flexibility needed to address future service demands.

2. Preventative policing which is expanding on the existing preventative policing activities and working collaboratively with partners to deliver better results.

3. Flexible work practices. Developing a more flexible work model to support frontline police.

4. Rural community safety. Enhancing policing response in rural areas to improve community and officer safety.

5. Investigations and intelligence. Developing a more integrated investigation and intelligence capability to meet future demands.

Phase two involved the development of a police allocation model to provide objective input regarding the allocation of police to operational locations primarily, the 24-hour and non-24-hour urban stations. This model takes account of various factors, namely reported crime, calls for service, family violence, index of relative socio-economic advantage and disadvantage, tourism, public events and crowded places, population and proclamation and, of course, the professional judgment of our police officers.

The capability review recognises that policing is becoming increasingly complex and our community more diverse. These factors and developments in technology will continue to transform the future criminal, law enforcement and emergency management operational environment.

In addition to traditional demands, policing now faces multijurisdictional crime types such as cybercrime, online fraud, organised crime, firearms trafficking, serious drug distribution, online child exploitation and serious financial crime.

Tasmania Police had already identified and begun work on many of the changes needed to strengthen its capability for the future. We know that criminals keep adapting and we need to make sure that we are in the best possible position to keep Tasmanians safe.

I can announce today that the ability to investigate crime in Tasmania will be enhanced following the establishment of a new state Crime and Intelligence Command as part of the Government's commitment to keeping Tasmania safe. The command will focus on cybercrime, online fraud, organised crime, firearms trafficking, serious drug distribution, online child exploitation and serious financial crime. Six officers have now been allocated to the new command as part of the Government's election commitment to increase police numbers by a further 125 by 2022. The command will incorporate 62 sworn officers.

The key focus of the new command is delivery of the Government's war on ice commitment with three police officers allocated to support combating the supply and distribution of drugs online. I would like to conclude by congratulating all those who have worked on the capability review, in particular Commander Glenn Keating and his team. I also wish to acknowledge the Police Association of Tasmania and its president, Mr Colin Riley, for the input into the process on behalf of all police members, and of course the Commissioner Darren Hine for his vision and leadership in ensuring that Tasmania Police is prepared for the next generation of policing.

Bridgewater Bridge - Costings

Dr BROAD question to MINISTER for INFRASTUACTURE and TRANSPORT, Mr FERGUSON

[10.57 a.m.]

Your Government's record of delivering major infrastructure projects is a major embarrassment. The Bridgewater bridge is a monument to these failures. An analysis of government tenders for the project reveals that you have spent $3.2 million on consultants since December, the vast majority of them to interstate companies. The latest is a $62 000 contract to an independent cost estimator from Queensland. Is there seriously nobody in State -

Government members interjecting.

Dr BROAD - If you do not want the question - you seem very embarrassed about this.

Madam SPEAKER - I am listening, Dr Broad.

Dr BROAD - Is there seriously no one in State Growth or Infrastructure Tasmania who can estimate the cost of a bridge? How can you claim the project is fully funded and fully costed if you do not know how many lanes it has or even how much it will cost?

ANSWER

Dr Broad, you need to understand that your colleagues are setting you up with these questions.

Mr O'Byrne - How many lanes?

Madam SPEAKER - Order, Mr O'Byrne, thank you.

Mr FERGUSON - This question is further evidence of Labor negativity around the project that is now coming to life. We are pressing on with this historic $576 million Bridgewater bridge. It seems surprising because the O'Byrnes took the money that John Howard provided for the Bridgewater bridge and spent it on other things -

Mr O'Byrne - John Howard was not prime minister when I was elected. He lost in 2007, the election you lost.

Madam SPEAKER - Order, Mr O'Byrne, one more outburst and you will be out for coffee.

Ms O'CONNOR - Point of order, Madam Speaker. I am seeking clarification again as to why I was given a warning following my interjection this morning. We have had constant interjections by Labor, none of which have been met by rulings.

Madam SPEAKER - Ms O'Connor, that is not a point of order. If you would like to join Mr O'Byrne for coffee you are most welcome. I run the parliament and you do not. Thank you. Please resume your seat.

Mr FERGUSON - The project is coming to life. The money provided by John Howard after 1998, Labor spent on other things. This Government has got the funding back. We are pressing ahead with it.

Opposition members interjecting.

Mr FERGUSON - Madam Speaker, I think the embarrassment from Labor on infrastructure is very apparent. I will give the House an update.

Opposition members interjecting.

Madam SPEAKER - Order. Please, I am asking Labor to be more respectful.

Mr FERGUSON - We are pressing on with the project. Geotechnical investigation works commenced earlier this year and that is a good thing. We have also released the Government's design requirements and concept images that early contractor involvement can draw upon. The project has now entered that pre-procurement stage as part of the early contractor involvement procurement process. Contrary to false claims from Labor, the status of this project remains a national priority initiative.

This is a key component of the Hobart City Deal. The Labor Party has no policies, none at all, and only for jobs in Europe. The functional user requirements were released about six weeks ago. They include four lanes between the East Derwent Highway, Bridgewater and Brooker Highway; grade separation of the Lyell Highway junction and Black Snake Road; provision for pedestrian and cycling traffic; a minimum design speed of 80 kph; maximum clearance for vessels consistent with the Bowen Bridge, 16 metres; no obstruction to the provision of future rail; and safety screens and barriers.

Members opposite, through their interjections, have proven their ignorance on this project.

Ms White - Why do you need to engage a cost estimator?

Madam SPEAKER - Order. Leader of the Opposition, please.

Mr FERGUSON - The Leader of the Opposition is interfering in these bizarre questions from Dr Broad. The functional user requirements are now public. I do not understand your question. You are clearly only wanting to undermine this project.

I will conclude where Dr Broad commenced. The reason we have consultants is because we are actually building it, Dr Broad, and you will see the early contractor procurement in the press being advertised before the end of this month. I know you will cry into your Weetbix when that comes, but there will always be someone in Europe to console you.

Community Safety

Mr TUCKER question to MINISTER for JUSTICE, Ms ARCHER

[11.02 a.m.]

Can you inform the House what the Government is doing to enhance community safety and protect victims of crime?

ANSWER

Madam Speaker, I thank the member for Lyons, Mr Tucker, for his question and strong interest in this important matter. Community safety is a core priority for our Government. Our law and order policies which we took to the election held this value front and centre and these policies were strongly endorsed by Tasmanians at successive elections. By keeping Tasmanians safe and prioritising the interests of victims and survivors, which is about actions, not just words, our record on law reform is proof of this.

We have remained steadfast in our commitment to deliver on our promise to pursue reforms aimed at keeping dangerous criminals off the street, protecting the community and putting the interests of victims and survivors as a priority. All of this has been in the face of years of Labor opposing, blocking or trying to stop the Government delivering on our promises to the Tasmanian people to keep them safe, which Tasmanians have endorsed.

From the beginning of our first term, Labor opposed the Government's policy to phase our suspended sentences. Despite clear findings by the Sentencing Advisory Council that such sentences are inherently flawed, Labor continued in their opposition to this reform. Importantly, we have introduced alternative sentencing options such as electronic monitoring, which is also designed to keep Tasmanians safe, whilst reducing the reliance on other reforms of sentencing where it is appropriate to do so.

We have successfully made significant reforms like this and have continued to ensure this remains our priority. We have successfully passed new legislation to protect vulnerable victims and progressed other important measures to support victims, survivors of child sexual abuse and vulnerable Tasmanians.

We passed legislation to address one-punch or coward's punch incidents, sending a strong message that these cowardly acts of violence will not be tolerated. We have amended section 194K of Tasmania's Evidence Act to provide victims of sexual assault the right to speak out publicly. We have created the new crime of persistent family violence to allow courts to more properly take into account the nature of family violence. We have modernised the language used by the Criminal Code in a number of sexual crimes, especially those involving young people, to better reflect the true nature of those crimes.

The Government signed up to the national redress scheme and committed $70 million towards our involvement with the scheme. We have made multiple reforms as a result of our strong commitments to the findings and recommendations of the Royal Commission into Institutional Child Sexual Abuse. Just as we did when we legislated to ensure a victims of crime representative is on the Parole Board, we have also passed legislation to ensure a member with policing experience is similarly represented on that board.

These important reforms help keep the community safe and prioritise victims and survivors and the significant impact that some of the most heinous crimes have on them, which is usually lifelong. Labor, on the other hand, have been vocal in their opposition to guarantee jail time for frontline workers, off-duty police and, most notoriously, for serious child sex offences against children. The outrage in the community after Labor blocked those reforms made it even clearer to us what reforms Tasmanians really want.

Last week I introduced two bills aimed at ensuring dangerous offenders are dealt with in a manner consistent with community expectations. The progression of this important legislation responds directly to the Government's election commitment. We have heard the concerns of the community and we have acted, but in an act of staggering hypocrisy, Labor last week attacked the Government's position on prison remissions after they voted against this important reform in this House and then flip-flopped in the other place. If that was not hypocritical enough, Labor then opposed our motion supporting the northern regional prison, which will not only improve outcomes for staff, prisoners and their families but also create more than 1000 jobs and inject around $500 million into the northern regional economy at a time when Tasmanians need it most.

We are doing everything possible to ensure the safety and wellbeing of all our hardworking Tasmania Prison Service staff, inmates and visitors to the state's correctional facilities, especially during COVID-19, while providing vital opportunities for inmate rehabilitation and reintegration. Our Government's suite of law and order reforms demonstrates our strong commitment to, and delivery of, our steadfast promise to Tasmanians to keep them safe.

Hobart Airport Roundabout Upgrade

Dr BROAD question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON

[11.08 a.m.]

It has not taken you too long to apply your trademark incompetence to the Infrastructure portfolio. The Hobart Airport roundabout upgrade was promised in 2016 and was supposed to be nearing completion by now. Instead, work has barely started and the project has hit a new roadblock. Neighbouring landowners are placing blame firmly at your feet for abandoning good-faith negotiations and reneging on a 2017 commitment to provide a two-way serviced road. In a series of advertisements, prominent business people have called on you to just fix this mess. How have you managed to botch this project so badly, meaning thousands of commuters will now have to put up with gridlock for many more years to come?

ANSWER

Madam Speaker, I thank the member for Braddon for his question. I welcome the question. The Tasmanian Government makes no apology for backing local businesses, jobs for Tasmanians and congestion-busting infrastructure work that is now underway. The new development application for the revised design, which was released to the public, was approved by Clarence City Council on 13 July. The Tasmanian Government stands by its commitments to maintain access to the developer's property that the member refers to at or above the current level, which is currently a two-way access off a local council road, Cranston Parade, not the highway.

The developer, for their own reasons - as is their right - has chosen to take Hazell Bros as the applicant for the development application to planning appeal. I repeat, that is their right. The Government will respect that process between the parties which now needs to run its course without interference. The Government provides public infrastructure to meet community needs and will not use taxpayers' money unnecessarily.

The current works that are onsite are being undertaken under the previous development application while the approval process for the new development application runs its course, including through the Resource Management and Planning Appeal Tribunal.

For the benefit of members, the Hobart Airport interchange is not a roundabout project. It is the interchange, and it is one of the six projects in the South East Traffic Solution. The interchange is fully funded. It has the support of all three tiers of government. It has been supported through this House as budget process. It has been supported by the Public Works Committee of both Houses. It has now been approved by Clarence City Council. I am pleased to note the preliminary site works on the airport interchange project have now commenced with the clearing of vegetation. Important service relocations are also taking place and early earthworks have commenced.

This is an important project and the Government has already upgraded the roundabout so it allows a double lane. The real benefit will be when the interchange is built. I want to spur on the project, I want to will it on, and I hope the Opposition will join me in that.

Port of Burnie - Potential Shipping Delays

Dr BROAD question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON

[11.11 a.m.]

Are you aware that of TasPorts five Burnie Port coxswains, two have recently resigned and one is on extended leave? Coxswains are critical to port operations. No coxswains means no pilots and therefore ships cannot dock. Can you confirm that - except for tidal movements - there has been a 20 per cent reduction in service hours with bookings not being taken between midnight and 5 a.m.? This means shipping services to Burnie are reduced, ship loading may be delayed and exporters may have to pay thousands of dollars as a result of shipping delays. This is not the first-time concerns have been raised about high staff turnover at TasPorts. What are you doing to ensure that critical freight is not disrupted as a result of shipping delays?

ANSWER

Madam Speaker, I thank the member for Braddon for his question. I will take the question on notice. I do not have that information although I will point out that this Government has great confidence in the new CEO of TasPorts, Mr Anthony Donald. I believe he has shown himself to be a breath of fresh air. He is doing an excellent job, bringing his management team together, and employing the harbour master. I am very happy to take the member's question on board. If the member is concerned about any ship movements, I would share those concerns. However, I need to take advice on the matter, noting that TasPorts has the operational responsibility for employment arrangements. I believe Dr Broad would respect that also.

Various claims have been made in the past around the harbour master and pilotage. Those claims have often been exaggerated by members of the Opposition. On that basis I will not provide a commentary on the question but I will commit to come back to the House.

COVID-19 - Supporting Skills Upgrade

Mr TUCKER question to MINISTER for EDUCATION and TRAINING, Mr ROCKLIFF

[11.13 a.m.]

Can you please update the House on how the Tasmanian Liberal majority Government is supporting skills to deliver our COVID-19 recovery?

ANSWER

Madam Speaker, I thank the member for Lyons, Mr Tucker, for his question.

We have put a big focus on measures to support and create jobs as we rebuild Tasmania, ensuring that we have the skilled workforce we need. Connecting people to jobs is another critical element of our recovery from COVID-19.

The Government is assisting retrenched workers of all ages to retrain and connect to employers who are hiring through our Rapid Response Skills initiative. Eligible jobseekers are able to immediately access up to $3000 towards the cost of training to help them get back to work as soon as possible. This includes up to $500 for employment advice to help them choose the best employment and training options available to them.

Meanwhile, SKILL UP, a range of low or no-cost online short courses offered through TasTAFE is helping to boost people's skills to enhance their employability. In fact, these have proven to be very popular and TasTAFE has had to timetable additional courses throughout 2020.

Then there is JobTrainer. While those opposite are arguing for the Government to invest $10 million into training, we are actually partnering with the federal government to deliver $21 million. That is more than double. JobTrainer is expected to deliver up to 7000 additional free or low-cost training placements for Tasmanians right across TasTAFE, our tremendous public training provider, and private providers as well, in areas of jobs growth.

Unfortunately, those opposite have a policy to restrict students to only one training provider, by excluding others. This is effectively restricting the number of qualifications and placements that are offered. We want to deliver the maximum number of low-cost or free placements for Tasmanians, which means utilising both public and private providers.

Recommendation 14 from PESRAC says:

> The State Government should fund a program of free VET courses in qualifications directly related to demonstrated jobs growth. These should be delivered rapidly and flexibly by TasTAFE and other training providers endorsed by the industry.

That is what we will deliver: as many choices as possible for our students. Now is not the time to restrict training.

Ms White - Now is the time to invest in TAFE and that is what you should be doing.

Mr ROCKLIFF - Exactly, and that is what we are doing; far more than you ever did.

Ms O'Byrne - You are currently reducing the TasTAFE offerings because you do not have the staff to do the new courses and your existing ones. Isn't that true?

Madam SPEAKER - Order, Ms O'Byrne.

Mr ROCKLIFF - Ms O'Byrne, I know TasTAFE is not a high point for Labor, given that you abolished TasTAFE previously.

This week is National Skills Week, so it is fitting to talk about all the things we have to celebrate when it comes to vocational education and training in Tasmania. Tasmania continues to have the highest completion rates in the country. Apprentices and trainees are more likely to complete their training here in Tasmania than anywhere else in Australia.

Student and employer satisfaction is also high. The 2019 student outcome survey undertaken by the National Centre for Vocational Education and Research found nine out of 10 TasTAFE graduates were satisfied with the quality of their training, while the 2019 Independent Employer survey indicated 91 per cent of employers believed TasTAFE's training focused on relevant skills, considerably up from 90 per cent the previous year.

These are great results and reflect on the quality learning that is offered through our public training provider. Our public training provider is continuously improving its offerings. We are proud to be supporting vocational education and training students by investing over $38 million in infrastructure upgrades and new developments at TasTAFE to ensure they can learn in state-of-the-art facilities.

Ms O'Byrne - How far behind is the TAFE infrastructure spend?

Madam SPEAKER - Order, Ms O'Byrne.

Mr ROCKLIFF - We recognise it is important to have industry standards of facilities so students are job ready. It is important that students are job ready. We want the skills to

rebuild Tasmania: bridges, roads, new schools, health infrastructure, even making our contribution to two new *Spirit*s. Those opposite want to export those jobs overseas and not give them to our highly skilled people in the maritime sector.

I mentioned last week, I went out to PFG Group, one of many examples where they have skilled people - highly qualified, innovative people we can give lives here in Tasmania - for such a big investment. I am proud of our Government's position when it comes to local jobs and local manufacturing.

This is not the time, through COVID-19, where we send our jobs off-shore. We need to be innovative, creative and we need to support local manufacturing. We need highly skilled people to support that. Whether it be roads, bridges, schools or ships, we need them. This Government here is the only party that has a plan for skills, for TAFE and a plan for jobs.

Time expired.

EVIDENCE (CHILDREN AND SPECIAL WITNESSES) AMENDMENT BILL 2020 (No. 31)

First Reading

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

MATTER OF PUBLIC IMPORTANCE

Rent Protections

[11.22 a.m.]

Ms STANDEN (Franklin - Motion) - Madam Speaker, I move -

That the House take note of the following matter: rent protections.

I rise to make a contribution regarding private rental protections and, for that matter, commercial rent protections under the current pandemic affecting our state.

In 2016 it was estimated that there were 54 000 people in rental properties across the state and, of those, about 40 000 were in private rental homes, so across the state roughly one in four Tasmanian households are in private rental houses. More than 8000 low-income households at the same time are experiencing rental stress because the median rent is 30 per cent or above household income, which meets the definition of housing or mortgage stress.

We know we have more than 3500 people on the Public Housing Register wait list and that number has been growing steadily over the past five years or more, and roughly 120 000 Tasmanian people are living below the poverty line.

Statistics on homelessness are difficult to estimate because the latest reliable data we have is from the Census of 1600 Tasmanians on any given night. If we extrapolate recent data on specialist homelessness services recognising that only around 30 per cent of the homeless

population are in shelters, that would indicate that homelessness has as much as doubled over the last four years since the Census date.

Recent data from Anglicare on unaccompanied homeless children in Tasmania indicate that a shocking 410 children in the 10-17 year old age group presented alone in the 2018-19 data collection on specialist homelessness services, an increase on the previous year and very sadly, that figure only reflects the number who are in contact with those services and not a reflection of the actual population size of the predominant form of homelessness of that cohort, which is couch surfing. Particularly concerning is that children are reporting homelessness from as young as 10 and those children are reluctant to present to specialist homelessness services because of the nature of the shared bedroom arrangements as well as fear and other factors.

Against that backdrop I have been approached by many people concerned about rental stress, both before COVID-19 and since. This really should put the pressure on the Government to act now and act early to provide certainty to both landlords and renters to provide relief. Given that so many people have been put out of work and suffered loss of income through this COVID-19 crisis, we have consistently called for and supported measures such as the rent relief program which together with bank mortgage relief schemes have assisted landlords with loss of income.

The moratorium on evictions and rent increases have been an important safety net to support people in rental accommodation. They were initially set to end on 30 June and Labor called early for those measures to be extended, which they have been until the end of September, along with protections for commercial leases, but it really begs the question, what then?

Last week the Andrews government in Victoria announced an extension of rent protections through to the end of the year. Tasmanian Labor calls for at least an extension of these existing protections to 1 December because we feel that that lines up with the existing arrangements around border protections. As the minister has indicated, this is something to watch and I know that as we were approaching that 30 June deadline she provided an indication that she and her Government would be assessing the need for further extensions. Now is the time to reassess the situation given that the end of September is approaching, together with sensible measures like adopting Tasmanian Labor's Housing Works initiatives that would provide 490 affordable rental properties built over three years in partnership with community housing providers. There is no doubt that there are ongoing and significant pressures in the private rental market and that would go a long way together with a range of other initiatives, including the moratorium to provide additional protections in today's market.

Take, for example, Jonathon, who approached me some months back. Roughly 60 per cent of his household income is spent on rent. He was working but then he lost hours and became progressively unwell, subsequently undergoing cancer treatment. He faced the impossible conundrum of being unable to find a more affordable rental property so had put his name on the Housing Register but no housing was available for him, so despite inadequate heating and sharing facilities, he faced the cost of living issue of having to recommit to an unaffordable rental extension.

Emma is a mother of four kids, three of whom are school age. She was in a specialist homelessness service on one side of the river with three of those school-age kids in schools on

the other side of the river. She had been in that shelter since Christmas and still no affordable rental accommodation has been available to her. I should mention that all of these names are made up for protection of privacy. Jane left her abusive relationship and obtained a below-market rental. She was a relief teacher so had insecure income and lost income through the school holiday period but also in the COVID-19 crisis and faced homelessness as her affordable rental agreement came to an end.

Time expired.

[11.29 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Deputy Speaker, it is good to see my colleague, the member for Franklin, Ms Standen, has recovered from her confected outrage of Thursday night.

There is no question that in the community right now there are people living in private rental properties who have been comforted by the stay on rent increases and evictions that were enacted through this parliament as a result of a Greens amendment. However, there is increasing unease among residential tenants about the looming expiry on 30 September of the protections that have been put in place by the Tasmanian Government.

I have already spoken to one tenant who has heard from their landlord. The landlord would like a new lease signed on or shortly after 1 October and the tenant can expect a rent increase.

We are still in the middle of an economic and social crisis. It is no exaggeration to describe the circumstances that Australia and Tasmania is in although, as has been said in this place, we are in a relatively good space in dealing with the pandemic. However, the last time I checked the ABS data, in the community there are still an estimated 20 000 Tasmanians who have been put out of work as a result of the pandemic. There are many thousands of people living in the private rental market who have lost work. They have either lost their jobs or they have had their hours cut. It is untenable that those protections would not be extended.

On 30 September, the JobSeeker and JobKeeper COVID-19 supplement is due to expire. As I said last week in this place, we are potentially heading towards a catastrophic misalignment of federal and state government policy in relation to people who have been hurt by the pandemic, and people who are living in private residential homes. The Premier and the Government will need to extend those residential tenancy protections as well as the commercial tenancy protections. I have here a letter from the proprietors of the Duke of Wellington Hotel, Doug and Katika, who say -

> We are writing to you about the commercial tenancy legislation in force during the financial hardship period set out in the COVID-19 Disease Emergency (Commercial Leases) Act 2020, due to end on 30 September 2020. We understand the parliament can extend the financial hardship period and ask that you support an extension.

This would be a sentiment that is shared by commercial tenants right across the island. We need to make sure that the protective measures that have been enabled through this parliament and put in place by the Government are extended.

The Greens wrote to the Premier and the Minister for Housing on the Friday before last, strongly urging that the order which placed the moratorium on rent increases and evictions be extended to 31 December this year. We now have a notice of motion on the books to that effect. I hope to receive a response from the Premier and the Minister for Human Services soon so we can share it with people who are getting in touch with us and who are stressed up to their back teeth about the looming lifting of those protections.

We need to send a signal to both tenants and landlords. It needs to be made very clear to landlords, whether they own residential or commercial properties, that these protections are going to have to be extended because we are still in an emergency period.

There has still been no significant uptick in our economic situation, although I note that some young people are getting a few more hours work. We are nowhere near where we were before the pandemic. As the Australian Council of Social Services tells us, the social and economic impact on young people, their employment prospects and a whole range of life prospects are unlikely to be recovered for another four to five years.

We need to acknowledge that the level of economic and social distress in our community is still high. Every step that governments and parliaments can take to wrap those protections around people, we must take.

While we are doing that we need to look at those other structural issues which were there before the pandemic and will be there after. We do need to regulate short stay accommodation. That issue is not going to get any less pressing in the long term. While we have seen some short stay properties enter the private rental market taking some pressure off the housing market, there are still many, many properties that are on short stay listings. This sector is largely unregulated in Tasmania. It needs regulation because we should always put housing for Tasmanians first. Always.

The largest structural challenge to make sure we have secure, affordable housing is the supply question. It is a matter of great regret that this Government waited too long before it started investing in substantially increasing the supply, particularly of social housing. As we heard at the housing inquiry we have an immediate shortage of around 11 000 affordable homes. The best stimulus measure the Government could take is to invest in homes for Tasmanians so that when we come out of this dark period, out into some sunlight, we will have delivered those homes. We will have made sure we are tapping into that skilled residential construction workforce. We will be providing that platform of stability and changing Tasmanians' lives for the better.

Time expired.

[11.36 a.m.]

Ms ARCHER (Clark - Minister for Building and Construction) - Madam Speaker, I thank members for their contributions and for Ms Standen for bringing it forward. It gives me an opportunity to speak about the significant initiatives our Government has implemented because of COVID-19. I thank the House for its support with the raft of initiatives we have introduced, not only to protect as best we can tenants and landlords in the area of residential tenancies but also commercial tenancies.

I probably will not get enough time to cover everything in my seven minutes allotted on this MPI but the Government remains committed to supporting Tasmanians through the challenges faced by the COVID-19 pandemic. We acted very quickly to protect and support residential tenants at risk of eviction as a result of the impact of COVID-19. We were a leader in this area and legislated these protections before any other jurisdiction and before National Cabinet came to an agreement on residential tenancies.

The COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 introduced amendments to the Residential Tenancy Act 1997 for an initial 120-day emergency period. The Government extended certain protections for residential tenants until 30 September 2020. That brought us into line with the expiry of protections in most other states and territories as a result of National Cabinet's decision. We needed to synchronise that because we acted first.

In assessing the initial restrictions prior to 30 June when the protections were set to originally expire, the Government determined that there was no evidence of community transmission or active COVID-19 in Tasmania. Given the easing of restrictions allowing visitors to residential properties it was proportionate and reasonable at that stage that property inspections recommence under the requirements of the Real Estate COVID-19 Safe Workplace Guidelines to provide protections to tenants. This extension of protections was done by extending the emergency period in the Residential Tenancy Act until 30 September and issuing further notices under the COVID-19 Disease Emergency (Miscellaneous Provisions) Act.

These notices prevented rent increases and evictions following a notice to vacate issued by an owner. Some minor changes to the protections were made to allow for a notice to vacate for a lease of no fixed period in the event of sale of property, major renovations or for the owner or a close family member to move into the property and we felt that this was reasonable in the circumstances. Certainly, we have tried to balance the interests of both tenants and landlords, which is not always easy to do. I take this opportunity to thank tenants and landlords, but particularly landlords. I know it has been really tough for some of them, particularly those who rely on their rental income for their retirement.

It was not an easy decision that I, the Premier, or my colleagues have had to make in this regard, or indeed, in relation to commercial tenancies either.

Any rent increase that was due to take place between 23 April and 30 September 2020 - previously 30 June as I said - will not take effect until 1 October 2020. This includes any rent increase where notice was given prior to 23 April if that rent increase has yet to take place.

During this emergency period, owners and tenants can come to an agreement to reduce the rent. If tenants and landlords choose to do this, the agreement should be in writing and signed by both parties and any such agreement will be taken to form part of the Residential Tenancy Agreement.

Parties can apply, of course, to the Residential Tenancy Commissioner to have an order to terminate an agreement in the case of severe COVID-19-related hardship - that is either party - and that is really important for some landlords, I know. However, such an option should be seen as a last resort. The Government encourages tenants and landlords to maintain a positive relationship, as much as they can, and I know that the vast majority do. The best way to do this is for owners and tenants to discuss their concerns. The Residential Tenancy Commissioner is always there for that purpose.

I acknowledge the hardship experienced by both landlords and tenants throughout this year due to the pandemic. It should be noted that the Government ensures that tenants or landlords can apply to the Residential Tenancy Commissioner for an order of severe hardship, as I have said. There are many factors that may contribute to severe hardship, including family tragedy, financial misfortune, serious illness, impacts of natural disasters and other serious or difficult circumstances.

The household is considered to be impacted by severe COVID-19-related hardship if one or more members of a household paying rent has lost their income or their job, or their hours or their income has been reduced due to a business closing down or standing down staff during the COVID-19 emergency -

Ms Standen - Will you extend the protections?

Ms ARCHER - I am not going to stop to answer questions because I would really like to get some of this on the record.

Ms Standen - The question is, will you extend the protections?

Ms ARCHER - I am very happy to answer correspondence.

Ms Standen - It is a simple question.

Ms ARCHER - This is not a time for questions and answers.

Madam DEPUTY SPEAKER - Order, this is not the time for a debate. The member has made a contribution and I ask that the minister be allowed to respond.

Ms ARCHER - Thank you, Madam Deputy Speaker. There is a lot to cover and that is simply why I want this on the record. I did not interrupt Ms Standen for that purpose so that she would not interrupt me.

As I was saying, or that they have stopped working or reduced working hours due to COVID-19 illness or now have carer responsibilities for the household or family members and the above factors have resulted in a 25 per cent or more reduction in household income. This includes any government assistance.

The Government extended certain protections for residential tenants until 30 September. I have been monitoring the effects on both tenants and landlords throughout this period. As an additional measure for residential tenants -

Time expired.

[11.44 a.m.]

Ms HOUSTON (Bass) - Madam Deputy Speaker, no-one should be forced into poverty or homelessness because of COVID-19. There can be no doubt that rental protections have benefited both tenants and landlords. If rental protections are not extended there is a very real risk that even more pressure will be placed on housing and homelessness services that are already under the pump.

The reality is that there is a significant shortage of affordable housing and emergency accommodation. There is high demand for shelters across the state. Hundreds more beds are needed and thousands of people are still on housing waiting lists. COVID-19 has had a significant impact on those seeking accommodation.

During the worst of the restrictions, many were not seeking services so clients were not turning up for appointments. Face-to-face interactions were reduced. There was actually a downturn in people arriving, even though the need was greater because they were simply too scared to go out.

Some services have wound back face-to-face interactions due to the COVID-19 restrictions and space and social distancing. A number of people stayed in unsafe situations, where under normal circumstances they would have left. Workers in this field tell me that they are only now starting to see those people come through. They have spent weeks in situations that were unsafe, untenable and in places that were unfit to live in because they had no other option.

Some specialist homelessness service providers had to halve their bed capacity during the worst of COVID-19 crisis, many due to not being able to share rooms, though shared rooms is less than ideal at any time. Saying this, particularly youth providers for shelters have shared room situations where adults at the age of 20 could be sharing a room with someone as young as 13, which is not a really safe environment, given the circumstances around that. Something needs to be done about that immediately.

The situation changed because of COVID-19 but now there is a number of people who have been exited into homelessness, which is not an ideal situation at all. There needs to be some long-term solutions to that because it is only going escalate.

I have it on good authority that housing and homelessness staff were told to exit clients without being able to meet their needs. Many of these will remain in insecure accommodation or be sleeping rough. Too many of those are kids, some as young as 10. Imagine how much worse this situation would be if rent protections are not extended and those struggling to stay in their existing accommodation suddenly cannot. Imagine the impact on those families, their housing, on homelessness services, on the vulnerable people already reliant on services. Imagine what happens if services are inundated with those who have lost rental protections and are forced to seek somewhere else to live.

Community service organisations and housing and homelessness services are under enormous pressure already. The demand for additional services, emergency relief, counselling and all sorts of interactions, have increased dramatically during this crisis. We do not need another flood of people who have to leave already established accommodation.

They were under pressure before COVID-19, during the worst of the restrictions, and they are under pressure now. A number of passionate, dedicated workers have moved on. They simply could not continue to work under these conditions. They could not house or help people and they have been doing it for years.

The reality is that workers know they have no hope of meeting the needs of their client base. There simply is not the affordable housing available to put people in. We do not have the bricks and mortar, many of them say. I have heard it many times about many families.

We are heading for a perfect storm. Protections are set to end as JobKeeper winds down and JobSeeker reduces. Services are concerned about a potential peak in demand for services for both housing, homelessness and emergency relief -

Members interjecting.

Madam DEPUTY SPEAKER - Order. Comments through the Chair, please. The member for Bass has the call, thank you.

Ms HOUSTON - A peak in demand for services, both housing and emergency relief, will severely outweigh any of the resources currently available.

There was a housing crisis long before the crisis created by the pandemic. One in five households are in private rentals in Tasmania. These tenants are more likely to be low-income, casual workers, employed in jobs most affected by the COVID-19 pandemic, including hospitality, retail and the services sector.

Ms Standen - Madam Speaker, I am having trouble hearing the member's contribution.

Madam DEPUTY SPEAKER - The member's contribution is fine.

Ms Standen - It is the interjections and mumbling on the other side of the Chamber.

Madam DEPUTY SPEAKER - Order. The member for Franklin is actually interjecting more than the minister at the moment so I ask that we allow the member for Bass, Ms Houston, to continue her contribution without interruption, please.

Ms HOUSTON - Madam Deputy Speaker, it is in everyone's best interest to support these tenancies. Keeping people in secure housing is essential. Rental protections are every bit as essential moving forward as they were in the midst of the COVID-19 crisis. The housing crisis has not gone away. There was a housing crisis going into the pandemic, there was a shortfall in accommodation and a demand for affordable and social housing with at least 11 000 dwellings short -

Time expired.

[11.50 a.m.]

Mr STREET (Franklin) - Madam Deputy Speaker, the irony of Ms Standen complaining about interjection is not lost. If she had not constantly interjected on the minister she would have been able to finish her speech. I am going to put on the record for Ms Standen that, as a government, we are closely monitoring the economic situation. We will make a decision regarding the expiry of all these protections well before the end of September 2020.

We are exploring all options with respect to residential tenancies and the 30 September expiry date, taking into account the effects COVID-19 has had on both landlords and tenants, the current economic situation with commercial tenancies as well and we will also take into account Tasmania's unique position of having no evidence of community transmission of COVID-19.

Ms Standen - Thank you, Mr Street. That would have been an easy thing for the Attorney-General to say.

Madam DEPUTY SPEAKER - Order. The member is at risk of being asked to leave her own MPI.

Mr STREET - Madam Deputy Speaker, the Tasmanian Liberal Government took swift action to protect residential tenants affected by the impact and unprecedented challenges of the COVID-19 pandemic. As an additional measure for residential tenants and landlords, our Government announced the establishment of a rent relief fund for private residential rental tenants still experiencing extreme hardship due to COVID-19.

Whilst we will always have discussions about the extent about the protections we put in place there was tripartisan support, I thought, for that. As proud as the Government is of the action we have taken I think parliament should be proud of the action it took to protect these tenants as well.

The fund is available in cases of extreme hardship where other forms of assistance such as the Commonwealth JobSeeker or JobKeeper programs are not providing the assistance required to support rent payments. As a government we consulted with the Tenants Union of Tasmania and the Residential Tenancy Commissioner to achieve an outcome on the eligibility arrangements for the fund that are reasonable and fair. The fund became available from 25 May 2020 and offers up to $2000 or four weeks rent, whichever is less, to eligible tenants. This fund will help to minimise the financial impacts on landlords as a result of tenants not being able to meet their rental payment obligations.

The COVID-19 rent relief payment is a one-off payment paid directly to landlords or their agents who have entered into an approved temporary rent reduction agreement with their tenant to keep them securely housed in their principal place of residence. A tenant is eligible for rent relief if, for example, they are renting in the private rental market, they have experienced and can demonstrate financial hardship, they have rental payments that are more than 30 per cent of their household income, and their household has less than $5000 in savings.

Tenants who sublet or are not Australian citizens such as migrants or temporary visa holders are also eligible for this payment as long as they can demonstrate that they meet the requirements. As well as tenants covered by the Residential Tenancy Act 1997 those tenants who rent rooms as part of a share house or a sub-tenant will also be eligible for assistance. Landlords are strongly encouraged to negotiate in good faith regarding rental reductions for those tenants seeking assistance through the Rent Relief Fund. Good faith is something the Government has asked of all people during this pandemic and to a large extent has been agreed to.

If eligible tenants are unable to gain agreement from their landlord they should contact the Office of the Residential Tenancy Commissioner. The commissioner will then work with both parties to assist in an agreement being reached. In the event that an agreement cannot be reached with the landlord, there is flexibility to make the payment directly to the tenant. I have been told the commissioner has received very few enquiries in this regard.

I particularly note the supportive comments from Ben Bartl of the Tenants Union, who said in *The Examiner* on 31 May:

From the Tenants Union perspective this is a good policy because it is providing incentive for landlords to enter into rent reduction negotiations.

I am pleased to report that as of Monday 24 August 2020 the Tasmanian Government has received 795 applications from 1197 from the Rent Relief Fund. Communities Tasmania was tasked with undertaking the preliminary liaison with applicants to obtain all the relevant details and then forwarding the completed applications to the Department of Justice for final assessment and approval. As of 7 August 2020 the Office of the Residential Tenancy Commission assumed responsibility for administering the fund. All completed applications are expected to be assessed in the coming fortnight.

As of 24 August 2020, 512 applications had progressed to final assessment and paid, totalling over $424 000. A further 56 individuals are approved to be paid on 26 August, with 78 individuals having withdrawn their applications and 34 individuals declined, with the remainder under immediate assessment. The 34 applications that have been declined were done so on the basis that individuals did not meet the criteria for rent relief eligibility. The main reason for not meeting the eligibility criteria is that tenants have more than $5000 in savings. Some of these tenants have been advised that should their circumstances change they may wish to reapply.

The health, safety and wellbeing of Tasmanians is the Government's number one priority as we continue through the recovery phase of the COVID-19 pandemic. This fund ensures tenants suffering extreme hardship will remain securely housed and reduce financial pressure on tenants and landlords and help to ensure Tasmanians can recover and rebuild as we emerge from the pandemic.

Matter noted.

CORRECTIONS AMENDMENT (ELECTRONIC MONITORING) BILL 2020 (No. 27)

Second Reading

[11.57 a.m.]

Ms ARCHER (Clark - Minister for Corrections - 2R) - Madam Deputy Speaker, I move -

That the bill be now read a second time.

This bill makes amendments to the Corrections Act 1997 to provide express powers for the Parole Board to impose electronic monitoring as a condition on a parole order.

Electronic monitoring is widely used in Australia as a technological means to monitor whether offenders are complying with conditions that are attached to their release from custody. Tasmanian courts currently have explicit powers in legislation to impose a condition requiring electronic monitoring when making a home detention order or a family violence order. Other than Tasmania, all states and the Northern Territory have legislation that explicitly provides for electronic monitoring of prisoners who are released on parole. The Australian Capital Territory does not undertake electronic monitoring of offenders in the community.

In Tasmania, section 72 of the act empowers the Parole Board to make a parole order to release an eligible prisoner. Where the board makes a parole order, subsection (5) provides that the order is subject to such terms and conditions as the board considers necessary and as are specified in the order.

Decisions of the High Court of Australia have established that, in exercising a broad power such as that contained in subsection (5), any conditions specified must be reasonably capable of being regarded as related to the purpose for which the function of the authority is being exercised and not inconsistent with that purpose.

While the Parole Board's general power under subsection (5) is considered sufficiently broad to authorise the making of conditions relating to electronic monitoring of parolees, following the approach of other Australian jurisdictions and confirming explicit legislative authority will provide certainty to the board that it can apply this condition in future.

The bill amends section 72 of the act to insert a new subsection (5A), which provides an explicit power for the Parole Board to specify conditions relating to the electronic monitoring of a prisoner when it makes a parole order in relation to that prisoner. The bill clarifies that this power does not limit the general powers already available to the Parole Board under subsection (5).

The new subsection provides for the Parole Board to impose a condition requiring the prisoner to submit to electronic monitoring, including by wearing or carrying an electronic device. The Parole Board may also impose a condition that the prisoner must not remove, tamper or interfere with, damage or disable any electronic device or equipment used for the purpose of the electronic monitoring, and a condition that the prisoner must not knowingly permit an unauthorised person to do so.

Finally, the Parole Board may impose a condition that the prisoner must comply with all reasonable and lawful directions that are given in relation to the electronic monitoring, or an electronic device or equipment used for the purpose of the electronic monitoring.

The bill provides that such directions may be given to the prisoner by a police officer or a probation officer, or by a person authorised by the Director of Corrective Services or the secretary of the Department of Justice to exercise powers in relation to electronic monitoring.

Electronic monitoring does not expand the range of controls or prohibitions that the Parole Board is already able to impose under the act. It simply provides a means to more effectively ascertain whether a parolee is complying with certain conditions of their parole order and to initiate an appropriate response if a breach is suspected. This may include an inadvertent breach, where the parolee can be quickly informed of their error and rectify it to avoid the need for an enforcement response.

Parole continues to be a necessary and effective option to reduce the number of offenders in prison and promote rehabilitation and reintegration while still ensuring the protection of the community.

I acknowledge and thank those stakeholders who made submissions in relation to the draft bill during the period of public consultation.

I commend the bill to the House.

[12.02 p.m.]

Ms HADDAD (Clark) - Madam Deputy Speaker, the Opposition will be supporting this bill.

The bill will amend the Corrections Act to provide an express power for the Parole Board to require someone being released on parole to wear or carry an electronic monitoring device as part of their parole conditions. Currently, electronic monitoring conditions can be and are being made at sentencing stage for home detention or for family violence orders. I am told there are about 70 home detention orders and around 30 family violence electronic monitoring orders in place at the moment.

This bill will provide an express power to the Parole Board to allow them to impose electronic monitoring as a condition of parole when an offender is released on parole. The bill also includes provisions to ensure a parolee with an electronic monitoring condition must comply with reasonable and lawful directions given in relation to the electronic monitoring. This could be given by a police officer, a probation officer or a person authorised by the director or secretary to exercise powers in relation to electronic monitoring.

I note that the bill does not expand the range of controls or prohibitions that the Parole Board can currently impose under the act. Rather it will provide a new or additional mechanism for monitoring a parolee and ascertaining whether they are complying with the conditions of their parole.

Electronic monitoring is beginning to be used much more around the world. There have been successful schemes in other places for some time as well as trials to learn from in others. In imposing an electronic monitoring condition on any offender being released on parole that the device should act as a monitoring tool and not as a further punitive measure.

Specifically I am referring to matters raised in one of the public submissions on this bill from the Australian Lawyers Alliance and Tasmanian Prisoners Legal Service who made a joint submission. In that joint submission they expressed general support for the provisions of the bill but cautioned against too widespread a use of the mechanism. They say this in the context of electronic monitoring devices in other jurisdictions impacting on a parolee's ability to reintegrate into society, with the potential to undermine the very purpose for which inmates are granted parole, namely to transition back into society.

They cite examples from the United States where 61 per cent of parolees in one study said their ability to gain employment had been negatively affected as a consequence of having an electronic monitoring device. Similarly, a further 22 per cent said they had been fired or asked to leave a job because they had an electronic monitoring device, and 94.4 per cent of parole officers who were interviewed for the same study said they believed employment situations had been affected as a result of requiring parolees they were working with getting employment.

Ms Ogilvie - That was an American study, was it?

Ms HADDAD - Yes, it was an American study. While these are not reasons to deny such a scheme or the use of electronic monitoring devices, which have been and are being successfully used in Tasmania for other purposes, these are issues to be mindful of and to ensure that the imposition of an electronic monitoring order on someone on parole trying to

integrate back into society does not have the paradoxical effect of preventing them from doing that.

In the same submission, the issue of access to health treatment was raised. The author has noted that many medical treatments such as X-rays, MRIs, mammograms and CT scans cannot be performed on someone with an electronic monitoring device. That is because of potential interference between the device and the machinery used to perform those medical treatments.

In other places where this has been an issue, the result has been that often such medical treatments are postponed until after the person is no longer subject to an electronic monitoring device order. In effect, this means that the order or the device acts as a further punitive measure, which is not the intent of the scheme. They note that there should be a policy developed so that parolees and others with electronic monitoring devices are able to access the medical treatment they need.

There were two other submissions made to the community consultation on this draft bill. The Community Legal Centres Tasmania submission recommended that a non-exhaustive list of conditions should be outlined in the bill for the parole board to consider imposing when utilising the provisions of the bill. It drew on Western Australian legislation which lists additional requirements that can be added to a parole order, for example, where a parolee is to reside, a requirement to protect victims coming into contact with a parolee and restrictions on movement out of the state, as well as other conditions.

These conditions, or similar ones, are already included as conditions for the Parole Board to consider. I invite the Attorney-General to comment on this on the record for clarity and for future legislative interpretation.

There was also a submission on the bill made by Civil Liberties Australia in which it gave in-principle support to the bill, as it supports initiatives that expand the scope for non-custodial options, where this does not compromise community safety. CLA said electronic monitoring should, in theory, allow greater scope for prisoners to serve part of their sentence in the community, which should reduce the impact on their families and dependents and reduce cost to the taxpayer of keeping somebody incarcerated in a custodial setting. It should also improve reintegration for the offender.

CLA notes that when well implemented, these measures should go some way to addressing the large prison population in Australia, which continues to grow. It notes that a statement of intent from government is warranted which should make it clear that electronic monitoring would be used only to assist parolees to comply with other parole orders and not be used as a 24/7 surveillance or control measure, when the parolee is complying fully with their parole orders.

The CLA submission recommends a commitment from government to review and evaluate the effect of these amendments every two years. This is a welcome suggestion. I invite the Attorney-General to comment on the legislative review after implementation, to assess the implementation and effect of electronic monitoring of parolees.

Such a review would also assess the resourcing requirements needed within community corrections or within other parts of the justice system to monitor people subject to electronic

monitoring device orders, be they home detention orders, family violence orders or parole orders. It is important that adequate resourcing is provided to those people charged with that responsibility. It is a serious responsibility.

Civil Liberties also had concerns about the collection, storage and privacy of data collected. They noted they were not able to comment in detail on this as there is no public information released at this stage about the type of technology that would be used, what data would be collected, for how long it would be stored and for what purpose.

I put on the record those comments made by three public bodies in their submissions to this bill. It is worth giving thought to some recommendations for amendments to the bill made by those three submissions. I invite the Attorney-General to make comment on her views on those suggested amendments.

First of all, the one I just referred to, which was from Civil Liberties Australia, which is a suggestion for a legislative review, or a review of how the program has been implemented and used, say after two years or three years -

Ms Archer - Do you mean a legislative review, or just a review? It is quite onerous every two years for a legislative review.

Ms HADDAD - Not a review of the whole act but a review of the success of the implementation and how electronic monitoring has gone for parolees and, of course, those charged with being responsible for monitoring those parolees in Community Corrections, or in the Department of Justice and other parts of government responsible for working with parolees.

There were two suggestions for amendments, as well, in the joint submission from the Australian Lawyers Alliance and the Tasmania Prisoner Legal Service. First was the ability to review the condition itself, so the condition of being the order imposed on parolees. They suggested every three to six months.

Civil Liberties Australia also expressed some concern about the potential time that somebody could be subject to an order. I invite the Attorney-General to provide her views on the idea of reviewing the condition itself on each person who has that condition attached to their parole, say every three or six months.

Finally, there is not a provision, currently, in the suggested scheme for the person on parole with an electronic monitoring order attached to their parole conditions to seek the removal of that condition. Does the Attorney-General have any views about whether that would be warranted to consider in this legislation?

As the Attorney-General has pointed out, this is quite a straightforward bill, implementing the Attorney-General's commitment to allowing electronic monitoring orders to be a part of what the Parole Board can impose on prisoners on parole.

The Opposition will support the bill, but I wanted to put those issues raised by stakeholders onto the public record through *Hansard* and invite comment from the Government.

Finally, through the Attorney-General, I thank her office and her department for the briefing provided to me by Tristan, Peter and Bruce in my office yesterday, and for explaining the background of the bill and some of the consultation that took place on behalf of the Government.

[12.12 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Deputy Speaker, the Greens will be supporting the Corrections Amendment (Electronic Monitoring) Bill 2020. We recognise it is legislation that seeks to balance prisoner rehabilitation with community safety. It has broad support from key stakeholders in this space, including Civil Liberties Tasmania, Community Legal Centres Tasmania, and the Prisoners Legal Service.

It is only a short bill, which amends the Corrections Act of 1997, section 72, to insert a new subsection (5A), which gives power to the Parole Board to specify conditions relating to the electronic monitoring of a prisoner when it makes a parole order in relation to that prisoner.

I note that in the second reading, the Minister for Corrections has acknowledged that parole continues to be a necessary and effective option to reduce the number of offenders in prison, and promote rehabilitation and reintegration while it is still ensuring the protection of the community. While I have no doubt this is a significant, although modest in terms of the clause amendments, change to the Corrections Act, it is in part, I believe, brought about as a consequence of the fact that Risdon Prison is bursting at the seams.

During the past six years, under a conservative government's law and order agenda, and an inability to properly fund drug education and prevention and rehabilitation, we have seen the prison population in Tasmania balloon and that must go to government policy. There is no other way to look at it because, as I have said in this place before under a Greens Corrections minister, we had Breaking the Cycle policy, we had recidivism going down, over time for correctional officers going down, lockdowns decreasing.

We had a change manager in place in Brian Edwards, who oversaw a shift in the culture of Risdon Prison that made a tangible difference to the way it operated and made a difference to the lives of inmates. I make that observation as an observation of the facts. The data is really clear that when the now Senator Nick McKim left the Corrections portfolio it was in good shape, in as good shape as a Corrections portfolio can be. We are seeing the consequences of a punitive approach to law and order and moving away from other alternatives to putting people in prison where now we have the population of Risdon Prison increasing, which is placing more pressure on the system to build a northern prison.

The evolved jurisdictions are actually moving away from that punitive 'lock them up' approach towards a more rehabilitative response in corrections and they are seeing not only prison populations going down and better outcomes for released prisoners but the community is safer as a consequence. Once people go into a prison environment and spend extended periods there, they become institutionalised. There are many examples of poor outcomes for people who would have been far better off being sentenced to a community service sentence or some other arrangement that did not lock them up and throw away the key for a while.

We have been encouraged through this legislation, which we do not see as a contentious, by the broad support from Community Legal Centres Tasmania in a submission made to the Justice department towards the end of this year. I note that a number of matters that were raised

in the consultation process have not been reflected in the final draft of the legislation and the Community Legal Centres Tasmania, for example, says:

> It is unclear why a more complete list of the conditions available to the Parole Board should not also be included.

For example, a review of the Parole Board of Tasmania's recent decisions demonstrates that there had been 31 successful applicants for parole in the first six months of this year. Of these applicants, 84 per cent had a range of specific conditions attached to their parole, including engaging with the rehabilitation programs, a ban on associating with particular individuals and an exclusion from particular locations as a graph that is included in their submission indicates. CLC Tas goes on to say:

> We strongly recommend that if the bill is intended to provide more transparency around the orders available to the Parole Board of Tasmania, then the abovementioned and non-exhaustive conditions should be clearly outlined in the amended subsection 5A. A good model that we believe should be considered is section 30 of the Sentence Administration Act 2003 Western Australia.

The CLC Tas closed its submission with:

> We strongly recommend that the bill is broadened to include a more transparent list of the conditions available.

The question for the Corrections minister is, why was the decision made not to extend the definitions in the bill and the conditions that are available applied?

Civil Liberties Australia in its submission of July said:

> In principle, CLA supports the proposed amendment.
>
> CLA supports initiatives that expand the scope for non-custodial options where this does not compromise the safety of the community. Electronic monitoring should, in theory, allow greater scope for prisoners to serve part of their sentences in the community. This would reduce the impact on families and dependants of prisoners, it would reduce the cost to the taxpayer, and it could improve the reintegration outcomes for the prisoners themselves. These benefits have been suggested in various studies, including, most recently, in the Queensland Productivity Commission's inquiry into imprisonment and recidivism.

If it achieves these outcomes, electronic monitoring will also go some way to addressing the large prison population in Australia, which has grown substantially in the past few decades and now places Australia among the developed nations with the highest rates of incarceration. As a result, budgets for prison services have outstripped other areas of government services and new and larger prisons are being built, including in Tasmania, at considerable cost.

Again I put it to you, Mr Deputy Speaker, that this is 'back woods' justice policy. It is ineffective justice policy to have a punitive law and order approach which is populist but that

is also filling Risdon Prison and placing pressure on the corrections system to the extent that now the taxpayers of Tasmania will have to pay tens of millions of dollars to build a northern prison. That is an admission of failure, because if you have a prison and corrections system that is serious about breaking the cycle and has a therapeutic response, you can bring down your prison population, make the community safer and ensure that people who come into conflict with the justice system and find their way into the corrections system have a better chance of rehabilitation when they come out the other side, if they do.

Community Legal Centres Tasmania recommends that the Government also makes clear that electronic monitoring will be used only to assist parolees to comply with other parole orders, for example orders to not go near a former victim or a former criminal associate. It should not be a tool for 24/7 surveillance or control when the parolee is complying fully with their parole orders - see the related point below about the handling, privacy and use of any data or information created through the use of electronic monitoring.

CLC Tas recommends that in introducing the bill the Government undertakes to evaluate the extent to which the amendments achieve these intended outcomes, say every two years, and report back to the Tasmanian public. The report should also evaluate any unintended outcomes from the amendments.

Civil Liberties Tasmania has concerns about the collection, storage, privacy and use of data created as a result of the use of electronic monitoring and there are no protections of that data or constraints on its use contained in the amendment bill we are debating today. On behalf of Civil Liberties Tasmania I ask that the Minister for Corrections to please explain why. Civil Liberties Tasmania also has concerns, the submission goes on, about the length of time that a parolee may be subject to electronic monitoring under parole orders, noting that in some cases this could be many years.

Finally, the submission from the Prisoners Legal Service again gives in-principle support to this amendment to the Corrections Act but warns of potential unintended consequences and in fact points to evidence from the United States, where the corrections system is almost entirely privatised, of the potential unintended but devastating impacts on parolees that may inhibit a parolee's capacity to reintegrate into the community. The submission talks about the potential impact on finding and maintaining employment but also in seeking medical treatment when you have an electronic device attached to you.

The submission talks about a study done by the Florida State University that suggested a requirement to wear or possess an electronic monitoring device has significant impacts for parolees in terms of their ability to find and maintain employment. The negative effects of electronic monitoring on a parolee's ability to find and maintain employment were illustrated by the findings of a six-year study of 5000 parolees who each were subject to electronic monitoring that was published in a report by Florida State University in 2010, a summary version of which was subsequently published by the United States Department of Justice in 2011.

It looked at the bleak and tragic consequences of electronic monitoring on Craig Leroy Atkins, who was released after serving 21 years in prison for murder in Michigan. He was granted parole in 2010, got a job in a construction firm earning $26 an hour and enrolled in a paralegal course at a community college. He was clearly very keen to reintegrate with society and have another crack at life and move away from his past. Not long after he secured this job,

there was an order that he needed to wear an electronic monitoring ankle bracelet, which required him to have a four-inch cube-shaped black box near him at all times. Consequently, Atkins' employer was unwilling to accept that the box had to stay in the workplace and fired him. Subsequently, in an interview with a free press journalist, Atkins opined, 'It's almost like they want me to start selling drugs again'. Less than a year later, Atkins was found dead on the street from a gunshot wound to the chest. It was suggested by the person who studied him that he had reverted to his previous criminal activity owing to his inability to maintain employment.

This is why, when you look at the experience of overseas jurisdictions, it is really important that we have a capacity to review the effect of this provision on the people who are living with it. While there is no doubt this amendment will provide some more freedoms to parolees, there are potential unintended consequences. That is why we strongly encourage the Minister for Corrections to commit to reviewing working with the Parole Board and reviewing the provisions of this amendment and how they have impacted on parolees' capacity to obtain and maintain employment and to have any health treatments they need.

If we are serious about rehabilitating prisoners, which makes our community safer as well as gives people another chance, we should be prepared to examine the evidence and the effect of decisions that are made by the Tasmanian Parliament and embedded in statute.

With those words and questions we will be supporting the bill. We have no need to go into Committee. It is very straightforward, but in good faith we ask the minister to address the questions raised by these key stakeholders in the sector.

[12.29 p.m.]

Mrs PETRUSMA (Franklin) - Mr Deputy speaker, it is a pleasure to rise today to speak on the Corrections Amendment (Electronic Monitoring) Bill 2020. I commend the Minister for Corrections, her staff and her team and the Department of Justice and Corrections for a lot of effort, especially over these last six months during COVID-19 and for all the hard work and efforts she has been undertaking in all her portfolios. The safety, health and wellbeing of all Tasmanians have been at the centre of all of the minister's decision-making processes and I commend her for her commitment to all of her many portfolios.

Electronic monitoring is widely used in Australia as a technological means to monitor whether offenders are complying with conditions that are attached to their release from custody. Last week the Minister for Police, Mr Shelton, outlined to the House how successful electronic monitoring is in Tasmania in ensuring the safety and wellbeing of survivors of family violence. I will have more to say on that later. This bill proposes amendments to the Corrections Act 1997 to provide express powers for the Parole Board to impose electronic monitoring conditions on a parole order.

Under the amendments the board will be able to specify conditions requiring a prisoner who is released on parole to submit to electronic monitoring: to not remove, tamper or interfere with, damage or disable any electronic device or equipment used for the purpose of electronic monitoring and to also not knowingly permit an unauthorised person to do so; and also to comply with all reasonable and lawful directions that are given in relation to the electronic monitoring by a prescribed or authorised person.

With regard to electronic monitoring, the Department of Justice has in place a monitoring and compliance unit in Community Corrections that provides 24-hour, seven days a week

monitoring of court order defenders who have been tagged with a GPS ankle band. The unit can track their movements and verify that they are where they are supposed to be. This unit comprises 24 monitoring staff.

The monitoring and compliance unit monitors all offenders subject to electronic monitoring in real time and responds to alerts or anomalies in information and tracking in accordance with violation protocols. It also responds to breaches of home detention orders.

Probation officer duties include fitting and removal of electronic equipment, undertaking residence assessments, home visits, investigating alerts, record keeping and incident reporting.

We want offenders to get their lives back on track and to become productive, law-abiding members of society who no longer pose a threat to their victims or community safety. Therefore, electronic monitoring and home detention as a sentencing option strikes the right balance between rehabilitation of offenders and community protection while reducing the need for prison resources. Prison, quite rightly, should be a place of last resort as an option.

The cost to society of electronic monitoring and home detention is far less than housing an offender in a prison and has the benefit of a person being able to stay in employment to support themselves. It provides the courts - both judges and magistrates - with another sentencing option when it is appropriate for the courts to apply, depending on the seriousness of the crime or offence committed.

There are some community misconceptions as to how home detention or electronic monitoring works and that it is seen as only a gentle 'slap on the wrist' when that is clearly not the case. An offender with a home detention order is subject to certain core conditions. These are: not to commit an offence punishable by imprisonment; to reside at the home detention premises; to be at those premises at the time specified by the order; to permit police or probation officers to enter those premises; to permit the police to search the premises; to conduct a frisk search of the offender and to take a sample of a substance found at the premises or on the offenders person; to comply with the reasonable and lawful directions of probation officers; to submit to electronic monitoring; to submit to drug/alcohol testing as required and to engage in personal development training, counselling and treatment as directed.

The Sentencing Act also provides that an offender may only not be at the premises of the home detention order only if they are seeking urgent medical treatment, they are avoiding serious injury or death and they have the approval of their probation officer.

Where a person on a home detention order breaches the conditions of the order the prosecution can apply to have the court deal with the breach. If the court finds the offender has breached the order, it must confirm the order or vary the order or cancel the order and deal with the offender in any way that the court would deal with an offender who has just been found guilty of the offences.

Where a person on a home detention with electronic monitoring order breaches the order by committing a new offence, the prosecution can apply to have the court deal with the breach. If the new offence is an offence that is not punishable by imprisonment the court can take any of the actions listed above in relation to the breach.

If the new offence is an offence punishable by imprisonment the court must cancel the home detention order and impose any sentence other than home detention that the court could have imposed for the original offences. However, if a new offence is an offence which carries a penalty of imprisonment and the court is satisfied that there are exceptional circumstances it still can confirm or vary the home detention order.

I will now make a few comments in regard to the bill especially the importance of the Parole Board and the role that the Parole Board plays in the Tasmanian criminal justice system. The Parole Board is an independent statutory authority governed by Part 8 of the Corrections Act 1997. In accordance with the legislation Parole Board members are appointed by the Governor and their Board is comprised of four members, one of whom is appointed as the chairperson.

The board is required to consider any application made by a prisoner who is eligible to be considered for parole. In a recent annual report the chairperson said that these decisions are made with consideration given to the risk of reoffending, community safety, rehabilitation potential, motivation and the ability for supervision. The annual reports further notes that parole fulfils an important social objective in a modern community that believes in the possibility of rehabilitation and reform.

Community Corrections is tasked with conducting assessments to determine suitable housing arrangements and providing reports to the board on the suitability of an applicant to undertake the strict conditions of a parole order. In accordance with the legislation the Parole Board records all decisions to release a prisoner to parole on the Parole Board website. All decisions to refuse parole are also communicated directly to the applicant at the time of their hearing and in writing within eight weeks of the decision.

Since the emergence of the COVID-19 pandemic the board has continued to meet and conduct hearings and grant applications where suitable for parole. The Government has also successfully made significant reforms to protect victims and survivors. We have continued to ensure that this remains a priority. Just as we did when we legislated to ensure a victim of crime representative is on the Parole Board, we have passed legislation to ensure a member with policing experience is similarly represented on the board.

These important reforms help to keep the community safe and to put victims and survivors front and centre. Section 72 of the act currently enables the Parole Board to make a parole order subject to such terms and conditions as the board considers necessary. It does not contain any specific provisions in relation to electronic monitoring.

All other states have legislation that explicitly provides for electronic monitoring of prisoners who are released on parole. I am pleased that this initiative will also be happening in Tasmania. Electronic monitoring of offenders is part of the Government's goal to eliminate family violence in Tasmania. All members of this parliament have been long-term advocates that family violence in our community in any form is not tolerated.

Living free of violence should be everybody's right. Taking action to prevent it is everyone's responsibility. However, sadly we know that in Tasmania and Australia family violence is widespread. The statistics remain horrific: one in six women and one in 16 men have experienced physical or sexual violence by current or previous partners since the age of

15. Family violence has shocking outcomes. It destroys the physical and mental health of victims and has the most appalling impacts on children.

Therefore, as part of the Government's goal to eliminate family and sexual violence, Tasmania Police, in collaboration with the Department of Justice, has conducted Australia's first trial of offender monitoring to protect victims of family violence in Tasmania. I am very proud to be part of a government that has led Australia with this important initiative. Using electronic monitoring in family violence matters is a new concept. I know that other states and territories are also interested in this concept because it does offer an innovative approach to enhancing the protection and safety of victims of family violence.

I applaud the fact that legislative changes that were passed by this parliament have enabled the courts to approve electronic monitoring as a condition of a family violence order upon application by police.

This Australia-first trial conducted here in Tasmania does involve high-risk priority perpetrators who meet the specific criteria required. The electronic monitoring device tracks the offender's movements and ensures that the perpetrators are excluded from entering certain areas where victims reside and work. I note that under the trial, selected victims of family violence had the opportunity to voluntarily opt into the program and that victims were provided with a small portable device with duress capability to promote early police intervention where there was potential for a breach of a current family violence order.

I also note that this initiative has not only provided extra comfort and safety to victims but also provides additional evidence in court through corroborating the truthful version of events and in some cases preventing victims having to attend the court at all to give evidence.

As Mr Shelton outlined to the House last week, of the 73 perpetrators involved in the trial, 52 were subjected to electronic monitoring for at least six months. The preliminary trial suggests a 70 per cent reduction in assaults, an 80 per cent reduction in threats, an 89 per cent decrease in allegations of emotional abuse and a 100 per cent decrease in reports of stalking, which I think are impressive statistics. On top of that, the trial saw a 7 per cent reduction in family violence incidents across the whole state and an 82 per cent decrease in high-risk family violence incidents during this trial.

The trial also looked at offending patterns by perpetrators after the GPS tracking device had been removed and of the 52 perpetrators who had been monitored for at least six months 80 per cent did not reoffend following the removal of the GPS tracking system, which tells us that electronic monitoring not only modifies the perpetrator's behaviour whilst being monitored but also after removal of the device.

As Mr Shelton outlined, these are preliminary results. We look forward to the outcomes of the independent review of the trial which is being undertaken by the Tasmanian Institute of Law Enforcement Studies with the final evaluation report due later this year.

This innovative trial utilising electronic monitoring is also in action under our SafeHomes, Families and Communities, Tasmania's Action Plan for Family and Sexual Violence 2019-22. I applaud the fact that on top of the Government's commitment of $26 million to the action plan to progress the long-term changes in attitudes and behaviours that lead to sexual and family violence, this funding has also been bolstered in response to the

COVID-19 pandemic. A further $2.7 million has been added for key support areas in family violence response, which is important because this electronic monitoring trial is another initiative that is helping police and other agencies to target high-risk family violence perpetrators. It is part of the Government's commitment to keeping Tasmanians safe and I commend the leadership of the current Premier and the former premier in relation to family and sexual violence.

I commend members of this House for their support of the initiative. I also recognise the work of all ministers and their departments in contributing to the delivery of this Australia-first trial. I know that all of us in this House want to assist victims to become survivors of both family and sexual violence as well as to stop sexual and family violence right before it even begins.

Finally, I commend the Attorney-General, the Minister for Corrections and her staff, and all in the Department of Justice and the Department of Corrections for this bill and for all their efforts, especially over these last six months during COVID-19. I support the bill.

[12.44 p.m.]

Ms OGILVIE (Clark) - Mr Deputy Speaker, I rise to make some brief comments in relation to this bill. I can say from the outset that I will be supporting the bill for the reasons many of the previous speakers have already identified.

I believe it is worthwhile raising a couple of issues, particularly around the technology. I have had a bit to do with the parole and legal system and the prison. It is important to remember that whatever monitoring you are doing, it does not prevent crimes. It is not a panacea for actions that somebody could take, even whilst wearing a monitor.

The opportunity to monitor, collect, collate and use data to predict behaviour and perhaps to intervene in future potential behaviour, is quite a large area. With digital technology globally, we are all self-monitoring with our telephones, with GPS and all of that information. There is a balance to be struck in our society and community between making sure that there is some ability to have this type of supervision on those who need it but to know when that ought to stop and to know when that information should be deleted.

I am particularly interested in the technology side of it. I understand that electronic monitors need to be charged for an hour a day, or so, and when they are not charged, they are out of batteries. What does that mean? Is an alarm set off? I understand there are a couple of different sorts of tags or orders across tags, a location ability and a curfew ability. I am interested to know a little more around how that works.

There are digital records created which travel across a telecommunications network. I am uncertain whether the Tasmanian tags use the GPS network for location devices or are we using some sort of radio frequency system? I am interested because we have the government radio network system coming on board. Will there be some sort of interoperability there?

I understand there can be false alarms and misreadings. I am interested to know what happens when that occurs and to understand more deeply where the reports on the monitoring and the digital readouts. Who has access to those? Can they be used for academic purposes, for studies and understanding behaviour of parolees? Also bearing in mind that perhaps unless

there is an emergency alarm that is set off, if somebody's monitor reports a breach, with an immediate response, that they will still be able to get out and about.

There are probably layers to the complexity and the level of concern about individuals, so there may be different layers of orders that are placed on people but I am keen to understand that.

They are some of my technical questions. At the end of the day, once a person has completed their sentence and the parole period, which is effectively part of the sentence, that the data around where they were and what they were doing - assuming there has been no default - should be sealed or destroyed. This is an ongoing privacy question.

I can see a scenario in which government services builds up a big data base of information around movements and patterns of behaviour and so to avoid any dystopian future - we are all subject to too much monitoring - I am interested to know whether there are some policies around the management and destruction of information when they have done their time.

It is really a simple amendment and gives a legislative basis to allowing the use of monitoring mechanisms in this format. I am not even sure we actually need the amendment, but it makes it explicit, which is helpful. Once again it is about how we manage the collection and collation of data about individuals and people. How we store and manage that on an ongoing basis is very important. The more we can do to segue people from the prison environment back into standard life is a good idea.

Minister, I will leave it at that in case you are able to sum up before the break. I do not know if you will be able to, but the technology side is of great interest to me.

[12.50 p.m.]

Ms ARCHER (Clark - Minister for Corrections) - Mr Deputy Speaker, I will attempt to sum up before lunch, but my track record is not very good. I tend to be thorough, although I will note that we had some duplicate questions or similar questions from a number of members, so obviously I will not need to answer those twice.

It is not only pleasing that members are supporting this, but that members acknowledge that, as with anything, there are pros and cons with any type of system we introduce. I place on the record that I have a very strong interest - and in fact have had a strong interest for a number of years - in electronic monitoring. It was our Government, indeed me as minister, that introduced this and has put significant funding into this. It had not been attempted by previous governments.

I say that because it is a pretty big commitment to implement and quite complex, and then because of the trial that Tas Police wanted to do in relation to family violence orders, working together to ensure that we use the same system. Believe it or not there was talk at some stage of using a different monitoring system. I thought that was ludicrous so that is the reason for combining the monitoring.

Community Corrections has done - and I am not just saying this because I am from the Government - a fabulous job of implementing this with relatively few glitches. That is pretty rare when dealing with technology and we can all appreciate that. We all have our own

technological issues on a daily basis. To ensure we have safeguards in place as well for situations that arise - I believe Ms Ogilvie mentioned that if there is an alarm or a false alarm those things - or indeed if the whole system goes down - because it is GPS we have backup mechanisms and a lot of testing that goes on before we introduce these things.

Home detention orders came into practical application on 19 March 2019. As at 27 July this year, which is where my figures take us up to, there were 59 offenders on home detention. We have a really strong capacity for monitoring. People who are on these types of orders, and we are now talking about parolees where the Parole Board order it as a condition, are required to wear an electronic tag at all times which is monitored by the staff in a dedicated unit of Community Corrections we have named the Monitoring and Compliance Unit.

I mention that because the structure is in place. It is entirely up to the Parole Board. It is not my decision. This is another tool in their toolkit of things they can utilise as part of the conditions of a parolee's parole order. It is important that we make this implicitly clear for them in this legislation so they have no doubt themselves that they have this ability to utilise this condition, because it has not been used before.

I know members have raised issues concerning whether it can impact on someone's employment but that type of argument actually works the other way as well. To keep people out of prison, for example, electronic monitoring is ideal where someone is already in employment and they are the sole person responsible for dependants in their family. I know the courts have used it to try to ensure we keep people out of prison as much as possible where it is safe to do so, but this provides an element of increased community safety and gives an offender the opportunity to rehabilitate from home - I am talking about home detention orders now - and maintain their employment, which can all too often be lost when they are incarcerated and not regained in a lot of circumstances. We do not want it to be an impediment to employment. I will get to the answer to that but largely employers have been very good and it is certainly not the experience in this jurisdiction where it has impacted so far on people's employment.

I will give a fairly strong overview of the system and how it is operating already. We had the figures released last week by Mr Shelton in his Police portfolio of the success of family violence orders. I also want to stress that should a victim wish to wear a device themselves for their own personal safety, they are able to voluntarily elect that with family violence orders. Despite the cynicism by some members opposite that that would give false hope to victims, the figures and our reviews of victims have proved the exact opposite. The system is very effective.

I have been at the Monitoring and Compliance Unit myself when an alarm has gone off where a victim has come into close proximity - I will not say the distance but there is a distance where an alarm will go off when they are in the radius of the perpetrator of the crime against them - and they have plans where they go to their nearest safe place and are able to have the support networks they need in that given situation, so they can avoid coming into contact with their perpetrator. Tasmania is a small place at times and we can quite often run into people we do not necessarily want to run into, but it is very serious in the case of a victim coming across a perpetrator.

As I said in my contribution in question time this morning, these types of crimes can have lifelong impacts on victims and survivors, particularly of sexual abuse, and their children. This

is why electronic monitoring largely is a very necessary and good thing for all parties in relation to keeping people out of prison.

I note the comments made by Ms O'Connor in relation to prison populations but I want to point out to members of this House, as I have done on a number of occasions, that Tasmania is not immune from the trend across Australia of increased prison populations. In fact, we are the envy of some other states and territories with our statistics in that we are lower than other jurisdictions.

Ms O'Connor - By interjection, minister, what does the research tell us is the cause of that spike in prison populations?

Ms ARCHER - Ms O'Connor, I do not have any specific research I can quote from in front of me but what I will say is I have a very strong commitment not only to having a focus and a priority on victims and survivors of crime to ensure that we deal with the perpetrators of crime in the appropriate manner but also the rehabilitation and reintegration aspect, and this is a perfect example of just that. When we have alternative sentencing options such as this, and in this instance this bill being about parolees and increasing the conditions that can be utilised by or creating certainty about the conditions that can be utilised by the Parole Board, that is a very good thing.

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

CORRECTIONS AMENDMENT (ELECTRONIC MONITORING) BILL 2020 (No. 27)

Second Reading

Resumed from above.

Ms ARCHER (Clark - Minister for Corrections) - Madam Speaker, prior to the luncheon adjournment I was summing up this bill and thanking members for their contribution and support for the bill.

I will deal with some of the questions from members' contributions, some of which were duplicated. Obviously there is no need to answer the same questions a few times. I will read out the questions and then deal with the answers. They might not be in order, so if anybody thinks I have missed something they can tell me at the end.

A number of members asked if the wearing of an electronic monitoring device impacted on an offender's ability to participate in employment. I know Ms Haddad did and so did Ms O'Connor. Wearing an electronic monitoring device may be a minor inconvenience with regard to an offender's ability to engage in a small number of employment opportunities, but does not generally impact on their ability to work. The device has no audible alarms or noticeable lights. I have seen the device and it is not too much of an impediment.

If the device falls out of communication range, an issue Ms Ogilvie raised, it will store any relevant information in the device and then that information will be uploaded to the system

when the device again comes within signal range as long as the device continues to have battery life. The wonders of modern technology, being able to hold that information in the device.

The device fits snugly to the ankle area so if you are, for example, wearing trousers you will not see it. For offenders who are required to wear work boots in their employment, for example, officers are able to fit the device more loosely to allow it to be moved up and down the leg but not removed to accommodate any specific work-related requirements. The community corrections people do try to work with offenders or parolees.

Ms Ogilvie - I have a query for women who might wear skirts and that sort of thing to work. Is it always on the leg or it can be wrist?

Ms ARCHER - I think it is always on the leg. Yes, it is always on the leg by nature of the design of the device but, as I said, it can fit snugly to the ankle and you can cover it with trousers.

The device is also waterproof and can function effectively in a range of environmental conditions, including extremes of heat and cold. For example, if you were working in cold freezers and refrigerated areas it would work. I doubt people work in a furnace, but somewhere equally hot. No employment role has been identified to date from which an offender would be excluded merely due to the wearing of an electronic monitoring device.

A core outcome of supervision by the Department of Justice is to support offenders in effectively engaging in employment opportunities as they arise. In the precursor to my summing up I mentioned that. Although I am talking generally in the context of electronic monitoring. I am doing so because we are currently using them for home detention orders. It gives me the opportunity to advise the House and Tasmanians how this is operating currently with home detention orders, and how we see it effectively being operated for parolees wearing the same device and having the same monitoring system and unit that is responsible for that.

This issue was raised in a number of submissions from stakeholders. I assure members that our experience in Tasmania, since we have had this in practical operation since 19 March 2019, is that it has not been an impediment to someone's employment by reason of where it is or what it looks like. It does not have any big flashing lights and things like that.

It is a device that was one of the most sophisticated devices that we could get for the circumstances that would suit our needs and had the highest success rate in relation to how it operated. I will get back to some of those technological issues of Ms Ogilvie's shortly.

There is also the question of whether an offender can have an electronic monitoring device temporarily removed if it is necessary to undergo medical treatment. We already have a policy in place around that, and yes it can, for the very reason that it can interfere with medical equipment, for example, scans. They are able to be removed for specific periods of time, under supervision, to support emerging and critical offender needs. Sometimes these medical situations can be emergencies so this needs to be a feature of the device, that it can be removed in these circumstances.

For example, if it was the case that treatment could be delayed for a period, the offender or the parolee in this instance, under this bill, may wish to delay that type of treatment, but it is entirely up to them. Should medical treatment be necessary, officers from Community

Corrections can remove devices to support medical testing and treatment, as have officers from the Department of Police, Fire and Emergency Management, concerning whether or not they are in custody.

Ms Haddad - If it were an emergency circumstance, can I ask how that might be handled? For example, would someone in the emergency department at the hospital need to contact someone from Community Corrections to remove the device?

Ms ARCHER - I can assure the House that they can be removed in an emergency situation. I will not say how.

Ms Haddad - That is fine.

Ms ARCHER - Those administering the medical treatment by way of emergency would be able to do that. For other treatments where a scan is booked in and there is notice, we would deal with it in the usual manner by way of Community Corrections officers.

Ms Haddad - Thank you for that, minister.

Ms ARCHER - There was also the question, why were the amendments not broadened to include a specific list of all the conditions the parole board may impose on a parolee? That was something a couple of members asked. The current broad powers available to the Parole Board under section 72(5) of the Corrections Act, provide the board with considerable flexibility to respond to the individual circumstances of each prisoner who is eligible for parole. To specify the conditions that are most appropriate for these circumstances, including a specific list of all the conditions that may be imposed, could restrict the flexibility currently available to the board and may risk unintentionally curtailing the options for conditions.

In this particular instance, as I have been at pains to point out, this is not the Government imposing anything in relation to conditions. This bill creates certainty around the ability for the Parole Board to have as a condition of parole the use of electronic monitoring.

This came about because I did not want there to be a situation where a possible parolee missed out on parole because they might be a bit more of a risk and therefore be kept in for another 12 months when, ideally, if there was that type of condition imposed it may satisfy that risk factor. I have every faith in the Parole Board to make these decisions and place the appropriate conditions that they see fit. It is not an easy decision for them, because when their decisions get published there can be much criticism. I will never reflect on their decisions because they have to take in a range of considerations.

However, the Government and I want to ensure that they have the tools to impose appropriate conditions. I also do not want to restrict them by itemising a list of conditions they can use. That is the reason for not having a list. One of the submissions said a non-exhaustive list but as soon as you start listing things it is prescriptive. That is not the intent of this bill. This makes it clear that new provisions do not limit the Board's existing general powers under section 72(5). That is really important.

Does electronic monitoring provide continuous surveillance of an offender? Electronic monitoring provides continuous monitoring of an offender, capturing their location through GPS data, in response to Ms Ogilvie's question on GPS, and recording this on the system. Prior

to an order being made for monitoring, assessments are undertaken to ensure that the offender resides within GPS range. The monitoring program managed by Community Corrections is not based on officers actively monitoring each individual offender at all times. I can assure you it is not this 24-hour surveillance model.

The program establishes a range of rules and alerts that are raised in response to specific conditions that would indicate non-compliance with another condition imposed on the offender. For example, if an offender was to be subject to a curfew condition, rules could be set to monitor that they remain at a designated location for a specified time. If electronic monitoring indicated that the offender was not at the location during the specified time, this would raise an alert that defenders would respond to through a series of defined actions intended to increase compliance. In relation to monitoring, it can very much be designed for the purpose of the conditions that have been set for that particular person.

When I say 'offender' here, I am also talking about parolee, because we are utilising a system that we currently have for offenders, but this would be no different for conditions of a parolee.

While Tasmania's monitoring system does allow for surveillance, this is not a solution that is currently considered within the scope of the proposed parole electronic monitoring program. That probably provides the House with some assurance. I know it was something raised by Civil Liberties Australia in its submission.

When an offender is subject to electronic monitoring is data collected and stored as an electronic record? We are talking about privacy. Offenders subject to electronic monitoring are monitored continuously through a GPS device attached to their ankle. Information is captured and stored on a secure cloud infrastructure at Amazon Web Services in Sydney. Throughout contract negotiations to roll out the electronic monitoring program in Tasmania, considerable work was undertaken to ensure that privacy act protections were a key consideration in the collection, management and storage of relevant information. I recall that period very well.

All of an offender's movements are tracked if they are subject to electronic monitoring. This information is captured and maintained as an electronic record in the secure cloud and is handled in the same way as all other information retained by the Department of Justice. As the information is retained as a record by the department it is open to a subpoena.

Further, in accordance with the general provisions under the Corrections Act 1997, the Parole Board can request a copy of the information to inform its decision-making. Otherwise the information on the system is not generally available. By that I mean sometimes people come back before the Parole Board because they have breached a condition of their parole and so the Parole Board will need substantiation of that. It will certainly give some certainty to the Parole Board of what exactly has occurred in any given instance. I stress and maintain that the Privacy Act provisions apply. As with all other things, it is collected for the purpose for which it is collected and therefore retained.

Ms Ogilvie - Minister, by way of interjection, does that mean it is kept permanently?

Ms ARCHER - Data is retained as per the Privacy Act and, as noted previously, records are kept securely. Community Corrections can request that the data held by Amazon Web

Services - AWS - in Sydney be destroyed. The agreement with the equipment and monitoring provider includes a deep clean provision whereby they must ensure that all data is completely erased and is unable to be recovered.

At this time there are no plans to use that data for academic studies although I note that there have been occasions that I have granted permission to the Tasmania Law Reform Institute for things under very strict terms of reference and only for specific purposes, and for their eyes only and not for publication. If they are doing research on a topic, if something is relevant, they are given strict parameters. I do not have any plans for that in this instance but there is a provision for that to be considered should the TLRI request it but it has to go through specific channels and it is a legislative granting.

There might have been something about resources, whether Community Corrections needed additional resources to implement this change. As I briefly mentioned in my earlier summing up prior to lunch, Community Corrections has the Monitoring and Compliance Unit already up and running. I know from the numbers that we already have spare capacity. So, they currently have an adequate ability and resources to monitor these orders, and the equipment and resources needed are currently available. This will be monitored over time and responded to as needed, but there is more than sufficient capacity at present to take on this.

Another question was, if electronic monitoring is imposed as a condition, will the offender be able to have that condition reviewed or removed at a later date? The Parole Board has the power under section 79(1)(b) of the Corrections Act 1997 to vary the conditions of a Parole Order. It is already an existing right of a prisoner or parolee to have the capacity, through their probation officer, to raise any issue relating to their parole conditions with the Parole Board. This is no different because it is a condition of parole. This could include reviewing or removing any electronic monitoring conditions if deemed appropriate by the board. It is entirely the Parole Board's decision so nothing needs to be built into this bill for a right of review. That right already exists by reason that it can be raised through the parole officer to the Parole Board. That can be done at any time. It can always be raised at any time. As I have stressed, the Parole Board is an independent authority that has the ability to deal with any request to remove any conditions. It is entirely their decision but I gather they would need to have a demonstrated need and there would have to be a basis for that request but, again, it is entirely up to the Parole Board.

There was also a question of why there were no specific provisions provided by reviewing electronic monitoring conditions. No specific previsions are necessary, as the Parole Board already has the power under section 79(1)(b) of the Corrections Act 1997 to vary conditions of parole, and the prisoner has the capacity through their probation officer to raise any issue relating to their parole conditions with the Parole Board. This could include reviewing or removing any electronic conditions if deemed appropriate by the board.

The other question related to transparency of the Parole Board or Parole Board decisions. The Parole Board is an independent statutory authority that makes all its decisions independent of government and also publishes all their decisions online. You can quite often see the media pick up on some of these decisions and there will be quite a few at once, and that is because the Parole Board sits and hears a number of applications on the one day or over a period of time. Therefore, once they have made their decision they will publish that and that is why sometimes a grouping of them come all at once.

When I make appointments to the Parole Board there are deputy members who can fill in so they have a full contingent of the board to ensure there are sufficient members making those decisions. There is a chair and a deputy chair for that reason as well to fill in if something was to occur and the chair was not available.

There was also a question about what capacity there is to review the effective monitoring on an offender and whether we would work with the board to review the effects. Probation officers from Community Corrections work to support offenders on parole and help to review how they are going throughout their order, as well as supporting them to gain and maintain employment and other key supports.

I know this occurs; my current corrections advisor and current acting chief of staff are both former probation officers so we have some pretty good knowledge of how the system works within our own office. Probation officers play an active role in working with and monitoring how parolees are going with their orders. Part of this will include assessing the impact of electronic monitoring and certainly that issue about employment if any issues arise there, can come back to me through the department. If significant concerns arise, the Parole Board has the ability to remove the condition of electronic monitoring and this can be recommended by a probation officer.

There was also that general question of whether I would incorporate a review of this bill into the legislation. I want to assure the House that Community Corrections continue to review its operations as a general practice and I know that the Monitoring and Compliance Unit is no different. It is true for all aspects of their work, not just electronic monitoring but particularly so with something like this in its infancy in that it has been up and running for 14 or 15 months but with great success.

As members of this House know, the Report on Government Services, which we affectionately or not refer to as ROGS, is released frequently and the Department of Justice annual report also details information about home detention and electronic monitoring, parole supervision orders and other areas of operation, so this would be included in that. I have already outlined some of the wonderful outcomes of the family violence pilot program so we know it is effective at least.

As I said before the lunch suspension, electronic monitoring has been in place in Tasmania since March 2019, so a review of it in the context of parole is not necessary beyond the work that already occurs. No major issues have been raised so far with those being monitored as part of a home detention order or monitoring as part of a family violence order and certainly not in relation to their employment. In fact, it has been quite the contrary in that it has actually enabled people to continue with their work.

As an example of some of the issues we might have, a builder's work can sometimes change according to the weather and it may well be that the boss rings up and says, 'Rather than that site today, I need you at this site'. Of course, it will already be programmed in to the unit of where that person should be that day, so if they forget to ring up - and it is as simple as them ringing up and advising that there might be a change - there will be an alarm that sounds. That is not a case where they are going to be penalised. They will get told off for not ringing no doubt, but it is a case where there has not been any particular failure of the device. It is more human reliance of the person ringing up. They have had to work with those sorts of

practical issues that arise, because someone's place of work does not always stay the same, like some of us boring people who go to the office.

Ms Haddad - Is that alarm you talked about alerted at Community Corrections, not on the device itself?

Ms ARCHER - Yes, the alarm goes off within the Monitoring and Compliance Unit to alert them to the fact that someone has gone outside of their geographical area if that has been programmed in and the times at which they will be away. The whole purpose so far has been home detention and there are strict parameters as to where they can be between what times and parole would be no different in that regard. It works very effectively.

Of course we will always remain open to considering a review but at this stage there have not been any glaring issues to warrant any concern. As can be demonstrated by the number of amendment bills I bring through this House, my department constantly reviews legislation. There is a period of time when they are constantly reviewing things and we often have justice miscellaneous amendment bills if there is anything we want to fix or change or amend to bring through this House, so we are regularly monitoring our legislation in any event.

Ms Ogilvie asked about the technology and what it means when the battery goes flat. Good question. The parolee will be required to charge their device on a regular schedule on a daily basis. The device has an internal battery that remains effective while the portable battery pack recharges the device. A bit like a phone, isn't it?

Ms Ogilvie - Do you take it off to charge it?

Ms ARCHER - No, it is just the battery that comes out. The device always stays on. It is a charging pack that fits on to it.

Ms Ogilvie - It clips on to it. Okay.

Ms ARCHER - If the battery starts to go flat it triggers an alert in the Community Corrections Monitoring and Compliance Unit who would contact the parolee and ask them to charge their device immediately. Sometimes they might need to be reminded. Again, the alarm is back at the unit, not in some embarrassing situation.

Ms Ogilvie - Minister, is it only one sort of alarm that goes off? Is it like your smoke alarm that starts beep, beep, beeping?

Ms ARCHER - It is the same alarm sound but within the system itself. Those in the unit get told whether it is the first or second warning alarm. I have seen the screens. There is a location map so you know where they are. It is quite sophisticated. It is the same alarm but they get alerted as to what the alarm means. They do not have different alarms for different types of breaches.

The unit can set up alerts so they will be alerted if parolees are not in their approved address within their curfew hours, as I said before. An alarm can go to let them know that.

You also asked, Ms Ogilvie, about false alarms. Any alarm that is triggered is responded to by the Monitoring and Compliance Unit. They are able to contact a parolee to confirm the

information or provide them with directions from the probation officer. If necessary, the Monitoring and Compliance Unit can escalate their response to police. I have seen it in action in family violence orders, for example. If there is a breach, police can be alerted straight away and be at that address or location very quickly. It is very effective.

I am pleased with how this system has been operating and pleased with the technology. You do not always hear us saying that about technology. It has been proved successful. They have back-up plans if systems go down in relation to where the unit quickly relocates to and interim measures. Everything has been planned to the final detail, as we are all getting used to during COVID-19. We have also had to deal with COVID-19 plans.

This has been not only an alternative sentencing option. The purpose of this bill is to clarify the express powers that the parole board has to have this a condition of someone's parole. This enhances the system of rehabilitation and reintegration back into the community and ensures first and foremost, and as a core priority of the Government, that Tasmanians are safe and our victims and survivors of crime are also safe.

I commend the bill to the House.

Bill read the second time.

Bill read the third time.

COMMITTEE MEMBERSHIP

Legislative Council Appointments

The Legislative Council advised the following appointments to committees -

Joint Committee of Both Houses to manage the Library

Dr Seidel

ANSWER TO QUESTION

Port of Burnie - Potential Shipping Delays

[3.04 p.m.]

Mr FERGUSON (Bass - Minister for Industry and Transport) - Madam Speaker, I will add to the answer from Question Time which I committed to report back to the House. I can advise that in response to the question from the member for Braddon, Dr Broad, TasPorts has confirmed that of its more than 20 coxswains, two coxswains have resigned and a third is currently on unplanned approved leave.

I am advised by TasPorts that these staff movements have had no impact on TasPorts' ability to ensure continuity of shipping at the Port of Burnie, with all customer demands well

met. I am further advised that TasPorts current coxswain pool is robust, with more than 20 coxswains statewide.

In recent times TasPorts has deliberately increased the size of the pool to ensure appropriate workforce capacity in response to COVID-19. I am advised that while a coxswain is allocated to a region, TasPorts also has the ability to redeploy resources if required to meet shipping demands. I can also report that I am advised shipping demands statewide, including the Port of Burnie, are such that the existing resource pool is more than adequate to meet demand. TasPorts has also advised that in recent times, there has been an enhanced management oversight of the marine function, with a focus on increased consultation and engagement with the workforce, aimed at enhancing and optimising the function.

Of interest may also be the results of a recent culture survey of TasPorts staff undertaken by an independent third party. I am pleased to inform the House that the results clearly show TasPorts has demonstrated strong cultural improvement, exceeding its cultural improvement target as committed in the statement of corporate intent, by 300 percent. Compared to 2018, the 2020 results show favourable improvement across 12 key behavioural styles, including affiliative, humanistic encouraging and achievement, with every comparable measure of culture improving significantly.

The Government's view is that this is a terrific outcome and TasPorts management are to be congratulated, as is the entire workforce for their commitment to cultural improvement. It is important to note that when an organisation is driving a significant cultural change agenda, a degree of employ attrition is to be expected and is considered appropriate in the context of this change. I trust that meets with members' satisfaction. I thank the House and would like to table the Payroll Tax Pandemic Order No. 2 2020.

LAND USE PLANNING AND APPROVALS AMENDMENT (MAJOR PROJECTS) BILL 2020 (No. 26)

Second Reading

[3.07 p.m.]

Mr JAENSCH (Braddon - Minister for Planning - 2R) - Madam Speaker, I move -

That the bill now be read a second time.

Eleven years ago, this House passed amendments to the Land Use Planning and Approvals Act 1993 to introduce special permits under the Projects of Regional Significance, or PORS, process. That bill, which was supported by both the Liberal and Labor parties, introduced a new assessment process into the planning system to fill the space between ordinary development assessments at a council level and the Projects of State Significance process.

The PORS process provides for the assessment of projects that have significant regional impacts and importance by an independent expert panel established by the Tasmanian Planning Commission. The PORS process was well intentioned and reflected similar processes in other states, but history shows it did not prove to be an attractive option for project proponents, including the government that created it. Despite the legislation requiring a review after five years, this never happened, largely because it had never been used.

The irony is that the process specifically designed to provide for important and complex regional projects, whilst offering assessment by an independent panel, did not even provide the range of approvals available through an ordinary council DA process. It is not surprising that the PORS process has been left on the shelf unused.

In 2014 when this Government was first elected, we committed to fixing the PORS framework to address its deficiencies and deliver a process for assessing major projects that is fit for purpose. Work began in 2015, leading to the release of a first draft of the newly named major projects process in 2017.

The first draft of the major projects bill, like the one being debated today, offered improvements over the PORS process while retaining the essential elements of independent expert assessment of regionally significant proposals. Key to these improvements is the expansion of the range of other approvals provided for under the one coordinated assessment process.

The consultation undertaken has clearly indicated that significant projects often require multiple permits addressing planning, environmental, historic heritage, Aboriginal heritage, threatened species and water and sewerage. Currently, only the Projects of State Significance (POSS) process provides for a single permit application covering all of these approvals. However, the time and expense involved in putting every significant project through the very lengthy and comprehensive POSS process would outweigh the benefits of the multi-approvals approach.

Without an 'in-between' process, project proponents must run the gauntlet of several separate approvals, each with its own time frames, or none, and the inherent risk of any one approval being denied at the end of a long and costly process.

The major projects process aims to test the fundamentals of a project early in the process to identify issues that could prevent it from being approved before significant time and cost is incurred. It does this by not just coordinating the relevant approvals by the normal statutory regulators but by requiring them to assess, at an early stage, if there are basic elements of the project that mean there is 'no reasonable prospect' that they can recommend approval under their respective legislation.

It may seem strange to promote a streamlined approval process for significant developments by indicating that the proponent might be advised of this 'no reasonable prospect' early on, but consultation repeatedly showed that proponents want to know that they are not going to waste time and money chasing permits which are never going to eventuate.

Similarly, the state can benefit by not having valuable council and state government resources tied up for many months, only to discover a fundamental problem that could have been detected earlier. For this reason, the bill provides for the minister to revoke a proposal's major project status if the panel or one of the regulators indicates that there is no reasonable prospect of it gaining approval.

The major projects bill retains some very important features of the PORS process, including the limited role of the minister in determining whether to declare a project and the assessment by an expert panel established by the independent Tasmanian Planning Commission. There is no capacity for the government of the day, or any vested interest, to

influence who is on that panel or to change its decision. Again, people responsible for managing complex projects have told us that a process where an independent expert panel makes the decisions offers far more certainty than one open to political considerations, and is more likely to be used.

Before I turn to the detail of the bill, I want to talk a little more about its consultation and evolution. Some members of the community and, indeed, this parliament, have suggested the Government has sought to rush this bill through under the cover of the COVID emergency, but this is patently untrue.

The draft bill has been subject to three phases of public consultation. Two five-week periods of consultation were conducted, in August-September 2017 and December-January 2018. A further 10-week consultation was conducted from 3 March 2020 to 15 May 2020. This latest period was extended to compensate for COVID-related restrictions. When face-to-face meetings were not allowed, individual members of the public, professional groups and interested organisations could also arrange video or telephone briefings from departmental staff. In all, there have been three stages of direct consultation over three years and covering a total 20 weeks, which together elicited over 1500 responses.

The Government has carefully reviewed every one of these responses, including those provided on template forms or under a covering email from an umbrella organisation, and we have made further refinements to the bill as a consequence. Interestingly, many submissions from stakeholders opposed to the major projects process urged the Government to instead keep the current PORS legislation. However, the aspects of the major projects process they were typically most concerned about were those drawn directly from the PORS process, including:

- the role of the minister to declare projects against broad eligibility criteria;
- the ability to consider proposals that might not be allowed under an existing planning scheme;
- assessment by an expert panel instead of a local council;
- the final decision by that panel not being appealable to RMPAT; and
- the site-specific amendment of the planning scheme to reflect any permit issued.

The major projects bill replaces the current provisions in Land Use Planning and Approvals Act (LUPAA) that provide for the declaration, assessment and granting of a special permit commonly referred to as the Projects of Regional Significance process. The major projects process has three distinct stages: eligibility, preliminary assessment and assessment, and I will give a brief summary of these stages.

The eligibility stage is a basic test of whether a proposal is considered eligible to enter the process. Every project, no matter who refers it, is assessed against the same criteria and through the same process. There is no assessment of the merits of the proposal at this stage, just whether the proposal satisfies the eligibility criteria. The minister makes a determination of eligibility based on advice from the Tasmanian Planning Commission, state agencies and

the relevant council or councils, and in accordance with determination guidelines which quantify the eligibility criteria.

At the preliminary assessment stage, the Tasmanian Planning Commission appoints an independent delegated panel. The proponent provides a project proposal to the panel and the relevant regulators for consideration. Each regulator then provides advice to the panel, either:

- a notice that there are no relevant matters for them to assess;
- a list of the matters that they will require the proponent to address in order to formally assess the proposal; or
- advice that there is 'no reasonable prospect' of them approving the proposal under their legislation.

Should a 'no reasonable prospect' notice be given, a proposal may be withdrawn and the proponent may modify the proposal and commence the process again. This early advice will potentially save the proponent from wasting significant time and money proceeding with a long assessment process with no prospect of approval.

The advice from the regulators is compiled by the panel and draft assessment criteria are produced. The draft assessment criteria are publicly advertised before being finalised. These assessment criteria cover all the matters the proponent will be required to address, and against which their proposal will be assessed.

In the assessment stage, the proponent provides a comprehensive project impact statement addressing all the matters identified in the assessment criteria. The regulators and the panel undertake a preliminary assessment of the proponent's project impact statement. It is important to note that each regulator undertakes the assessment in accordance with the requirements of its own legislation just as if the major project was any other application.

An initial assessment report is prepared which consolidates the advice from the regulators, including whether the proposal should be approved or not and the conditions that should apply. The assessment criteria, the project impact statement and the initial assessment report are then released for public comment and submissions invited from the community. This provides for greater transparency and scrutiny, as the public will be able to not only review and comment on the proponent's response to the assessment criteria, but also the panel's and regulators' initial consideration of that response.

Public hearings are then held. Following the hearings, the panel and the regulators are required to review their advice in the context of the submissions and the issues raised at the hearings and determine whether to issue the proponent with a major projects permit with conditions, or refuse the proposal.

I would like now to address some key elements of the major projects process in more detail. A major project must be for the 'use and development' of land, not just a proposal to amend a planning scheme, and must meet at least two of the three eligibility criteria set out in the bill, those being whether the project:

- will have a significant impact on, or make a significant contribution to, a region's economy, environment or social fabric;

- is of strategic importance to a region; or

- is of significant scale or complexity.

The Government's view is that projects with the potential to make substantial impacts on or contributions to a region should be able to be assessed by independent expert panels.

Some submissions expressed concerns that the panel's assessment could ignore important local planning requirements. The Government has listened and added additional requirements relating to local planning matters.

Prior to declaring a major project, the determination guidelines will require the Minister for Planning to have regard to any specific local planning controls that are in place. Where detailed local planning on matters such as building heights and city precinct plans has been incorporated within the planning scheme, the Government considers it appropriate that these are given weight in the consideration of any potential major project. The panel is also required to have consideration of these specific local planning matters when preparing the assessment criteria and also when making its final decision.

Another of the bill's safeguards is the requirement for the minister to consult with a range of people before declaring a project. These include the relevant local council and the other councils in the area of the project, state agencies, the Tasmanian Planning Commission, landowners and immediate neighbours. Any of these can provide reasons as to why the minister should or should not declare a project to be a major project.

Importantly, while a project can be considered even if prohibited under the relevant planning schemes, it must be consistent with state policies, the Tasmanian planning policies, further the 'sustainable development' objectives set out in the LUPAA and cannot be inconsistent with the relevant regional land use strategy. If a project does not meet these thresholds, it is ineligible and the minister cannot declare it to be a major project.

Another feature of the bill is the requirement for landowner consent to be provided by a local council, the Crown or the Wellington Park Management Trust before a project can be declared. This means, for example, that the proposed Mt Wellington cable car cannot be considered eligible to be a major project without the consent of the Hobart City Council, as it owns the land.

Some submissions questioned the independence of the assessment panel and the role of the minister in selecting its members. I can confirm that under this bill, the assessment of projects is conducted by an independent panel established by the Tasmanian Planning Commission in the same way as under the current PORS process.

The bill provides direction for the commission to assemble the assessment panel so that the panel consists of a commissioner, or nominee, who is the chair, and at least two individuals who the commission considers to have the appropriate skills and expertise to conduct the assessment of the major project. The commission can also add up to two extra panel members where additional expertise and skills is required. The only role for the minister in this is to be

able to specify the skill set of one of the extra panel members, but not to nominate who the member is.

Many submissions suggested that councils will be sidelined by the process and that communities will not be able to have their voices heard. While the assessment is undertaken by an independent expert panel established by the commission, there is an important role for councils and several opportunities for local communities to be involved.

The bill has been amended to increase consultation with councils throughout the process rather than relying on their representation as a panel member in the assessment process. Removing the requirement for a council representative on the assessment panel further ensures the independence of the commission's appointment process and reduces the risk of conflict between community advocacy and planning assessment roles, adding to the independence of the panel.

The bill has been further modified so that councils will be consulted as councils, not just in their roles as local planning authorities. This will enable them to represent views relating to all their local government functions and, most importantly, enable them to truly represent the views of their community. Councils will be consulted at every key stage, including before a project is declared, before the assessment criteria are finalised and during the assessment stage of the process.

Major projects rarely just need a planning permit. By their nature they may need multiple approvals relating to environmental, historic cultural heritage, Aboriginal heritage, threatened species and other matters. One of the problems with the current PORS process is that it cannot consider all of these issues at the one time.

This can result in two problems. A project that successfully obtains a planning permit may fail when it subsequently seeks a permit relating to one of these other areas such as Aboriginal heritage or threatened species, meaning expensive and time-consuming planning effort has been wasted. Alternatively, the regulators of these other matters may feel pressured into giving approvals because they are approached late in the overall process after the applicant has already invested heavily in the proposal.

This bill provides for a range of permits to be sought at the planning stage through a single application process, with coordinated, concurrent assessments undertaken by the normal regulators. Importantly, each of the regulators will carry out their normal assessment independently and feed that advice back to the assessment panel.

The bill makes it clear that regulators are required to conduct their assessments in a manner that is required under their own legislation, not to a lower standard, as some submissions have suggested could occur. Each regulator must recommend refusal if it is not appropriate to issue a permit under its own legislation.

There has also been a significant misunderstanding or deliberate misrepresentation of the extent of public engagement provided in the bill. The reality is that the major projects amendments actually increase opportunities for public engagement compared to the current PORS process.

There are four stages of community input into a major project. First, a range of interested parties have up to 28 days to advise whether they think the minister should declare a project. This includes the owner of the land, owners and occupiers of adjoining land, the relevant local council and other councils in the region, relevant state agencies and the Tasmanian Planning Commission.

Second, the broader community has 14 days to comment on the draft assessment criteria prepared by the panel and regulators before they are finalised. The assessment criteria are the project-specific rules against which the project will be assessed by the independent panel.

Third, the public has 28 days to make representations to the exhibition of the proposal, the major project impact statement and the panel's initial assessment report based on the information provided at that point, including the preliminary advice of the separate regulators.

This provides for greater transparency and scrutiny, as the public will be able to not only review and comment on the proponent's response to the assessment criteria, but also the panel and regulators' initial consideration of that response.

Finally, interested parties have the opportunity to appear before the independent panel at a public hearing to follow up on a representation. Hearings are not specifically limited in duration. All persons who lodge a representation will be invited to appear before the panel.

The bill provides for a comprehensive and rigorous assessment process with no 'short cuts' or political involvement. The panel has the discretion to approve a major project or refuse it. If a major project permit is issued, the relevant planning scheme can be amended to remove any inconsistency between the permit and the planning scheme. Again, this is not new. It is consistent with the Projects of State Significance and PORS processes that we have had for years.

Some submissions were concerned that the major projects process could lead to broad changes to planning schemes which would allow other projects of the same type or scale to be approved under the normal DA process. This has never been the intention and the bill makes it clear that any amendment is limited to the specific site of the project.

Finally, I want to address comments regarding the inability to appeal the panel's decision on merit to the Resource Management and Planning Appeals Tribunal. The major projects process is consistent with the existing PORS process; there is no appeal on the merit of the proposal to RMPAT or any other body. This matter was raised during the debate on the PORS process in 2009, and the response to it then is still valid today. It is not appropriate to appeal the decision of one independent expert panel to another expert panel.

This is completely consistent with all decisions made by panels established by the Tasmanian Planning Commission, except where the commission acts as a planning authority under the Major Infrastructure Development Approvals Act, or MIDAA. Consequently, there is no loss of appeal rights from those currently in place under existing legislation because those rights never existed.

The point of appeals is to provide an opportunity for representors to be heard and for proposals to be tested by an independent expert panel. The bill provides for this in an efficient and accountable way.

The major projects bill is the culmination of a long process of analysis and drafting following three rounds of public consultation. While some will claim it aims to fast-track proposals and eliminate public scrutiny, nothing could be further from the truth.

This bill sets out arguably the most open and transparent approval process for major projects in the nation, while providing for all of the key planning-related permits in a single process. The bill balances time savings for proponents with adequate time for regulators and the independent panel to thoroughly assess a proposal.

Modelling of the time frames indicates that a full major project assessment would take about 11 months. The Government has taken advice from the regulators, local government and major industry bodies as to their requirements and expectations of the process and there is a consistent view that certainty of time frames is preferred over open-ended and unpredictable processes.

In conclusion, this bill will provide a robust, transparent and comprehensive process to assess the major projects Tasmania needs to rebuild and recover from the COVID-19 crisis through an independent process based on established planning laws and meaningful public engagement.

I commend the bill to the House.

[3.34 p.m.]

Ms DOW (Braddon) - Madam Speaker, I rise to speak on the Land Use Planning Approvals Amendment (Major Projects) Bill. From the outset, I state that Tasmanian Labor believes the current planning process is far from perfect and we support the principle of the proposed planning reforms. I thank Brian from the PPU and David and Leigh from the minister's office for the briefing last week.

There is a need to improve the process for assessing complex projects across Tasmania and I note in this bill, the inclusion of the coordinated process across regulatory approvals processes.

It is also worth noting that the proposed major projects process is not about fast-tracking approval processes. Rather, it is about ensuring that highly complex proposals are able to be assessed on their merits by an independent panel. Furthermore, many major projects end up being taken out of the hands of councils and assessed by an expert panel on appeal.

The existing process is costly for both proponents and opponents of major projects and it also often leads to long delays, creating uncertainty for both parties. It is my understanding that this proposed reform aims to address this. I note that there is considerable community concern about the lack of appeals process in this bill.

Having major projects assessed on their merits by an independent panel will help make the process fairer, more consistent and take the politics out of planning. However, we will be proposing some amendments which I will outline later today but I have some copies to circulate to everybody.

This bill is all about the Liberal Government trying to demonstrate that they will eventually build something in Tasmania and attract investment, despite their appalling

infrastructure and regional investment record. To date, they have not managed to build much at all. There are plenty of proposed projects, including underground bus malls, Derwent ferries, the Bridgewater bridge, the Cradle Mountain upgrade, northern light rail and the Burnie port and the list goes on.

After six years, the Government has finally introduced this bill under the guise of economic recovery during COVID-19. The simple fact is it is going to take more than a major projects bill to rebuild Tasmania and create the economic activity that our state needs right now and over the coming years. Planning reform is but one of these priorities, albeit very important, and this bill alone will not create jobs in Tasmania.

This Government has no plan for our recovery and no plan to create jobs for Tasmanians. In contrast, Labor does have a plan to rebuild Tasmania and to work with our key industries, right across the state, to create jobs in Tasmania. This plan is our detailed COVID-19 recovery plan, which I hold up today.

In supporting this legislation, we will be calling on the Government to support the measures outlined in our COVID-19 recovery package, aimed at creating jobs and rebuilding a better and fairer Tasmania.

Our priorities for economic activity and job creation are outlined in this comprehensive document which was our submission to PESRAC. I note PESRAC has recommended a number of our initiatives to create jobs in Tasmania for adoption by the Government and it would be remiss of the Government not to do so.

Some of these job-creating initiatives we are calling on the Government to adopt are free TAFE and mandated numbers of apprentices on government jobs. When we finally see you build these Tasmanian infrastructure projects, we want Tasmanian jobs to be a priority. We want to see more Tasmanian benefits from targeted government procurement processes and a true approach to buy local and employ local by this Government.

It is important to note that all of these initiatives outlined in our plan were developed in consultation with industry and key stakeholders and that we will be working cooperatively with business, industry and other levels of government to create job opportunities in Tasmania.

The Government has used this legislation to wedge the Labor Party. It is not our responsibility to defend or provide information about the Government's bill. This is the Government's bill and it was their responsibility to communicate comprehensively with our communities. To date, a lot of the opposition to this bill has been aimed at Tasmanian Labor when it should have been aimed at the Government to ensure they amended the bill to address community concerns.

It is also concerning that the Government failed to include all of the submissions on the website. This demonstrates again the Government's inability to provide information and communication about this bill. We acknowledge that the Government has made some changes which has made some minor improvements to the bill which we support. These include removing the role of a council representative on the development assessment panel, enabling councils to participate and advocate freely on behalf of their community and oppose or lobby for an individual project.

Having previously been involved in local government - and I do not speak today on behalf of local government, I speak on behalf of my own personal experiences - I understand that councillors are not currently able to approve or reject projects on the basis of community sentiment but must act as a planning authority. This process prevents councillors from speaking out publicly, either against or in favour of development proposals, significantly limiting their ability to represent the views or interests of their communities whilst acting as a planning authority. I note that this change introduced to the final draft of the major projects bill is also supported by LGAT in my consultation with them. We hope that this enhances the role of local government in the process.

I note there is also consolidation of the eligibility criteria and there is further clarification about having regard to specific local planning controls, with the bill requiring the minister for Planning to have regard to any specific local planning controls, including building heights.

I wanted to ask the minister to further explain clause 60K(5), and the implications for this and 60P(2)(b) for local communities and the practicalities of how the inclusion of this in the bill will play out. What will it look like for those communities and those councils?

I note that proposed section 60C(3) now explicitly states that proposals must consist of a use and development and I also note that there have been considerable concerns raised about particular projects reliant on large-scale rezoning and scheme amendments.

The other point I note is in the Government's frequently answered questions brochure, or information leaflet, to the community on the northern regional prison project. On 18 June 2020, it outlines the following question and answer: will the Government's Major Project Legislation be used to fast-track the prison? No, the Government will not be calling in this project as a major project.

However, there are still outstanding community concerns that the community believes have not been addressed as part of the third iteration of the bill. Our proposed amendments will look at ways to enhance the capacity of the community to participate in the process, strengthen public confidence in the independence of the assessment panel and improve transparency in the process.

Labor will not be drawn into the hysteria of the Greens nor the polarisation of the Liberals. We have approached this bill with a balanced approach, with an open mind -

Ms O'Connor - Hysteria? Because we are representing communities does not make us hysterical.

Madam SPEAKER - Order.

Ms DOW - We have listened to the concerns raised by the community and stakeholders and we have taken the time to identify areas for improvement in line with these concerns. Perhaps the lack of communication and complexity of the bill presented by the Government has been deliberate to foster uncertainty and division in the usual wedge political style of this Government. This further substantiates Labor's belief that this bill will take the politics out of planning which we believe can only be a very positive development.

The Government has done an appalling job communicating the changes proposed in this legislation to the community. This has led to significant concerns and some misinformation and understandable confusion about the planning process which has been proposed. Stakeholders have seized this opportunity to highlight their concerns and fill this void of useful and constructive information from the Government.

This brings me to the history of the bill which is an important part of this proposed legislation. In 2009, the Projects of Regional Significance process was introduced by the then Labor government. This process was to address the gap between the DA process and project of state significance process and I will read a couple of excerpts from the second reading speech at that time -

> Projects of Regional Significance introduces a completely new project category and assessment process into the state planning system. Whilst we have the traditional Land Use Planning and Approval Act assessment process it is essentially designed to deal with local projects with local impacts in individual council areas. It should be acknowledged that on occasions when a local project is considered to have an impact on an adjoining council area the councils involved sometimes get together to consult on a particular project, but there is certainly no legislative guarantee or requirement for the level of consultation to occur. More importantly, there is no statutory requirement for a council to consider the wider regional impacts that a particular project might have.

That sets the scene for the introduction of that legislation all those years ago. As has been noted by the minister, to date the process has not been used.

The Liberals came to office in 2014 with a commitment to introduce the major projects legislation. The Projects of Regional Significance legislation was to be reviewed after five years. However, this did not occur either. We think there is merit in this current bill before the House being reviewed independently in the future. I will discuss this more in my proposed amendments.

As you will note from the key features of the original bill which the minister outlined, there was included the ability of the planning authority, minister or proponent to refer a project for referral to be assessed as a project of regional significance. This project would then be assessed by an independent panel and, as noted, there was no right of appeal included in the pause process. The fact is, the pause process could have been used over the last 11 years to assess a project of regional significance in Tasmania but it has not.

The point I make today is that the major project legislation is not unprecedented. Many submissions and representations received on this bill had concerns about this. Six years on and three iterations later the Government has introduced this complex bill which will replace the current Projects of Regional Significance process. My research indicates that the bill contains twice as many pages as PORS and every review of it has made it more complex and quite technical. In fact, this was one of the concerns raised in a number of submissions, including, I believe, in the submission by the TPC.

This sums up the Liberals' planning reform efforts to date: the Government has failed to create a fairer, simpler and faster planning scheme in Tasmania. This leads me to some points on the current planning system in Tasmania.

Planning in Tasmania is undervalued and under resourced. While the Government spent six years reworking this bill, its work and focus could have been on strengthening our system, developing our planning policies and setting a values proposition for the Tasmanian community. Tasmania has changed significantly over the past six years.

I have had feedback from southern councils regarding their concerns for the need to review and update the Southern Tasmania Regional Land Use Strategy. This work is critical to the future development assessment in the state. It may be currently holding back developments.

I will read from LGAT's submission to PESRAC and note a proposal to improve planning resources in the state This has great merit and identifies some of the issues around planning in the state -

> Our proposal is to establish a single Local Government owned authority to deliver high order planning and EHO [environmental health services] to councils. The model would involve regional hubs to allow proximity to council premises and cost-effective site visits and community access to work alongside and build capacity of locally based council officers who are at an early professional, or paraprofessional stage.
>
> Having a central repository of senior/specialist planners available for use by councils could enhance the capabilities of smaller councils through:
>
> - assistance with advice, discussions and assessments regarding controversial or significant development proposals and applications;
> - assistance with energy supply applications such as wind farms;
> - targeted advice and/or assistance with longer term land use issues and plans for the municipality, including consideration of Tasmanian planning policies;
> - help to process permit applications and planning scheme amendments in peak periods to enable councils to meet statutory timeframes or when council planning officers are not available; and
> - preparation of draft submissions/presentations to the TPC or RMPAT.

We believe there is an opportunity for a similar role to interface with the community but also with proponents to provide independent advice and assistance to both of those. That is a gap that is missing. Councils are often not able to fulfil that because of their role as a planning authority. There may be perceptions of bias if they are giving out advice. We would like to see that considered as part of this overall proposal to strengthen planning resources across the state.

I make reference to the last part -

> While the ultimate model would include shared services for both planners and EHOs, it is considered that planners should be the initial focus, as construction and development has been highlighted as a key focus for federal and state governments in our economic recovery, with a number of facilitatory stimulus measures having been introduced. Approval timeframes and 'red tape' are often cited as barriers to projects commencing, and while this is not always the case, the number one impediment to local government approving development more rapidly currently is a shortage of planners. This shortage risks becoming a major factor in delaying the extensive construction plans of our state and federal governments.

I thought it was important to include that in today's debate.

I will finish with a number of questions related to issues raised in the submission. The first is in proposed subclause 60ZZM(4)(c) 'the project would not be in contravention of a State Policy'. The TPC submission and other submissions have questioned that terminology in that it should read 'consistent with' rather than 'in contravention of'. Why was consideration not given to changing that?

This further question relates to that subclause. If the proposed project is on Crown land or Wellington Park, does it have to be consistent with the relevant management plan?

My last question is on public exhibition of each aspect of the documentation that is included as part of the consultation process and being exhibited for feedback. Where will those documents be exhibited? How will they be made accessible to the community? Will there be a role for local councils to play in providing access to that information or will it predominantly be the role of the TPC? I am thinking about more regional communities that are not based near Hobart. Councils might be a better place for that information to be shared and be accessible to the public.

We have proposed five amendments to the bill. We are looking at ways to enhance the capacity of the community to participate in the process, including a further examination of a right to appeal, strength and public confidence in the independence of the assessment panel, ensuring transparency regarding political donations and ensuring regular reviews of the legislation are undertaken.

I have circulated the amendments and we would like to move into Committee to put our amendments and debate them. This bill is about the Government trying to demonstrate that they will eventually build something in Tasmania and attract investment, despite their appalling infrastructure and regional investment record. To date they have not managed to build much at all. There are plenty of examples which I alluded to at the beginning of my contribution this afternoon.

The Government has had six years. They have finally introduced this bill under the guise of economic recovery during COVID-19. It is going to take more than this bill to rebuild Tasmania and create the economic activity that our state needs now and over the coming years. Planning reform is just one of these priorities. Although it is very important, this bill alone will not create jobs in Tasmania.

The Government has no plan for our recovery and no plan to create jobs for Tasmania. Labor does have a plan to rebuild Tasmania and to work with our key industries to create jobs in Tasmania. That is our detailed COVID-19 recovery plan, which I talked about earlier in my contribution. It is solely aimed at creating jobs and building a better and fairer Tasmania.

We agree with the intent of the legislation and have given our reasons for our proposed amendments, which I am hopeful the Government others will give due consideration to during the course of the debate today.

[3.53 p.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, Tasmanians are passionate defenders of their place. They will always stand up for their publicly owned heritage, unique wild places, and the way they like to live. The original custodians of lutruwita/Tasmania, the palawa people, have treasured and cared for our island from time beyond what we can imagine. Public land should be protected from privatisation. Its value should not be lost. Our exclusive access should not be gifted to corporates.

Tasmanians do not want their landscape and lifestyle changed beyond imagining without having a proper conversation and agreeing to it first. We have a history of governments laying out the red carpet for corporate free-for-alls. We have seen cronyism, syphoning public money to corporate mates, secret deals, purpose-designed loopholes, fast-track laws. You only have to look back at the pulp mill legislation. Both Labor and Liberal parties have form in this area.

In 2014, the Liberals appointed the former CEO of the Property Council to take a hatchet job to the Tasmanian Planning Scheme and rewrite it under the guise of making it simpler, cheaper, faster and fairer for developers. The result has been a new planning scheme that makes it almost impossible to protect local character and values, even when they have been enshrined in a local plan designed by the council and the community together and signed off formally by the Tasmanian Planning Commission, which is what happened in Kangaroo Bay.

We have lost the ability for the community to have a meaningful say about what developments happen where they live or the public places they love to spend time in. It has given us even weaker protections for the environment, heritage, amenity and local character and, let us face it, they were already pitifully poor.

When they came to office the Liberals also set up the Office of the Coordinator-General and handed that person the job of auditing all the Crown land across the state and selecting the special places that could be offered up to developers at a cheaper rate. Add to that the expressions of interest process for tourism developments in national parks, reserves and on Crown land, which opened up our protected wilderness for exploitation and also were run through the opaque Office of Coordinator-General's so-called processes.

In the last three years we have seen a flood of development proposals for Crown lands, including in national parks, World Heritage Area and nature conservation areas. The Office of the Coordinator-General has actively solicited investors to apply through secret tendering processes under the cover of commercial-in-confidence to develop our public land that has never before been available. What we have seen is a feeding frenzy of private investors rushing to snap up some of the last free real estate in Australia.

Ms O'Connor - Rent-seekers.

Dr WOODRUFF - Yes. The irony is that while it is convenient for local communities to be painted as anti-development by the Government - and typically all the people who put submissions in from organisations and communities around Tasmania in relation to the bill are painted time and again as being anti-development - the irony is that in most cases the community themselves are keen for some development, but they do not want it on steroids and they do not want it without the idea of what is being traded away in their name. They want to have a conversation.

For example, the hotel that has been approved for Kangaroo Bay under the pretence of being a hospitality training centre was once Crown land but is now owned by the petroleum company Shandong Chambroad. That deal happened after President Xi Xin Ping's visit to Tasmania in 2014 at the invitation of the Liberals and after the Coordinator-General flew to China multiple times to drum up developments in Tasmania.

The Bellerive community want a development on the foreshore but they have been vocal in their outrage at a hotel that will be far higher than the planning scheme allows. It blocks access and views of the water and kunanyi for residents, along with the planned public open space that contravened their existing planning policy. It does not meet any of the community's real needs because it is still sitting there unbuilt and is about to come up again in October for the developer who has not made a substantial start. The community will certainly be hoping that something decent can be negotiated if that development disappears and there can be a real conversation with people about what they want in their backyard.

What has happened at Kangaroo Bay typifies the lack of trust and transparency that unfortunately communities around Tasmania have in the development and infrastructure approval processes. All the arrangements for that development were secretive and the DA was handed in a week before Christmas in 2016 just to make it as hard as possible for people to get expert advice and make a submission. Shouldn't that be something that was changed in this bill? Shouldn't we have an amendment to LUPAA that makes it impossible for a developer to submit a major development application the week before Christmas? It is a disgraceful situation that makes a mockery of proper consultation. It is little wonder that Tasmanians have responded in droves to this bill's consultation with a resounding no.

I want to come to the submission process. We were informed that there are in fact 1755 individual submissions that have been made to this major projects bill as part of the consultation draft document, but only 1549 of them have been made available to me as a legislator and every other member of this House to view and understand the concerns of people who have made those submissions. A total 206 submissions, 12 per cent of what was received, has not been published on the Department of Justice's website, despite the fact that some people sent these submissions in months ago.

This is beyond appalling. The minister has the machinery of his department. If this Government continues to be so incapable of posting material and submissions on their websites, people have to ask - and the Greens have asked - what is going on here. This is not only happening on this bill or for this minister; it is regularly the occurrence that the department will only put up submissions for major bills a day before, or even on the day, the bill is being debated.

Here we are where 98 per cent of the submissions we have been able to see of the 1549 were vehemently opposed to this bill, while only 12 submissions, which is less than 1 per cent,

supported the bill, but we have to be clear that eight of those 12 submissions were from organisations who have a vested interest such as the Department of State Growth, TasNetworks, the Housing Industry Association, the Minerals and Energy Council, Cement, Concrete and Aggregates Australia, the Master Builders Association, the tourism industry and TasPorts. We have four submissions out of 1549 that were against this bill and did not have a vested interest. What a joke of a consultation process this has been.

The Greens would be the last party to say that the current planning scheme does not need improving. It does. We voted against the Tasmanian Planning Scheme when it was introduced in 2015, the amendment to LUPAA, not because we do not want consistency and certainty in planning legislation or cheaper, fairer and simpler planning laws. We do. We voted against the TPS and we will vote against this bill because at its heart, they continue the history of the Labor and Liberal parties working with big industry and developers to weaken the ability of our regulators to protect our environment and Aboriginal and built heritage.

This is what we need to do to protect our growing national and international reputation as a significant natural gem. Our Aboriginal and built heritage and our natural environment are a huge part of the state's economy now and the wellbeing of residents and they are part of our global treasure for which we act as custodians on behalf of every person on this planet, now and into the future.

This bill continues the progress of removing appeal rights and government accountability about the most controversial decisions. It is the most recent addition to the suite of planning laws that tries to shut out community dissent on divisive proposals, particularly ones that have a major outreach factor, even if they are not actually major in size.

The Government has been pitching this legislation as essential for the road to a COVID-19 economic recovery as if it is the only way that so-called complex developments can sensibly be approved. That is just not true. There are already three pieces of planning legislation, the projects of state significance, the projects of regional significance and the major infrastructure development approvals, that can be used to do what this bill does. They all deal with different projects of different scale that cross multiple council boundaries, but none of those would make it as easy as this bill does to green-light the planning process for companies that are pushing controversial developments through against strong community opposition.

This bill means that controversial developments that have already been through a council planning process and been rejected, or those that were approved by a council but have had that decision overturned through an appeal process or those that are currently prohibited developments within a planning scheme, can be called in and assessed under this legislation.

For example, Cambria Green, the large-scale inappropriate development complex outside Swansea, could be considered and, despite a rezoning application for the proponent's land having been rejected by the Tasmanian Planning Commission, it could still be submitted under this major projects bill.

The Hobart City Council and the community have been crystal clear that they do not want public land to be used for a cable car on kunanyi/Mt Wellington, but even if the council rejects the current DA it could still be assessed under major projects, despite what the minister says.

Hobart residents have waged a fierce battle for the past five years to protect the character of the city and the mantle of kunanyi from being overwhelmed by skyscrapers. Hobart and Launceston are heritage-rich cities that contain more intact old buildings than elsewhere in Australia. Our cities have human scale and an intact aesthetic that delights visitors and gives the residents daily pleasure.

Once skyscrapers start, it opens the door to a flood of developers who want to jump into the same space. We have only to look at the docklands in Melbourne to see a chilling example of what is happening in other cities in Australia.

When the Premier was the Planning minister in 2017 he said:

> I do not support skyscrapers but it is not for me to call them in. It is for local government to utilise the tools available to them, which this Government has made available to manage the way these things develop.

Well, hasn't he changed his mind, Madam Speaker? Here we have a bill which apparently could be used to call in a skyscraper development if it gets knocked back by the city council. The previous premier, Will Hodgman, in 2018 also said that the Hobart City Council 'should have the ability to put a sensible and practical hard ceiling on maximum building heights'. Wouldn't the people of Hobart like that to be true? That is what they want, but this bill makes it possible to override any hard anything in a planning scheme - anything that is prohibited, anything that is definite, anything that is prescribed, any local specificity has to be looked at but can be overridden. It does not have to be maintained. The bill before us gives no assurance to residents who want their council to agree to building height limits and then have them kept.

The Clarence City Council invited tenders to develop Rosny Hill in 2014, even though they had never consulted their own community about what its views were on how they wanted to have this loved and heavily used public space developed. The council went ahead and approved a 60-room hotel, two restaurants and café on a crown land nature conservation area which is surrounded by suburbs.

The community is appealing that appalling decision to the Resource Management and Planning Appeals Tribunal and are in the process of fundraising the cost, which will be in tens of thousands of dollars through community effort, but under this bill, if they win, that development could theoretically be submitted again as a major project, although I believe that the proponent in this instance has said that he would not go down that path.

The community of Westbury is deeply concerned that this bill would enable the prison proposal to be ripped out of the normal planning scheme approvals and treated to a fast-track assessment. The new proposed location was not on the original list of possible prison sites and has been protected as part of the Tasmanian and Australian reserved forest estate. It is a precious bird and devil habitat amongst fast-disappearing connected land.

This is a community that already knows too much about having little say about what is going to happen in their own backyard. Members of government might like to groan and think we are overstating the prospect of these things happening, but you only have to look at the fact that this is already being proposed on a Tasmanian reserved estate. It just goes to show that under this Government and the planning laws that have been constructed and this bill which is being proposed, that nothing is sacred, nothing is really protected.

This bill has so many details and problems in it, not least of which is the time frame for the consultation and the complexity of the legislation. Planning legislation is some of the most lengthy and complex of all and we have some comments that I want to read from the Tasmanian Planning Commission on this bill. The Tasmanian Planning Commission will be given a major role in the major projects bill because of their responsibility to oversee the assessment process.

Mr Jaensch - Thank you for acknowledging that.

Dr WOODRUFF - A major role, not the only role. The minister has plenty to say about it too. We will get on to that. However, the Planning Commission said that:

> … the drafting style of the Bill is extremely prescriptive, complex and at times circuitous. It is difficult to follow, and contrary to the desired outcome of simplifying processes and procedures, confounds and compounds the levels of complexity.

I am very grateful to the Planning Commission for making that statement because that is exactly how I felt when I read the bill. I was starting to wonder if I was going a little bit nuts trying to work through some of the components of this bill. It is some of the most torturous legislation I have had to read. The commission has further commented that:

> … with this prescriptive style of drafting is a significant increase in the legal advice and administrative support required to give effect to the statutory processes. This increase in administration has the potential to slow assessments. Notably, the risk of errors occurring in what may be considered 'administrative' steps contained in the legislation, has increased.

Madam Speaker, there you go. The body that is responsible for overseeing this development assessment process for major projects thinks that this is a dog of a bill and it is going to make their process longer and effectively more expensive. Longer processes cost more and it will be slower for that reason and more obtuse.

Ms O'Connor - But the fix is in through the TPC review, Dr Woodruff.

Dr WOODRUFF - Thank you for reminding me, Ms O'Connor, that all of this bill is coming before the Tasmanian Planning Commission review results come in. The Tasmanian Planning Commission itself is under review right at this moment by the same Government who is bringing this bill in, so who knows what is going to be in the changed Tasmanian Planning Commission Act? Who knows how they are going to be constrained and directed? We are deeply concerned, along with so many other people in the community, about the very unholy timing of a Tasmanian Planning Commission review at the same time as this bill, both during the COVID pandemic height and at a time when people had the least ability to provide the focus they needed. Despite that, so many people made the effort.

It is not just the Tasmanian Planning Commission who has made these points about the complexity of the legislation. ABC news reported last week that a policy adviser within the Parks department has privately criticised the state Government's controversial bill as 'overly complex and failing to actually speed up assessment processes'. The leaked email the ABC reported on showed a manager within the policy branch of DPIPWE questioning what, if any,

advice previously provided by the department has been incorporated into this bill. Commenting on the draft legislation, the manager said:

> From the quick scan of it now, it appears overly administratively complex. There is no clear demonstration that the Bill will actually provide any efficiencies over the current legislative framework.

The person added that it was unclear how the proposed amendments would apply to reserve land - in general terms, land that has been protected - and said the department has not been consulted on the laws since 2017.

When the minister went on at length before about the extensive consultation process for this bill, let us not forget it was a thought bubble in 2015, it was talked about in draft form version 1 in 2017, and we saw the first draft of the bill which the minister likes to suggest was effectively the same as the current 209-page draft. The point is that people are only now seeing the final words, which is what people only got to look at during COVID-19 for a short period of six weeks. Unless they get to see the actual words they cannot comment on generalities and people have never had a chance to look at this legislation until that very short period. Shame on this Government. That is not a consultation process.

In addition, just for the record, that consultation process provided no clause notes and no fact sheets. It was a 206-page bill released for public consultation without any accompanying material: nothing to support the complexity of the bill which we have on record now the Planning Commission thinks is a turgid document; my words not theirs.

The bill overrides the longstanding Land Use Planning and Approvals Act and makes a mockery of the Liberals' claims that they have created a planning scheme that provides certainty and hard limits, which is what developers wanted. That is what the community want; they actually want certainty. This throws it up in the air and makes it all open again. This is hardly where we want to be at this time.

The choice of membership for the development assessment panel can be directed by the minister and it leaves the door wide open to the potential for political influence. The bill fundamentally fails at its core because it removes an essential right to appeal. People will not be able to appeal a major project decision to the Resource Management Planning and Appeals Tribunal.

This is the usual pathway for appeals under LUPAA. This is an amendment to the Land Use Planning and Approvals Act. People ought to be able to have the same rights under LUPAA for a major projects approval assessment process, as they do anywhere else. We do not accept the minister's view in this regard. The only available pathway then for people through a major projects bill is a judicial review to the Supreme Court. That would be a case that would be taken on procedural grounds but not on matters of planning substance or the merits of the development.

The COVID-19 pandemic has been unsettling communities across the planet. Right now, Tasmanian industries that are the backbone of so many jobs are in a state of freefall. Many people, especially young people, are full of anxiety. People are desperate to see fair processes operating in development decisions. They want the balance to favour a community's interest instead of weighting things all the time to big developers. The pain and destabilisation that

COVID-19 has forced on so many people have given us pause to assess what we value the most.

We have had the opportunity at this point to shape our future in the most positive way and the door is open to make decisions that will set this state's course for generations to come. Large and controversial developments, by definition, have more significant impacts on the natural world and our collective future. We really need to see laws that expand the democratic processes underpinning major planning decisions instead of unstitching them.

This is the time for unity and building trust. People want government institutions that have their back; not ones that stonewall or hide information about public land or about government stuff-ups. People can see secret deals being made everywhere and abuses of power and they can see we have a planning scheme that gives them almost no levers to object to a development except through expensive private litigation.

People want planning processes that are incorruptible, fair dealings between parties, and an appeals process for major developments that does not start at $50 000. People were very concerned recently about the role of lobby groups and influencing decisions of ministers. When they saw the CEO of the Tasmanian Hospitality Association publicly thanking the secretary of DPIPWE, Tim Baker, for helping get a bunch of workers through the COVID-19 essential workers exemption process, people asked the obvious question: did the secretary give them special treatment? This is a serious question, a serious matter to ask.

When the Greens did an RTI of the process and we saw that the CEO of the THA said, 'hey mate, can you help me with this?' with a smiley face emoji for the Hansard. This is not the sort of relationship that people want between ministers, departments and big developers. This is not an appropriate process. We need to see an end to the special relationship and the processes that can be corrupted by money. The Liberals received $4.1 million in donations in 2017-18, including hundreds of thousands of dollars from poker machine groups -

Ms O'Connor - They were just the ones that were declared.

Dr WOODRUFF - They did not declare $3 million in those donations because they came below the threshold of $13 800 that is required to be reported. We have to have donations reform. There is a lack of transparency around political donations and secret and vast sums of money are being funnelled in to support the Liberals, and the Labor Party, by third parties because they cannot be traced.

We did have the THA funding the Liberals before the election for $160 000, and Kalis Group, who got the special exemptions for essential workers to finish off the Crowne Plaza, and for the public relations person to come to the launch. Those people also funded the Liberals. This is the sort of relationship people can see. This is the sort of relationship that builds a lack of trust and this is what people want to stop.

The Greens have a strong position, and we act on our position every day, with political donations. The Labor and the Liberal parties both talk but do nothing. Until that changes, we cannot have confidence in the relationship between lobbyists and big developers and ministers. We have to have laws that make sure that we keep them as far apart from each other as possible.

To be clear, the Greens do not support this bill. We do not support the principles it is based on. They are corrupted and they are undemocratic processes. We do not support the removal of the little that remains of the community voice and protections for the environment and heritage. The bill is a recipe for continuing anger and division around planning issues and at a time of COVID-19 recovery, we should be focused on uniting us. This bill contributes nothing of value in a post-pandemic Tasmania.

[4.21 p.m.]

Ms OGILVIE (Clark) - Madam Speaker, I also rise to make a fairly contained contribution in relation to the Land Use Planning and Approvals Amendment (Major Projects) Bill, which is ostensibly to refine the assessment for major projects, the assessment process.

The Government's major projects assessment process will replace and ostensibly aims to improve upon the current Projects of Regional Significance process. It retains many elements of PORS but adds an additional fatal flaws test with increased certainty in regards to time frames and provides coordinated assessment by a number of statutory regulators.

I understand the foundation for wanting to improve processes. The minister and I do not always see eye to eye, but we love a good process. Process improvement is good. The real question is, is this the way to go and have we done enough consultation?

The new assessment process does not seem to provide fast-tracks or shortcuts. It does have a fairly tight context within which something can be declared a major project. Given that it is new legislation and does change the landscape within which decisions are going to be made, questions of scale, complexity and strategic importance will need to be fleshed out so that we know exactly what sort of projects might fall within this bill.

I have a great deal of sympathy with the previous speaker's commentary, particularly around trying to do consultation during COVID-19 times. It is something I contacted the minister about during COVID-19 times. I welcome our planning community members who I think are watching from upstairs.

It is all about context and for some people, COVID-19 time was a time when they had extra time on their hands, when it was possible to do things, like start a new degree, do a lot of reading, get online. For other people, perhaps more so like me in my house, it was a time of three children unexpectedly at home and a husband off work. It was, in fact, a very intensely busy and difficult time and I certainly felt it was difficult, particularly for working mothers, to be able to focus attention on things that were relevant to them and their property rights and relevant to the way they see and view the common land in Tasmania and have a fair say on that. If their houses were like mine, it was difficult and I raised that at the time.

It is intensely complex legislation, as all planning law is. There is a multitude of threads of processes that coalesce around particular projects and processes, and not being a planning lawyer but having some experience in the law and with legislation, I can say it is a fairly weighty tome, so there is some complexity to it.

I always try to err on the side of more, rather than less, consultation. The community engagement piece, particularly around developments and planning and anything that affects from the back fence through to what happens in our national parks, is of great interest to those who are adjacent or use those areas.

There is a world of difference between doing things in our national parks and heritage areas that is related to amenity and infrastructure level work that everybody who visits may need, such as the issues we have had at Bruny around facilities. I think about my beloved road up the mountain built by my great-uncle and grandfather in the Depression era - similar times. Those sorts of access projects and the capacity we are providing to people to exercise their right to enjoy Tasmania seem to me to be a little different from what one would think is a major strategic project.

The cable car has been mentioned a few times but I accept the minister's point that it is really now a function of the Hobart City Council. I had been intending to request some further detail on how that project might sit within this bill, but I accept that is the case although we will be watching that very closely. The people of South Hobart want to be heard on this. It is important and I do not believe it is whingeing about what is happening particularly in a certain area with a particular project. The people who live in South Hobart, and it happens to be my local suburb as well, are very concerned about traffic and the real impacts. We have aged care facilities, kindergartens, childcare centres and two schools on that strip of road. That is a real thing and there can be a lot of binary debate around projects - black and white, yes or no - but in the centre are people and how we live and rub along together. We want jobs but we also like the amenity of where we live. To me, it is important to be doing as much listening as possible; to over-listen, if that is possible.

I will say a couple of words about the red-tape issue; I know that has been mentioned a few times. We love to use the words 'red tape', but what we are really talking about is unnecessary regulatory burden. We have to be careful about that because a lot of what we do in regulation, and particularly subordinate legislation, is about safety, good decision-making and keeping the parameters around those decisions in place. Until we start measuring regulatory burden, measuring red tape in a way we do in the federal sphere, we cannot actually manage it. If we are not measuring it, we cannot manage it. We do not know whether it is going up or down because we do not know what its position is.

Previously I put forward some suggestions with a process that could sit within the Subordinate Legislation Committee around how we could implement a similar local process for that regulatory burden issue, but there is a lot of value in removing duplication. This bill tries to do that and that is a sensible thing to want to do.

We are looking for a holistic approach that balances the rights of landowners and people who use our common areas with those who may want to get projects going, and to make it fair for proponents as well so that they will know early on during the proposition process whether they have a real chance of getting things up or not. It is not in any of our interests to let people waste money when that does not need to happen.

I have read the bill a couple of times and I know we have amendments to come. I will briefly turn to those in a moment, but I am interested in the issue of community engagement. It does seem to me that built in to the process there is community engagement steps, although it is a little confusing to me so perhaps the minister might be able to flesh out exactly what that looks like. I understand a notice might be given to a neighbour so they can get engaged in the process, but it has been my experience in my legal practice and career that unless a person who is affected by a proposal in a major project has access to legal advice it is very difficult for them to navigate the system, particularly if on the other side there is a major developer. This is just a question of the balance of power between somebody who might happen to have, say,

a farm if a big development is happening next door or even lives adjacent to a major development proposal or site, just balancing out that conversation so that the person or people whose property rights are directly affected can have access to some support.

Going forward I would like to see additional money go into the system, whether it is through the EPA or the Community Legal Service or some other organisation, for some pro bono legal assistance for people who are trying to navigate the system. I have to tell you as somebody who has read a few bills in her life, this one is pretty heavy going and it might be a bit difficult for some people who maybe directly affected to be able to work their way through that. I am keen to promote a little more support for those who are going to try to work through that.

During the second reading speech I received a copy of the proposed Labor amendments. I believe we will go into Committee so we will work through those then, but I would like to capture their essence as I see them. I have read them very quickly. One is around donations and gifts and declarations of conflicts of interest, all worthy stuff. Perhaps a couple of them might be unworkable in practice and I wonder whether they should actually be amendments to the Electoral Act. The proposal is sensible but I wonder if it is in the correct act. The other one is the appeals process but no doubt we will go through those in detail.

I have also had the opportunity, again on the fly in the Chamber, to review amendments that have been proposed by Dr Woodruff. There is one I have a bit of an issue with but the rest I am very happy to work through in Committee.

I will leave it at that. If there were to be steps towards further inquiry, communication and consultation, I am always warmly supportive of that. I look forward to going through the clauses and hopefully it will be an interesting afternoon doing that.

[4.34 p.m.]

Mr STREET (Franklin) - Madam Speaker, I am very pleased to speak in support of the Land Use Planning and Approvals Amendment Bill 2020. It is my view and the view of this Government that one of the cornerstones of Tasmania's road to recovery from the COVID-19 pandemic will be our ability to attract and support significant investment in large, complex, job-creating projects that will provide economic stimulus and generate long-term opportunities for our state.

We will need large-scale infrastructure projects, energy projects and industrial projects. It will be important that these projects are well planned and thoroughly assessed through a rigorous and comprehensive assessment process that is appropriate to the significant scale and complexity of these projects. This is a critical point. One end of our planning system provides for the assessment of a standard development application by the relevant planning authority in accordance with the provisions of their planning scheme in a 42-day statutory timeframe. At the other end we have the Projects of State Significance process, a comprehensive two- to three-year integrated assessment undertaken by the Tasmanian Planning Commission which can provide a proponent with all the necessary permits and approvals that will allow a proposal to proceed. Then we have the missing middle - the Projects of Regional Significance - PORS - assessment process.

PORS should provide for a rigorous, comprehensive assessment process for those projects that are not of such significance to our state as to be considered a project of state

significance, but which may be of a certain scale, complexity or regional significance so that they should be able to be elevated beyond the assessment of a council bound by the provisions of its planning scheme. Yet in the 11 years since it came into effect following bipartisan support from the Liberal and Labor parties, PORS has not been used once. You would have to ask why? There are many reasons. For a start PORS may be rigorous but unfortunately is not comprehensive. PORS does not even provide a proponent with the same assessments and considerations as a standard development application. When you factor in the substantial upfront fees, the vague and uncertain times, and the ill-defined process you can begin to see why it has never been used.

The Government is committed to reviewing PORS and replacing it with a better process. Major Projects is that better process. Major Projects is an evolution of and improvement on PORS. It is a series of amendments to section 60 of the Land Use Planning and Approvals Act 1993. Major Projects makes PORS work more efficiently and effectively. It does not take anything away, it does not erode anything and it does not create any new powers.

Major Projects retains many elements of PORS, including ministerial referral, an independent expert assessment panel appointed by the Tasmanian Planning Commission and judicial review. However, it is a more clearly defined assessment process that coordinates a far greater number of permits and approvals within set time frames to provide additional value and certainty of process for proponents while increasing opportunities for public involvement. Major Projects is the assessment process we will need in the future.

Major Projects is the process, for example, that will be used to assess the Bridgewater bridge replacement project. This is a project of strategic significance to our state's south and the centrepiece commitment of a capital city deal. It is a project that impacts on three local government areas as well as an unallocated area of riverbed. It is a project that is going to require a number of complex assessments and permits under a number of acts. This is a project that is clearly going to be eligible for declaration as a major project. Major Projects is the only process through which the Bridgewater bridge replacement project can be assessed in a rigorous, comprehensive and timely manner. Major Projects will elevate and consolidate the assessment of the Bridgewater bridge project from three councils to an independent expert panel appointed by the Tasmanian Planning Commission.

Major Projects will coordinate the assessments of a range of required regulators including the Environmental Protection Authority and the Tasmanian Heritage Council to provide the proponent, in this case the Department of State Growth, with an opportunity to be granted a single consolidated permit. Major Projects will provide certainty of process and time frame and Major Projects will provide for scrutiny from and engagement with the community.

I find it concerning and disappointing to have read in our daily local paper and on social media so many ridiculously alarmist and outlandish claims about Major Projects. It is a process that simply updates and improves upon the current PORS process. It contains nothing new and is consistent with other assessment processes under the Land Use Planning and Approvals Act 1993.

While I firmly believe that everyone is entitled to express their own opinion, I also believe that if you are going to dress that opinion up in the guise of expertise there is an obligation to tell the truth, to represent the facts and not simply spout sensationalist propaganda that has little or no basis in reality.

Dr Woodruff - When people only get such a short amount of time to look at 200 pages, they might not have got it perfectly right. It might have been hard to get it perfect.

Madam SPEAKER - Order, let the member make his contribution in peace, please.

Mr STREET - Again, Dr Woodruff is asking for a standard of behaviour from the rest of us that she cannot actually apply to herself in this place. What a surprise it is that she would be interjecting when she was heard in silence by everybody else in here.

It is clear that in their ongoing public misrepresentation of the Major Projects process these people and groups have no interest in due process or procedural fairness. By attempting to deny proponents an opportunity to have their proposals given a fair hearing and assessment on their merits, they are not only showing their anti-development prejudice, they have little or no regard for the majority of Tasmanians who care about Tasmania and want to see this state prosper and who are sick and tired of being told what they do and do not want by a vocal minority.

I suspect that the real reason we have seen such a concentrated campaign against Major Projects is that there are those among us who would rather have a protest than a process. It is clear that those who feel threatened by the Major Projects process recognise that Major Projects, in its independence, comprehensiveness and rigour is a statutory assessment process that is free from lobbying, a process free from political interference and a process free from vexatious appeals from the anti-this and anti-that brigade.

Major Projects is nothing to be scared of. It is simply an evolution of and an improvement on the current Projects of Regional Significance process. It is an independent, rigorous and comprehensive statutory assessment process. Major Projects is a process that this state needs. Tasmania's road to recovery from COVID-19 will be built on a foundation of large-scale construction projects, whether they are bridges or wind farms, transmission networks or a university campus.

We need to keep the pipeline of projects flowing smoothly. We need to give our developers and our construction industry certainty. Major Projects provides no fast-tracks, no shortcuts or easy routes. It provides no guarantee of outcome, only a certainty of process.

The reason there are people against this is that the current planning system, as it stands, serves their purpose perfectly. It puts in place vague time frames or extended time frames. It means that developers are not encouraged to have ideas for Tasmania and to present them.

Developers do not want certainty of outcome; they want certainty of process. They want certainty of time frame so they know when they put their money on the table or put their money behind an idea, it is going to be given a fair and rigorous process to go through. That is what we are providing.

The Minister for Planning and his department have put a lot of work in developing and refining the Major Projects process over three years and three rounds of extensive consultation. I congratulate the minister and his department for the amount of work that has gone into this.

They have not made it up, but have followed best practice and drawn from existing assessment processes to develop an independent, rigorous and comprehensive process for the

purposes of assessing projects that are significant in terms of their impacts and contributions, their strategic importance and their scale and complexity.

[4.43 p.m.]

Mr TUCKER (Lyons) - Madam Speaker, I am very pleased to support the bill. As the Minister for Planning has already stated, the Major Projects assessment process improves and expands upon the current Projects of Regional Significance process to provide additional value, certainty and transparency to developers in the community.

At over 200 pages, the bill is complex. I can understand how those of us in this House, who are unfamiliar with the various processes of Tasmania's land use planning system, may find it difficult to follow.

In making my contribution, I will provide the House with a brief run through of the Major Projects assessment process. The Major Projects assessment process has three distinct stages: eligibility, preliminary assessment and assessment.

The eligibility stage is a basic test of whether a proposal is considered eligible to enter the process. A project proposal may be referred for consideration by the proponent, the relevant council or the Minister for Planning. No matter who refers a proposal, its eligibility to be declared a major project is assessed through the same consultative process and against the same criteria.

A project proposal is eligible to be declared a major project if, in the view of the Minister for Planning, it satisfies at least two of the following: it will make a significant impact on, or a significant contribution to, a region; it is of strategic importance to a region and it is of significant scale or complexity. In making a determination in regard to eligibility, the minister is required to seek and have regard to advice from the Tasmanian Planning Commission, state agencies, relevant councils and relevant landowners or occupiers.

The minister is also required to have regard to determination guidelines produced by the independent Tasmanian Planning Commission which will qualify the eligibility criteria. I should note that the minister has no ability whatsoever to influence the commission in their preparation of the guidelines. A proponent is also required to demonstrate that they have landowner consent from any Crown or council landowners or, if relevant, the Wellington Park Management Trust and to have notified any relevant private landowners if the proponent is not the landowner, before a proposal can be declared.

These are the same consent and notification requirements as for other assessment processes under the Land Use Planning and Approvals Act 1993. In addition, while a project proposal may be considered eligible, if it is inconsistent with the relevant planning scheme it cannot be inconsistent with the relevant regional land use strategy, any state policy or any Tasmanian planning policy once these are made.

Finally, if the minister intends to declare a proposal to be a major project, the minister must publish a statement of reasons outlining how the proposal satisfies the eligibility criteria. Once a proposal has been declared to be a major project the preliminary assessment stage commences and the Tasmanian Planning Commission appoints an independent panel of experts.

The panel is required to include a member of the commission or another person nominated by the commission who is to be the chairperson of the panel, along with two other persons who the commission considers to have qualifications and experience relevant to the assessment of the specific major project.

The process of appointing panel members is consistent with how the commission appoints panels for the assessment of proposed planning scheme amendments or a combined development application and planning scheme amendment under section 43 of the Land Use Planning and Approvals Act 1993. The commission may also appoint up to two additional people to the panel should the commission consider it necessary for the assessment of the major project. It is important to note that while the minister may specify in the declaration the qualifications and experience of one of these additional people, the minister has absolutely no role in the appointment of the panel.

In conjunction with the panel being established, the commission provides the proponents project proposal to various relevant regulators for consideration. The regulator then provides advice to the panel. This advice can either inform the panel that the regulator has no matters to assess, that there is a list of matters that will require the proponent to address in order to formally address the proposal and that there is no reasonable prospect of them approving the proposal under their legislation.

Should a regulator provide the panel with advice that there is no reasonable prospect that they can approve the project then it effectively means back to the drawing board for the proponent. The proponent is given an opportunity to submit a revised project proposal or the minister may revoke its major project status. This early advice will potentially save the proponent significant time and money and avoid them having to proceed to a long assessment process without there being a reasonable prospect of approval. The advice from the regulators is compiled by the panel and consolidated draft assessment criteria are produced and then publicly exhibited for 14 days.

Once the public exhibition period has concluded, the panel and the regulator will consider any submissions and then finalise and publish the assessment criteria. The assessment criteria will contain all the matters the proponent will be required to address and which their proposal will be assessed against.

The assessment stage commences when the proponent provides a panel and the regulator with a comprehensive project impact statement addressing all the matters identified in the assessment criteria. The regulator and the panel then undertake an initial assessment of the proponents' project impact statement.

It is important to note that each regulator undertakes the assessment in accordance with the requirements of its own legislation, just as if the major project was any other application.

An initial assessment report is prepared which will consolidate the advice from the regulators, including whether the proposal should be approved or not and an early consideration of the conditions that may apply to a permit. The initial assessment report assessment criteria in the project impact statement are then publicly exhibited for not less than 28 days and submissions are invited from the community. The reason that the exhibition includes the initial assessment report is to provide for additional transparency and scrutiny.

The public will not only be able to review and comment on the proponent's response to the assessment criteria, but also the panel and the regulator's initial consideration of that response. Following the conclusion of the exhibition period, the panel will hold public hearings, and anyone who has made a submission will have a further opportunity to have their opinion heard and considered.

Following the hearings, the panel and the regulator are required to review their advice in the context of the submissions and issues raised at the hearings. The panel will then determine whether to issue the proponent with a major project permit with conditions or refuse the proposal.

As you can see, the major project bill may be complex but the assessment process itself is relatively straightforward.

With all due respect, Mr Deputy Speaker, I am completely mystified how anyone with a modicum of intelligence can, with a straight face, describe it as fast-tracked. It is a rigorous, comprehensive process led by an independent panel of experts, and supported by statutory regulators undertaking their assessments in accordance with their own establishing legislation, just as if it was any other project.

The major projects bill amends section 60 of the Land Use Planning and Approvals Act 1993, to improve and expand upon the current projects of regional significant assessment process. It draws upon other current statutory land use planning assessment processes to provide a coordinated approach to assessment that not only provides certainty of process for proponents but additional opportunities for public input and engagement.

Yes, we are fully aware of the highly organised and noisy opposition to the major projects bill from the illegitimate glow-worm brigade.

Ms O'CONNOR - Point of order, Mr Deputy Speaker. I urge Mr Tucker not to be so disrespectful to everyday members of the community including community groups that have come from all walks of life.

Mr DEPUTY SPEAKER - Ms O'Connor, you will have an opportunity to make your contribution.

Mr TUCKER - Members of both Houses have been subjected to a lot of pressure and relentless lobbying from the anti-brigade. I wish that some of these people had put the same effort into trying to understand the major projects assessment.

Ms Standen - Would you like to repeat that?

Ms O'Connor - Yes, I will repeat it, thank you. Now that Ms Standen has taken a point of order because I called her a fraud for her contribution after my adjournment speech the other night in which she said she was quavering and had a tremor in her voice, she sought to nark on me, even though it was not part of the proceedings or the debate. I urge you to ignore her.

Mr DEPUTY SPEAKER - Ms O'Connor, I am not sure that it is a point of order on the debate we are having. It is more a conversation between the two of you off to the side.

Ms O'Connor - That's right.

Ms STANDEN - Mr Deputy Speaker, I ask that the Leader of the Greens withdraw the comment.

Ms O'Connor - It was not on the record.

Ms STANDEN - You just put it on the record.

Ms O'Connor - That is right, because it is true.

Ms STANDEN - I ask you to ask the Leader of the Greens to withdraw.

Mr DEPUTY SPEAKER - If the member has been offended I ask Ms O'Connor to withdraw the comment.

Ms O'Connor - So it's okay for me to be called a racist by a member - that's fine. I withdraw the statement that Ms Standen is a fraud.

Mr DEPUTY SPEAKER - Thank you, Ms O'Connor. I ask everybody to try to keep the debate respectful, listen to the member on their feet, and wait your turn to make a contribution.

Mr TUCKER - Thank you, Mr Deputy Speaker.

Dr Woodruff - We follow the Standing Orders in this place.

Mr DEPUTY SPEAKER - Perhaps you could continue to do so by not interjecting, Dr Woodruff.

Mr TUCKER - We are fully aware of the highly organised and noisy opposition to the major projects bill from the illegitimate glow-worm brigade. The members of both Houses have been subject to a lot of pressure from the relentless lobbying from the anti-everything brigade. I wish that some of these people had put the same effort into trying to understand the major projects assessment process and a simple update and improvement on the current projects of regional significance process as they have done campaigning against it. An ill-informed opinion remains an ill-informed opinion, no matter how often or loudly it is repeated.

This Government does not respond to bullying and this Government will not be side-tracked by the erroneous and irrelevant when it works hard for the benefit of all Tasmanians.

[4.57 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, on behalf of the part of the parliament that I and Dr Woodruff represent, I apologise to the people of Westbury who have been working so hard not to have a prison on their doorstep. I apologise to the people of Dolphin Sands on the east coast who have worked so hard to stop that mega-development, Cambria Green, go in. I apologise to the Planning Matters Alliance and the East Coast Alliance, all of whom have just been slurred by the member for Lyons who is responsible for arguably the electorate that will have some of the biggest impacts should the major projects

legislation go through. Mr Tucker, you should reflect on the fact that you represent all your community, not just those you choose to hear.

Dr Woodruff has said most of what needs to be said about this appalling legislation. I want to make some specific comments about it, particularly reflecting on my experience before I was elected to parliament when the Walker Corporation was trying to put a 500-home canal estate inside the Ralphs Bay Conservation Area. That was done under the State Policies and Projects Act 1993. Within that legislation it is within the minister of the day's power to declare a project of state significance. The minister is to set out criteria which are to be gazetted in the House but also laid on the table of the House. If a project is declared a project of state significance, it is also to be gazetted and within 10 days it has to be laid on the table of both Houses of the Tasmanian Parliament.

Perhaps Mr Tucker also would have derided the parents, the everyday people, the teachers, the plumbers, but that is how we had an opportunity as a community to have parliament debate the merits or not of Walker Corporation's destructive canal estate inside the Ralphs Bay Conservation Area on the mudflats that are home to myriad migratory bird species, including the pied oyster-catcher, and spotted handfish.

It was that parliamentary oversight that is embedded in the State Policies and Projects Act 1993 that made a real difference to our community, but also to transparency about the process to that point. There are many provisions within major projects legislation that reflect the projects of state significance provisions in the State Policies and Projects Act but this legislation is an absolute dog's breakfast. It is not only offensive to people and place, it is offensive to good law-making.

What we are concerned about, apart from the impact of this legislation on our beautiful island, is that there is a confluence of events that is happening here. We have a government that is reviewing the independent planning system, that is also talking to the Commonwealth about signing a bilateral approval process, not an assessment process, under the Environment Protection and Biodiversity Conservation Act.

We now have the major projects legislation which we are debating here today, and then we have over here the odious and secretive expressions of interest process for development inside the Tasmanian Wilderness World Heritage Area, national parks and other reserved lands. That EOI process is well in train and the stich-up for that started with the rewrite of the Tasmanian Wilderness World Heritage Area Management Plan, which began shortly after the Liberal Government came to office where, embedded within this plan, are all the fixes that are needed to enable private development, commercial development, hard structures, inside the Tasmanian Wilderness World Heritage Area to the point that it is anything goes in the TWWHA, other than if something is declared a wilderness zone.

Then what do you get? You get the Parks and Wildlife Service rewriting the map of what is wilderness in order to enable a development like the proposed development at Halls Island in Lake Malbena, and because we finally got some lease and licence documents back, where the Ombudsman made it clear that the government hiding behind commercial-in-confidence was not good enough, currently Mr Daniel Hackett pays $20 per week to rent out the entire Halls Island at Lake Malbena in the Walls of Jerusalem National Park.

We have these Lego pieces that have been slowly but surely locked into place by a government that is beholden to rent-seekers. This legislation is the rent-seeker revival act of 2020. It makes it clear that if you are a developer who spots a piece of public land or Crown land and have an idea of how to make money out of that land for your own commercial private purposes, this legislation provides the pathway to you. It is rent-seeker legislation.

It is not about enabling more, good private investment on private land. It is allowing developers onto public and Crown lands, and there is a special provision in the major projects legislation for the Wellington Park.

My first question to the minister, if he is listening, is, can he confirm that the major projects legislation covers all reserved lands in Tasmania, whether they be the Tasmanian Wilderness World Heritage area, or our national parks, or our regional reserves, or conservation area, which I believe are all captured under the provision that requires the developer to seek the consent for an application that would sit on Crown land?

On top of this is a non-statutory process which is a fix for developers and a reserve activity assessment process which is almost entirely internal to Parks. There must be people who are so distressed in that agency. When someone in Parks leaked to the Greens a copy of the reserve activity assessment for the Lake Malbina Project we saw Parks had very helpfully suggested to the developer that it would go in at level 3 under the Environment Protection and Biodiversity Conservation Act, which means there was no requirement for a proper assessment or for public consultation. So at every step of the way the fix is in for private developers over people and place.

I would like to ask the minister why no consideration was apparently given to making a declaration of a major project a disallowable instrument so at least parliament would have some oversight over the decisions that you would make as minister to declare a project a major project before it goes into the assessment process. That is good process, giving parliament and elected representatives who represent our communities, that rabble that Mr Tucker was talking about before, an opportunity to examine decisions that are made around Major Project declarations and to have debates in the public interest on the merits of those projects. We are talking about some absolute shockers that could come forward.

One of the most confronting aspects of this Government's tenure over the past six years has been this sense of entitlement to public lands, this sense that public assets, while they are in government, are theirs to play with, to divvy up. There is no better example of that than the expressions of interests process for development inside protected areas.

What did we see at the T21 Visitor Economy Strategy launch the other day, which I am unshocked to say I did not get an invitation to from Mr Luke Martin? Featuring in the action plan are the words, 'Maintain focus on tourism as a priority area for attracting investment and working with proponents to support new projects and address barriers.'

I have to ask, what possible barrier - real, legislative, statutory or process barrier - is there in place now? The only thing that stands between the Tourism Industry Council at its extreme, the leadership of the Tourism Industry Council, rent seekers like the Tasmanian Walking Company, the proponents of Cambria Green, Walker Corporation, Gunns Pty Ltd; the only thing that really stands between those developments and them becoming a reality is civil society in Tasmania.

For decades now Tasmanians have stood up to protect their place. While this legislation will make it harder to do so it is not going to mitigate conflict over land use planning. Surely the Government would want to de-escalate to the greatest extent possible conflict over land use planning. This is a recipe for more conflict as private developers come forward with skyscrapers for the city of Hobart or Launceston, or a mega development on the east coast, or a cable car up kunanyi. You will see again thousands and thousands of Tasmanians who just love this place do what they have always done and stand up to defend it.

Given the dunderheadedness of successive of majority governments in this state it is a wonder that we do not look like an industrial zone. We have had governments here - the Bacon-Lennon government, the Gutwein Government - that see our natural resources as something only to be exploited, who are very cozy with private interests. Yet somehow, we have managed to protect the best of this island.

The assault on this place never stops: the rent seekers, the people looking for the last free real estate, the loggers, the miners, the smashers and burners. Therefore Tasmanians will always be vigilant. After Dr Woodruff and I are well in our cups, our children and their friends and that generation and the generation that comes after them will stand up and defend this place. People all over this island are prepared to do that like the 10 000 people who marched through the Styx 16 to 17 years ago; and the 10 000 people who have marched through the streets of Hobart and Launceston to stop a pulp mill; the thousands and thousands of people we drew into City Hall to save Ralphs Bay. That community, that love is there to be tapped.

People will stand up and defend their place no matter what dunderheaded government is in power and working with private interests, not for public benefit but for commercial gain. These are the same private interests that government tries to protect from Right to Information applications by saying all their dealings with them are commercial-in-confidence. The Ombudsman put paid to that.

Briefly back to the T21 Visitor Economy action plan. No-one should be surprised that the lead agency for that is the very Office of the Coordinator-General, Mr John Perry who, as a public bureaucrat, thought it was appropriate to try to influence Hobart City councillors in the decision they make over the proposed new private hospital in New Town.

I am not going to apologise for our cynicism about the way this Government looks at planning and land use management. It is all there. The history is there. In terms of Tasmania's protected areas, it began very soon after this Government came to office. The fix is in with this legislation. Now we have the planning commission review, which is happening simultaneously. I would like the minister to tell the house whether or not the bilateral EPBC approval agreement has been signed. Are you listening, minister?

Mr Jaensch - Intently. It is fascinating.

Ms O'CONNOR - I do not think you are. You do not have to be facetious to me. It would be nice if you could give me a straight answer. Has the bilateral agreement been signed? The Major Projects legislation makes specific reference to a bilateral agreement. Is the legislation talking about the bilateral agreement that is on the cusp of being signed?

Mr Jaensch - The one that exists.

Ms O'CONNOR - So that is the assessment agreement that cover wilderness? Is that right?

Mr Jaensch - Bilateral assessment.

Ms O'CONNOR - Yes, I think it is quite narrow in its application though? Are you aware of the details of that?

Mr Jaensch - I am not.

Ms O'CONNOR - We might come back to you on that. Can the minister give the House an update on the bilateral approval agreement that is being flagged as a one-stop shop by this Government and by the Morrison government? Perversely, about two weeks after the Samuels review, the Australian Audit Office came down and said the administration of the EPBC act has failed to protect Australia's environment and our threatened species and somewhere between 70 per cent to 80 per cent of approvals that were made under the EPBC act were non-compliant.

Instead of lobbying Canberra to have strong national environment laws, the Tasmanian Government is saying, 'Sign us up, let us do the approvals and leave those laws the way they are because we have other fixes here in Tasmania'.

I am firing a shot across the minister and the Government's bow that if you think the Land Use Planning and Approvals Amendment (Major Projects) Bill 2020 is going to bring you any love in the community, you are mistaken. It is very cynical to try to use people's straitened social and economic circumstances as a result of a pandemic as cover to say this legislation is necessary. It is not necessary to trash this place in order for us to have a healthy recovery, Mr Jaensch. It is really cynical the way suddenly major projects became apparently essential legislation because of COVID-19. That is being dishonest with the Tasmanian people.

We will not be supporting this legislation. We do not believe it has strong community support and we stand with those communities who love their place, want to defend it and want to know that there is an independent planning system in place that cannot be influenced by private developers having nice chats with the minister that will put people and place first and make sure that communities have a real voice in the planning process. I condemn the bill to the House.

[5.17 p.m.]

Mr FERGUSON (Bass - Minister for State Growth) - Mr Deputy Speaker, I will be brief in my comments. I do not want to draw out the debate. It is vitally important that the bill be supported by the House. I commend the Minister for Planning, my colleague, Mr Jaensch, for the work he has done. I also commend the previous minister, who is today the Premier, because when Mr Gutwein was the Minister for Planning he put in place some of the early steps on this as well. There is a lot to love about this legislation and I support it. This side of the House supports it. The Opposition supports it and that is terrific.

This Government is getting on with our task of delivering job-creating infrastructure as part of our $1.8 billion program over the next two years and we estimate this will deliver around $3.1 billion in construction activity right around the state, coming at a time when we need it most. Unfortunately, as we look back to last year's budget delivered in May 2019, we were

facing some economic headwinds as a nation and this Government decided that rather than taking Tasmania back a gear, we needed to put our infrastructure up a gear to employ people and to underpin the employment of around 10 000 Tasmanians as part of delivering on the then $3.6 billion and now $3.7 billion program over four years.

It is just as well we did because of all the planning work and preparations. Day after day my colleague and friend, Mr Barnett, comes in here tabling more acquisition notes and every time he does that I am reminded of how much activity is occurring in this state, not because of decisions that were made reactively during COVID-19, but the ones that were proactively made last year which have placed Tasmania in a remarkably strong position to be able to spring back as quickly as possible.

The front page of *The Australian*, to the mockers on the other side, is again a helpful insight into what goes on in the mind of a relentlessly negative opposition -

Ms Butler - Relentlessly negative?

Mr DEPUTY SPEAKER - Order, Ms Butler.

Mr FERGUSON - Yes, from the member who claims the buildings are literally wrapped in petrol, but I digress.

The front page of the *Weekend Australian* two weeks ago highlighted that Tasmania has the highest level of support for our economy recovering of any state or territory, including by a factor of two as a portion of our gross state product. We are the highest in the country. You should love that. You oppose a northern prison. It is not just about infrastructure, it is about helping people -

Ms Butler - No, we didn't oppose a northern prison. We opposed you not consulting properly with the community.

Mr DEPUTY SPEAKER - Order, Ms Butler.

Mr FERGUSON - I am happy for you to pop that on the record, because every time you pop something on the record we have a new cataclysm of conflicting ideas, but I digress again.

The simple fact is that infrastructure is not just about more concrete, asphalt or steel. It is about employing women and men in these civil construction firms during the construction phase and creating opportunities for our businesses to be more productive, to sign that next lease, to get that next contract, to employ more Tasmanians.

This legislation is a vital part of our recovery. It may not be urgent legislation in the sense that we have had to move very nimbly through various COVID-19 emergency bills, but it is very necessary at this point in time. The minister has extended the consultation. He has gone out of his way, to his great credit, and has been very patient with people. He has gone out of his way to consult again and again. He has published draft versions of the bill. He has consulted me, other agencies and ministers. He has looked for common ground where it can be obtained and he has had to suffer false claims about this legislation by people who want to use language like fast-track, cut corners or whatever else they have been saying. Those things have been unhelpful and untrue.

We are modernising the existing legislation which is not fit for purpose. We already have an early evolution of today's bill in law, already passed through this House many years ago, but the problem with that existing legislation is that it is not fit for purpose. It is called PORS, the projects of regional significance legislation. That has been in place for 11 years now but since it was introduced it has not been used once. Feedback to me from my department and from stakeholders is that it does not work.

When you look at it and examine it, you wonder if this is going to be fit for purpose for our project, and the answer is unanimously no. It has not been used even once. There is a reason for this. Despite the best intentions of whichever minister brought that in 11 years ago - who was that?

Ms Dow - David Llewellyn.

Mr FERGUSON - My friend, David Llewellyn. He is a good man, and any member of this House who might ethically follow in his footsteps is doing very well. He is a good man and I enjoyed working with him when he was the manager of opposition business.

If he brought it in, it would have been well intentioned, but it has not worked, and the stakeholders tell us it is too unwieldly, so proponents choose to use the standard approvals process which is multi-faceted, multi-pathway and leads to an uncertain future. It is not set up to deal with larger projects which have impacts outside of a single municipal area. It is intended to, but it does not deliver.

According to the Tasmanian Planning Commission website, major development proposals that have effects that extend beyond a single council area but are confined to a regional area can be assessed as projects of regional significance under the Land Use Planning Approvals Act 1993, or LUPAA.

The major projects legislation we are debating today will effectively replace this rather redundant and under-utilised legislation and replace it with a contemporary framework that is fit for purpose. Importantly, and I say this very strategically and deliberately to do some myth-busting, this legislation does not bypass any existing checks or balances. This is a vital point. If it did re-engineer some of those checks and balances, that would have been a legitimate debate. That would have been fair enough to discuss it, maybe, and there might have been an area which needed to be reviewed.

That is not what is happening today, despite those who are trying to shoot down the legislation for whatever reason. It is about retaining those processes but bringing them into a streamlined process, so it might be said, same rules, better process. That is something that has unfortunately been lost in what passes for political debate in this state and what is able to get on the 6 o'clock news of a night.

The Government is already undertaking a regulatory reform process. I am leading that with the Office of the Coordinator-General and the Red Tape Reduction Coordinator, Mr Clues. I was very appreciative of the support we had in this House from the Labor Party and the Greens and Ms Ogilvie. I believe it was unanimous support with a couple of minor differences perhaps. During those debates which had a lot to do with the Land Use Planning and Approvals Act 1993 and local government, members who are in the Chamber right now said to me, 'Well, I

hope you are going to take your own medicine?' That is exactly what I said we would be doing, and are doing.

Ms Dow -Yes I did.

Mr FERGUSON - Yes, and I look forward to bringing you some more legislation which will see the same sorts of discipline brought into more and more government agencies so that we can help the construction industry get its projects out of the ground.

I took that challenge. I was already doing it but I was very grateful for the simple fact that it is not just about saying, 'local government, we want you to have some uncomfortable moments', it is important that we all go through some red tape reduction. Frankly, it is uncomfortable for a number of individuals but if it is not uncomfortable then it would have been done years ago. If you want to deal with these issues, now is the time to be doing it. I appreciate that support and it will be returned.

The whole idea of this reform project is to provide consistency and certainty for the development sector without compromising any of these existing safeguards. In many ways, the major projects legislation will be the same. It will update what we currently have. It will make it more relevant without compromising on the integrity of the approvals process. I offer this point that is important to everybody, that it is not to be compromised and it will not be.

Industry certainly welcomes this critical legislation. I was grateful for the recent announcement from Matthew Pollock from the Tasmanian branch of the Master Builders Association saying:

> The introduction of the major projects legislation will give a signal to private developers that Tasmania is open for business and will put our state in a more competitive position to compete for a shrinking pool of private capital across the country. Every other jurisdiction in Australia has functioning legislation which supports the permit and approval processes for major projects. The fact that we do not have a functioning process to support local major projects puts us at a significant disadvantage.

The importance of a bill like this cannot be underestimated. We need to be doing this in order to support legitimate good developments to be assessed and, ultimately, to be approved or not approved as the merits of the case may be. Having legislation like this could also be the difference between being able to attract a major investment, such as a hydrogen plant for the state, or not. Remember, that if proponents see a cumbersome, uncertain process ahead they are as likely as not to look at competing jurisdictions for their investment and we need to be pro-Tasmania. We need to be pro-Tasmanian jobs.

Of course, after the worldwide devastating effects of the pandemic, we need to rebuild the economy again. We are, and the economy is rebounding. We are seeing some marvellous encouragement from the national surveys including the Census Business Confidence Index - a fantastic result there, Tasmania leading in confidence amongst the states. The NAB Business Survey, the CommSec Report, the State of the State Report, despite the fact that the whole country has taken a hit, Tasmania is showing signs of doing the best of the states as we all jointly recover. This legislation provides us with a mechanism for that recovery - just another tool in the toolkit; not the only solution, not the silver bullet but part of our arsenal.

We have had the most confident businesses in the nation and the most engaged community and the strongest growth and we will do it again. We know that appropriate regulations are required to protect our community but the impact of outdated legislation is a major concern for businesses.

By improving the approvals framework, piece by piece, we can maintain the fair checks and balances that are needed but also improve on the overall efficiency, usability and timeliness of our system in a structured and targeted way. This must be the aim of the Government and indeed this parliament at this time during our recovery from the pandemic, which continues.

As minister responsible for State Growth, and Infrastructure and Transport, I am working closely with my department to deliver on a record level of infrastructure investment, one of the central pieces being the Bridgewater bridge, the Derwent River crossing. This is a vital project, not only for transport integrity and productivity but also as an employer. That project is alive again and people have speculated over many years about the trajectory of that project. It was originally funded in 1998. Some members here might wonder where they were in 1998. Many of us were young back then and many years have gone by.

That project is alive. We now have a project director and an executive steering committee. We are on the National Infrastructure Australia radar and we have federal funding locked in. It is a commitment under the Hobart City Deal, with an implementation plan.

We have consultancies and that is good too. Those consultancies are further proof of life, not only through the process of the early contractor involvement which will be advertised this month, but also estimators, people who can make sure that the project stays on its budget and that we carefully weigh up the competing bids that will come forward through the ECI in a very new way for our state.

We are going to commence building in 2022, with vehicles driving on it in 2024 and a heck of a lot of work to be done between now and then, but there are great people working on this project. I am delighted to commend the project itself to the House. This legislation will also assist us in delivering that project.

We want some certainty. Members of this House, from any party, if you support the Bridgewater bridge, you are supporting it getting a proper assessment in a streamlined and contemporary way, cutting no corners but making sure that there is some certainty around the process and trying to do individual steps in parallel rather than one at a time in series. Helping that project to become a reality is a joint responsibility, not just of the minister, the Premier or one side of the House, but all of us. If you believe in these projects, your cheering it on will help and it will help take the community with us also.

In conclusion, I say thank you for the Minister for Planning, Mr Jaensch. You are doing a fine job and you have my complete support for what you are doing here. I thank him for his particular efforts in bringing it before us today. I support the bill.

[5.32 p.m.]

Mr JAENSCH (Braddon - Minister for Planning) - Mr Deputy Speaker, I acknowledge and thank the members who have made contributions on this bill today. I understand there has been a foreshadowing of a will to go to Committee to consider matters in further detail.

There is nothing new in this bill. Everything in this bill, from a planning machinery sense exists in the Tasmanian planning system already. Every element of it and each approach taken and principle used has been through this place, and has been debated and agreed in the past.

We are not proposing a radical new approach. We are filling a gap in our legislation and providing a mechanism that makes the existing parts of our planning system work together more efficiently for everyone's sake: government, councils, planning consultants, developers and communities, when it comes to the task of assessing complex projects that touch on many parts of our planning system.

I commend the planners, the legal people, the parliamentary drafts people and the practitioners who have contributed to the creation of this legislation over many years. Much work has gone into this from people who intimately understand our planning system and the legalities and practicalities of its implementation and its use. I am ashamed that the debate on this bill tonight has not talked about the planning machinery of Tasmania at all.

Ms Dow raised a couple of points that have a clause number against them in the bill to talk about and I am going to talk about them and look forward to there being more when we get into Committee.

Everyone else talked about the hyperbole, the drama and the incredible paranoid theatre of the Tasmanian planning development environment and the stupid political debate that surrounds it all too often. This bill, for anyone who reads it and who knows and works with our planning system, will see that this has been built with an absolutely straight bat. It is workmanlike legislation that brings together a range of disparate elements of our planning system to make them work better. I thank everyone who has put their work into this whose work has not been appreciated in the debate so far tonight.

I make no apologies for this being a long and complex bill. That is okay; it is a complex issue. We are here to deal with these sorts of issues to make laws that work well for Tasmanians. Its complexity reflects the process it has been through - three drafts over five years and 20 weeks of consultation, not just the 10 weeks that we have just had which was five but was extended because of extenuating circumstances. It reflects the detail, clarity and certainty that a whole range of different stakeholders have asked us for and demanded for their own reasons. They want to know how this is going to work and they want the legislation to be explicit about it.

Dr Woodruff - How do you respond to the TPC's comments I just read out verbatim from their submission?

Madam DEPUTY SPEAKER - Dr Woodruff, this is not a time for debate. The minister is speaking. You will have the opportunity for questions when we go into Committee. The minister is summing up at the moment.

Mr JAENSCH - In her contribution Dr Woodruff raised some comments by the TPC that the drafting style is somewhat dense and hard to follow clearly in the reading of the legislation. My understanding is that there is a range of processes that the TPC uses and applies that would have been more simply just referred to. The TPC will do this in the usual way but instead of doing that, for the sake of clarity and certainty for people who are reading this, many

of those processes have been reiterated in this bill and specifically described so there could be no doubt as to how they were intended to work.

The average punter, in using this bill and benefitting from it, is not going to have to sit down and read through that. That is our job as legislators. We are here to get this right and to be clear and precise about what we are describing.

I make no apology for this being 206 pages and for it pedantically going through many of those details and those connections. All the consequential amendments that need to happen in a range of other bills where you turn a process here because you have duplicated it, is all built into this. No-one has talked about that tonight but it is part of the work that has gone into building this bill and making it work.

I do not accept that we have members here who could not be bothered to find time, or found it impossible to read and understand this, so they have got up tonight and talked about completely different things that they are far more comfortable having a rant about. It is an insult to the people who have put good work into making this a good bill and bringing it to us today, not to mention all the people over the last several years who have contributed their advice and experience into getting it right.

I hope that in some of the comments I have been able to make, and hopefully some of the discussion we are going to have in Committee, they will see that people in this Chamber have taken it seriously, because all the people we are talking about will depend on this legislation being good, and too few people who have been on their feet tonight have actually talked about the bill, just about what they would like people to believe it is and which they do not know about, because it would appear that some of them have not even read it, even if they have been offered briefings.

With that out of the way, I will go to some of the matters that have been raised by some members in their contributions.

Ms Dow took us to a couple of proposed sections specifically of the bill, including 60K(5), which I believe is the section which refers to the need for the minister to have reference to unique local planning rules that overlay the planning scheme in the process of declaring a project, or determining if a project can be declared a major project. Those will also be reflected in the eligibility and termination guidelines that are provided by the Planning Commission. The aim of that is to ensure that when a council in a local community, and the Tasmanian Planning Commission, have at some point, particularly if it has been recent, seen fit to propose, examine, prosecute, test and approve a particular unique set of planning rules for a locality to overlay on the planning scheme, that work is taken into account because there a reason for it to be important.

That matter matters more than the generic provisions of the planning scheme for that area and has to be taken into account in the decision-making process. The live case example that has resulted in it being inserted in this bill at this time in particular is in relation to the Hobart City Council working with the state Government to develop a precinct plan for the Hobart CBD which will set out to determine some local planning rules for the shape, skyline and envelope within which the city grows, dealing with, amongst those other things, the heights of buildings within it. That is work that will ultimately be tested and approved by the same Planning

Commission which is going to put together a development assessment panel to assess any major project.

What we are doing is linking back to that existing work that that same Planning Commission has done, and the same principles on which it has been done, to ensure that that work is honoured in the assessment of any new project coming through the major projects system. That is entirely appropriate, but that is the unpacking of that issue, Ms Dow. In that context also, we note that the Wellington Park Management Plan is one of those specific area plans as well and therefore its provisions need to be considered if it was to be in the footprint of a project that was being considered through the major projects process.

The other thing that is relevant to mention here is that not only does the minister have to consider those matters when assessing the eligibility of a project to be considered as a major project, but if it is declared, those matters also need to be considered by the development assessment panel when it is conducting its assessments of the same project as the Land Use Planning Assessor in the process.

There is a safeguard there. The minister needs to assess that as part of declaring the project to be a major project. It is also caught up at two other stages in the process: one at the no reasonable prospects early tests stage, before the assessment criteria has been developed and later when the assessment criteria are applied. That safeguard follows right through the document. That is one of the reasons why the document is long and complex, because there is a page that describes that, that occurs in several parts of the legislation.

Ms Dow raised the issue in clause 60ZZM(4), the use of 'in contravention to' in relation to a state policy. LGAT asked if that is the correct wording. I understand that this is a drafting style or convention of the Office of Parliamentary Counsel, which drafted this legislation. In state policies they use that term rather than talking about 'consistent with'. It is 'in contravention to' as a policy but is equivalent to being 'consistent with'.

The other matter raised included the exhibition of documents, which is laid out in clause 60ZZB. The documents would be exhibited electronically on the TPC website with hard copies also available at a place specified. That is left open because it needs to take into account the location of the project, the affected communities and so could quite logically include local council officers. In my notes I have considered that there is some parallel between this and the exhibition of LPSs. There is the ability for there to be a physical copy at a place. It would also have recourse to some of the mechanisms that were developed to deal with COVID-19 and to ensure that people were able to have access to documents, even if those sorts of business premises were not accessible to them at the time.

There were various other advertisements for the Labor Party manifesto and policy platform on COVID-19 which we are grateful for, but outside the scope of the commentary on the clauses.

Ms Dow - On indulgence, there was one other point on clause 60P(2)(b) in relation to consent from a general manager around a project. Could you elaborate on that please, for the benefit of the House?

Mr JAENSCH - Clause 60P(2)(b), you are quite correct. My understanding is this reflects, as with a normal development application under LUPAA, that the local council, as a

land owner, needs to provide consent before a project can be made a major project and be eligible. Same with any public land. That is another example of where this is normal, like a DA.

I do not quite know where to start with Dr Woodruff's contribution. There was a fair discussion about the complexity and the difficulty of reading. We offered and provided a briefing. The material has been around for quite some time. You have not only had a week with this. You made comments publicly that there are very few changes from the last version, so you have been able to read it enough to pick that up and acknowledge that you have had the previous draft for quite some time.

Dr Woodruff - I hope you are not implying that I have not read the bill cover to cover, minister, because that is not correct. We have all read it multiple times. I was referring to the TPC's comments and its informed view.

Mr JAENSCH - I understand where you are coming from, but there was a range of other comments and accusations made around corruption and the Government's motivations. I will just step over them because I cannot fix that in you so I am just going to talk about the bill.

There was a considerable discussion about the consultation process, the time available and the accessibility of the process for people to get in. Again, 20 weeks, three drafts over five years. The latest round was extended from five to 10 weeks. There have been 1500 submissions. There have been, as other contributors have mentioned, groups and organisations, interest groups, who have been able to organise themselves and put together a formidable information campaign around this bill. People have had the opportunity to engage with it, or to communicate with each other, to communicate with me or the Government or the department or any other interested party in this.

There has been a very active discussion. I note with genuine respect this bill has gone through this consultation and development final phase in parallel with another bill which is very complex and important and which is going to be tabled in our Houses of parliament very soon on voluntary assisted dying. I have not heard an outcry that that bill is deficient because it has been consulted during the period of COVID-19 with limited ability for people to consider and discuss and make their contribution. As someone who is personally interested in that bill and has had the opportunity to ask questions and participate, I draw that parallel in terms of the time frame in which an important, complex bill has been developed. I have not heard the Greens or anybody else calling for it to be deferred because it is unsafe to have consulted on it while people have been under other pressures, under COVID-19.

I thank Ms Ogilvie's for her thoughtful contribution and for her legal lens on the process. The matter of consultation is very important. Ms Ogilvie got to the matter of how community members, ordinary people who might be neighbours to or stakeholders with an interest in a development like this are communicated with through the process.

Ms Ogilvie - The tin tack stuff.

Mr JAENSCH - That is right. There are a couple of things there. They do not need to read and understand the bill.

Ms Ogilvie - They do and their lawyers will have to.

Mr JAENSCH - In operation they are not required to be consuming this as an information product of the process. The process that involves them, and there are a number of touch points that we have laid out in the second reading speech and subsequently -

Ms Ogilvie - I saw the flow chart; that was good.

Mr JAENSCH - Yes. It is where the Planning Commission or the minister at various stages engages them directly and provides them with a document, a summary of information. In discussion with my colleagues from the department we take on board your very clear point that when a set of assessment criteria or a project impact statement or a preliminary assessment report is presented to those interested parties, we need to make sure that it is in a format and that there is guidance for those people to be able to navigate it, so that it is fair and meaningful communication. We are sincere about their ability to access information and ask questions.

I do not think that this process involves the 'David and Goliath' of developer and their neighbour. There is a process which manages that relationship and the flow of information, and that is a feature of having this integrated planning approach.

Your contribution is very important, as we set about developing these information products to ensure that they are not just technically correct but that they are intelligible for the ordinary reader, and that we provide a mechanism to ensure that people have the opportunity to ask questions about it so their responses to it can be informed at all times.

Neighbours should not need lawyers in order to be able to participate in the process.

Ms Ogilvie, there was another matter you raised: community engagement. There is that pre-declaration stage: the public exhibition, the assessment criteria, the response to the major project proposal and impact statement and the hearings before the panel which are their entry points. Again, the material they are given must be purpose-built to ensure that they can use it.

Ms O'Connor - I am sorry to traumatise you in that way.

Mr JAENSCH - You do. I take it personally. You understand the implications of having good legislation, good process, good precedent, and again I am disappointed in you, that you did not talk about the bill. You talked about everything else.

Ms O'Connor - I contrasted it to the projects of state significance process.

Mr JAENSCH - You should contrast it to the projects of state significance and process because -

Ms O'Connor - I did.

Mr JAENSCH - Good, because I want to contrast it too, because you are saying that we should have a stage in this which is about this disallowable motion.

Ms O'Connor - No. All I said was, the contrast is that there is no parliamentary process.

Mr JAENSCH - Yes, exactly, and there are reasons for that. I am very happy to spend some time unpacking why we do not need a disallowable motion in this bill for the declaration

of a project to be a project of regional significance. It is partly because the projects of state significance suspends everything in the planning system except for state policies.

It starts afresh in assessing from no precedent, no rules, except for the three state policies. Therefore, it has an extraordinary scope to make it up as it goes along, whereas the major projects process has to ensure that before a project is admitted to the major projects process, it meets the eligibility criteria that is set out in the bill, using guidelines that are provided by the independent Tasmanian Planning Commission to determine that.

Ms O'Connor - Independent for now until you review the guts out of it.

Mr JAENSCH - There you go again. Come back and talk to me about this bill. It is a good bill, and you know it, and you are afraid of it. So, you want to talk about everything else while you have a chance.

Members interjecting.

Madam DEPUTY SPEAKER - Order.

Mr JAENSCH - That is the problem, because Cassy actually knows this is good, Madam Deputy Speaker.

The minister also has to take advice from the Planning Commission, the council involved, other councils in the region, state agencies, neighbouring landowners and tenants before declaring a project to be a major project.

He, or she, also needs to test the project's eligibility under the other parts of the Land Use Planning System that are suspended when you go down the road of a project of state significance including the objectives of LUPAA Schedule 1, Consistency with relevant state policies. That is the only place where it is comparable. Consistency with applicable Tasmanian planning policies and that it is not inconsistent with the regional land use strategy, things that a project of state significance can conveniently ignore. That is why that needs to come through a different process to here. This test is then repeated by the panel before the assessment criteria are developed and at the no reasonable prospect stage and as part of the panel's assessment of the major projects impacts statement later on. The minister must publish his or her reasons for declaring the project to be a major project addressing all of those matters.

Debate adjourned.

ADJOURNMENT

Nell McMillan OAM - Tribute

[6.00 p.m.]

Ms ARCHER (Clark - Attorney-General) - Madam Deputy Speaker, I rise tonight hoping to mention a couple of matters.

First, I want to mention a new constituent of mine and now friend, Janelle, who likes to be called Nell, McMillan. I recently asked her if I could share her email because she recently received recognition medals for the Aspire Awards.

Nell is non-verbal with cerebral palsy. I have supported her in a number of different things she does. She does phenomenal work fundraising and is very selfless in all of the things that she undertakes, and very deserving of receiving these recognition medals for the Aspire Awards. Her friends nominated her and I supported the nomination, and also recently put on a very special afternoon tea for Nell and her friends, within COVID-19 restrictions and all of those things. I will read out this email from Nell:

> Hi Elise
>
> Miranda from the Aspire Awards asked me to write something about receiving my recognition medals for the Aspire Awards. Here is what I came up with. I thought you would like to read what I wrote.
>
> It brought a cheeky grin to come over my face when I opened up the cases that the medals of recognition came in. The first thought that ran through my mind was brilliant, stick this up your butt moment to the people who have questioned my intellectual capabilities to achieve in life because of me being non-verbal.
>
> The beautiful people who did my nomination decided to get me a good one by organising a surprise afternoon tea to celebrate me being nominated for the Aspire Awards with a small group of close friends. All of the emotions of my surprise afternoon tea came flooding back to me when I first saw my Aspire Awards recognition medals.
>
> They kept this secret from me for weeks. I thought that I was going to have coffee and cake at a friend's place. How very wrong was I.
>
> It was a great honour to be recognised for the person I am and for being different from the norm in a positive way to kick ass in life by the people who have organised this Aspire Awards.
>
> Having a disability is not a weakness, it is a strength to push through the challenges of the fight within the body and mind to still shine in life. There is no shame in being different such as living in a crazy body that has a mind of its own.
>
> It was a big thrill to find out that I had been nominated for two different categories for the Aspire Awards. The two categories of my nominations are Community Development and/or Advocacy and the Arts. It was only a couple of years ago that I started advocating about what does non-verbal mean because it was annoying for me to see people who would advocate on social media about a wide range of disabilities, but there wasn't any information about what non-verbal means for people to understand.

I'm living my life with cerebral palsy. I'm non-verbal as a result of my CP. I have found it frustrating over the years when people automatically assume that I must have an intellectual disability due to me being non-verbal. I know that there are lots of non-verbal people in the same position as me who face people misunderstanding about why being non-verbal can be such an issue. People automatically think that non-verbal people have an intellectual disability every day. This isn't true at all. I put it down to the lack of understanding and ignorance.

I have set up Mind Book! What is Non-Verbal? Facebook page as a community support for non-verbal people, their family and friends. I hope that it will be a safe Facebook page for people to be honest and open about issues, as well as their experiences, good or bad, with being non-verbal or caring for someone who is non-verbal. People's suggestions and ideas will be very welcome about how you have overcome or have handled issues surrounding being non-verbal.

People need to bear in mind that non-verbal people have wonderful minds and they are intelligent, just like everyone else, or even smarter. They communicate with the world differently through a number of different communication methods. It is about respecting non-verbal people and remembering they have the right to choose how they communicate with people and the world.

Social media is amazing for opening up the world for people like myself and gives people a voice.

The power of art is very rewarding to send messages of happiness, hope, love and to say that you can beat whatever people are going through at the time, especially people who are going through breast cancer treatment.

Art is a wonderful tool to start conversations with people about breast cancer awareness and then hopefully people will get themselves checked out. It is all about saving lives and turning breast cancer patients into survivors.
I raised lots of money for breast cancer research through my art. I wanted to write and illustrate a children's book to educate students in Tasmanian schools about inclusion and to show the students what non-verbal people can achieve in life if they work hard.

It is great to be recognised for my work by being nominated for the Aspire Awards. Thank you very much to those people who nominated me.

Janelle McMillan.

She now has an OAM thanks to a few of us being referee as well. Nell is wonderful. She is amazing. She does incredible work fund raising. The children's book we now have in some primary school libraries. It is an absolute pleasure to continue to work with her, support her with whatever she needs as she goes through life teaching all of us to kick arse.

Tasmanian Family History Society

[6.06 p.m.]

Ms O'BYRNE (Bass) - Madam Deputy Speaker, before I make my contribution I thank the Attorney General for bringing that story forward. It is an important one for us all to hear. That letter was quite delightful, so thank you.

The issue I want to raise tonight is to do with the Tasmanian Family History Society. The year 2020 marks four decades of the operation of the Tasmanian Family History Society, which was formed in Hobart in 1980. I pay tribute to the work of the Launceston branch of the society which also celebrates 40 years this year. As many people in the Launceston area will know, the Launceston branch is housed in the old stables at the Albert Hall on Tamar Street. A team of committed volunteers operate the library and the research facility which has recently just reopened after COVID-19 restrictions.

Established to promote the research of family history, the compilation of indexes and transcription of records, the work of the people at TFHS, who are predominately women, often goes unrecognised. Every public library in Tasmania has benefitted from the four decades of work that the volunteers have done across the state. In Launceston, the first meeting was held at Kings Meadows High School in November 1980. Local members have spent thousands of hours indexing the *Examiner*, the *Mercury*, the *Advocate*, the *Weekly Courier* and *Tasmanian Mail* newspapers.

They have travelled far and wide across the electorate of Bass photographing things, transcribing cemetery headstones, sometimes wading through dodgy long grass, and dodging cow pats in order to do so. Genealogists, as most here would know, are incredibly dedicated and passionate people. The commitment to historic research is to be commended.

When I think about this group I have a bit of a laugh because the organisation needed to change its name in 2001 when I was federal member for Bass. They were originally called the Genealogical Society of Tasmania, or GST. The state body was forced to change its name because some rather interesting interactions were coming to the fore after John Howard's goods and service tax was introduced. They had to stop being called the GST and they then became the TFHS.

I congratulate the state executive and in particular the Launceston branch for 40 years of wonderful but incredibly important service to our community.

Comments made by Ms Haddad and the Response of the Speaker

[6.09 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Deputy Speaker, I rise again on the adjournment to request a retraction and apology from Ms Haddad for her harmful and untrue accusations made against me in the *Mercury* and in this place last Tuesday on the adjournment. This is the second time I will formally ask Ms Haddad to apologise for slandering me under cover of parliamentary privilege. I can assure the House I will not be asking a third time but nor will I be dropping this matter.

Ms Haddad has called me a xenophobe and a racist in response to a mistake I made where I was told by a group of residents that Master Wang himself was behind a development in Sandy Bay, information, because it was a parliamentary sitting week, I did not cross check with an ASIC search until the next morning. I have apologised twice for this mistake. Ms Haddad has not apologised for her egregious slur. I formally ask this final time that she does.

Ms Haddad might not be able to make a clear and sharp distinction between a people's civilisation and culture with 40 000-plus years of history who have given so much to the world and a brutal genocidal regime which has marked its 70th year in power, but we can make that distinction and will continue to do so, just as we will continue to name the human rights abuses and interference operations of the Chinese Communist Party.

Now to the events of last Thursday night's adjournment. Dr Woodruff and I listened very carefully to the Speaker's statement before question time this morning. We believe it would be to the benefit of the House to have some further clarity about what took place during my adjournment contribution on Thursday and how the rules of the House will be applied in future.

We hope all members will agree it is critical for the functioning of a Westminster parliament and therefore democracy, that interventions and rulings from a Speaker be impartial and unbiased, not influenced by a Speaker's personal opinions and that there is no attempt to censor members simply because the Chair disagrees with their views.

The Greens have a number of questions about the Speaker's actions and pronouncements during and after my contribution last Thursday night and believe the House should be given the opportunity to hear the Speaker's responses.

We ask Madam Speaker to formally respond to these in the House after question time tomorrow. We would like Madam Speaker to outline to the House why the Speaker did not intervene when Ms Haddad falsely accused me of racism and said that I had 'a strong bias against the Chinese' in the adjournment on Tuesday night, and why the Speaker allowed Ms Haddad to continue her offensive conduct even after Dr Woodruff had made a point of order on my behalf. The Speaker subsequently suspended Dr Woodruff from the House.

Why Madam Speaker interrupted my contribution to defend myself on Thursday night directly after I said -

> Ms Haddad, whether consciously or unconsciously, is running a weaponised narrative … We hear the groans from Labor, which is so compromised on this.

That is the point at which I was cut off.

Why did the Speaker intervene at this point? What did the Speaker mean when she intervened from the Chair and said 'I personally feel extremely uncomfortable with what you are saying', given that the Speaker failed to make any such statement of discomfort when Ms Haddad accused me of racism and having a strong bias against the Chinese, an accusation in clear breach of standing order 144.

What did Madam Speaker regard as personal to her in what I was saying about the human rights abuses of the Chinese Government and the use of weaponised narratives to shut down

its critics? On what basis did Madam Speaker form the view that 'I do not believe Ms Haddad had any intention of those things you have claimed'.

Why did the Speaker decide to intervene from the Chair to defend Ms Haddad? On what basis did the Speaker subsequently apologise to Ms Haddad after I left the Chamber, despite the fact she made no comment and took no point of order about being offended?

On what basis did the Speaker accuse me of personally attacking Ms Haddad as I detailed her silence on human rights abuses by the Chinese Communist Party while in the next breath, the Speaker defended Ms Haddad's egregious slur on my character and reputation?

This perhaps is the question that troubles me most as a parliamentarian. We hope Madam Speaker understands why there is community concern. I am sure Madam Speaker and Ms Haddad have had plenty of correspondence in recent days. I sure have and it has all been supportive.

That a Speaker in a democratic parliament would move to censor a member on the apparent basis that they did not like what they were hearing and they 'personally feel extremely uncomfortable' with a contribution detailing CCP human rights abuses and the use of a weaponised narrative to shut down critics.

As I said earlier, in a democratic parliament it is essential a Speaker be unbiased and even-handed and that they do not shut down debates on the basis of not liking what they hear. We look forward to the Speaker's response to these important questions in the House tomorrow.

In closing, I thank all the people who have reached out to me or expressed public support since last Thursday night. It has been a great comfort. A particular warm thank you and love to the many members of the Australian Chinese community who either privately or through public forums have given me their support and encouragement. They know too well the nature of the beast and they do not feel safe from its reach. They know the Tasmanian Greens stand with them.

If people with knowledge and a voice do not speak up, these Australians, as well as international students from mainland China, Tibet, Xinjiang and Hong Kong and people here on tenuous visas, will not feel seen or supported and they will feel vulnerable.

As a sovereign democratic, proudly multicultural nation we can do better than let the debate degenerate to one of race while the CCP gets off the hook for its crimes against humanity and interference in democratic countries like ours and small states like Tasmania which we know is happening, even as we speak.

Domestic Violence and Housing and Homelessness

[6.15 p.m.]

Ms STANDEN (Franklin) - Madam Deputy Speaker, I rise to speak on the adjournment this evening about the significant issue of domestic violence and housing and homelessness.

I rise to give voice to the hundreds, if not thousands, of women across this state who face a risk of homelessness when leaving abusive relationships. While domestic and family

violence affects people of all ages, genders and sexualities we know that almost a quarter of those who are homeless today are women and their children fleeing violence and abuse.

In contemplating separation from an abusive partner there are many complex issues to deal with. There may be fears for the safety of children or the social and financial impacts on the family of a separation. Some may want to remain in the family home and see no way out of the abusive situation if they are not the one to leave. Some may wish to escape the situation by leaving the home but have concerns about the act of leaving or about how they would cope in adjusting to some form of alternative accommodation and lifestyle. Fear of the consequences of leaving or of ending the relationship can be a powerful factor. Statistically, the most dangerous time for victims is during attempts to leave the relationship.

Accommodation is a critical factor in the decision whether to leave a violent relationship. Right now, with shelters more full than they have ever been before and a public housing wait list of over a year, this decision is more difficult than it ever should be. The Government needs to be doing everything it can to keep people safe at home or, if the family home is not the safest option, to support and enable women to take themselves and their children out of harm's way. It needs to be making the decision to leave an abusive relationship easier not harder.

I will never forget the words of one woman who said to me as she sat in my office fearing a future of uncertainty as her savings ran dry, paying rent on a property she could barely afford, 'I understand why so many women go back to abusive partners'. Despite what she had faced in her past relationship, this woman could think only of her son's wellbeing. Knowing she would do anything she could to keep a roof over his head she had to ask questions of herself that no woman ever should: would she go back if it meant keeping her son off the streets?

My office has been speaking with a woman who I will refer to as Rebecca to keep her identity safe. Rebecca has been couch surfing with her two young daughters for over four years after fleeing an abusive relationship. Rebecca's youngest daughter, at just five years old, has never experienced secure housing. She has never had the joy of having her friends stay for a sleepover. Instead the family crowd together in living rooms of family or friends, waiting with hope that they will soon get a call from Housing Tasmania offering them a home.

I wrote to Mr Jaensch about Rebecca earlier this year. In his response, the minister confirmed that Rebecca was on the priority wait list for public housing and he made some suggestions about expanding the range of suburbs listed on her application or exploring brokerage options or emergency accommodation in a shelter. Four years after leaving an abusive partner and the best this minister could offer was a suggestion to stay in contact with Housing Connect and explore these options. This highlights the urgent need for more safe and permanent housing for families needing a secure base from which to rebuild their lives.

Then there is another woman. Let us call her Fiona. She stayed in contact with Housing Connect and she explored these same options offered to Rebecca. This resulted in her being offered a 12-month lease under the Rapid Rehousing Program but once Fiona's lease came to an end there were no homes available for Fiona and her two children to move into permanently. Fiona contacted my office in the weeks before her lease ended desperate for help, fearing the only outcome was becoming homeless.

I again wrote to Mr Jaensch seeking his help to ensure this family did not end up on the streets. By the time the minister responded, Fiona and her children were back in a shelter. The

best the minister could do in this situation was recommend Fiona expand the range of suburbs on her application. I found this particular suggestion not only strange but even offensive after I specifically noted in my letter that the only excluded suburbs in the greater Hobart area were those where the family of her abusive ex-partner lived. Fiona and her children are now back in Rapid Rehousing still waiting for a permanent home where they can begin their recovery and work through the healing process, two years after leaving an abusive relationship.

I wish I did not have the same understanding as the woman who visited my office that day. The understanding of why women return to their abusers, or not even leaving in the first place, but when I hear stories like this, when I hear of the uphill battles women face when leaving these relationships after years of uncertainty and turmoil, I get it.

These are just a few women this Government has let down with its inaction in providing adequate social housing. There are so many more and I will continue to be a voice for them and tell their stories and hold this Government to account. Do better, Mr Jaensch. Adopt solutions like Labor's housing works policy to build more affordable rental homes so that women like Rebecca and Fiona can move into homes instead of waiting endlessly on couches or moving in and out of overflowing shelters.

South East United Football Club

[6.20 p.m.]

Mr TUCKER (Lyons) - Madam Deputy Speaker, tonight I will talk about the South East United Football Club.

The South East United Football Club provides footballing opportunities in the south eastern region of Tasmania. Their home is at Pembroke Park, Sorell. The club was established in 2013 and has since become the region's fastest-growing club, fielding junior, youth, men's and women's teams and now southern championships, creating a pathway for all the way from under 12s to the highest level of the regional game.

This year they are excited to have a team playing the Under 20s cup with new players joining them. It has been good for the club and the local area. As we all know, it has been a very difficult year for sporting clubs with all the COVID-19 restrictions and changes but South East United Football Club has been doing its best to give the new players and already dedicated club players a great season of soccer.

The team was picked to play against Somerset in the second round of the Under 20s cup. This is a great opportunity for the team to bond and to get to know each other in a different setting than on the field. Such a great group of young men who have the opportunity of growing together to form an outstanding team that not only the club will be proud of but also the community.

Sorell is one of the fastest-growing municipalities in Tasmania. With an urban population of around 2500, it serves as a centre of a population of 16 000, spread across the South East United Football Club catchment area. It is estimated that within this area there are in the region of 2000 youngsters fitting the demographic profile for youth football. Talented youth players have either had to travel to the city or eastern suburbs to meet their footballing requirements, often at great financial and logistical cost to their parents or else they have drifted

away from the sport often into the welcoming arms of the abundance of AFL clubs who are perfectly positioned to snap up able teams.

South East United Football Club aims to fill that gap in the market, providing a logical progression for your regional youngsters once they have outgrown their local junior football club or primary school. Offering credentialled coaching and facilities to rival any city club but at a fraction of the cost, the club hopes to persuade enthusiastic youngsters to continue their journey into their teenage years.

Pembroke Park started out as the Sorell racecourse back in 1879 on a private homestead known as Penna. Racing continued to be a major Sorell attraction until the course and all of the surrounding big buildings were destroyed in the bushfires of 1967. The land was purchased by the Sorell council and Pembroke Park has been undergoing recent redevelopments into Australian Rules Football, soccer and netball facilities which rival those of any amateur sporting club in the south east of the state.

I wish the South East United Football club Sorell all the best of success now and in the future.

Visitor Information Centres - East Coast

Ms WHITE (Lyons) - Madam Deputy Speaker, I rise tonight to speak about the Visitor Information centres on the east coast of Tasmania. Members may recall that, sadly, they were closed by the Glamorgan Spring Bay Council earlier this year and then a decision was made to continue to operate them until the end of October. This was quite a shock to the community and most shocking to the 10 individuals employed in those Visitor Information Centres providing very high-quality services to people who travel to the east coast.

The Department of State Growth decided to undertake a survey to understand the impact on local businesses and tourism operators in the east coast community right across the Glamorgan Spring Bay region, where there are Visitor Information Centres in Triabunna, Swansea and Bicheno. The Tasmanian Visitor Engagement Strategy and the survey that has been undertaken by the Department of State Growth closed on 2 July.

Businesses were given a three-week window to participate in providing feedback through that survey conducted by State Growth. It has now been nearly two months since they provided that feedback and there has not been any communication back to the industry or to the workers in those Visitor Information Centres about what the outcome of that survey has found.

The Australia Services Union has collected a number of signatures on a petition which was then tabled with the council in support of the workers in those Visitor Information Centres and the services they provide. Unfortunately, the council has chosen not to review the decision on the tabling of that petition, which is incredibly disappointing for all the community members who signed that and believed that by doing so they could demonstrate to the council the depth of feeling in the community about the value the Visitor Information Centres provide to the tourism industry.

As an example of that, the president of the Orford and Triabunna Chamber of Commerce, Greg Crump, at the time said:

> The business community is shocked by the announcement. We had no forewarning of it, we are surprised by the financial burden reported, disappointed the community was not consulted and it really shows a lack of support for tourism from the current councillors.

East Coast Tourism also expressed its disappointment at the decision and the chair of that organisation, Kym Goodes, said that tourism contributed $146.4 million to the east coast economy in the previous 12 months. She also said that the east coast is the fifth most tourism-dependent region in the nation and provides 1826 direct and 699 indirect jobs. Those indirect jobs include shops, service stations, tradesmen, farmers, transport, business support services and technology companies. We are talking about the lifeblood of these towns. Ms Goodes said the impact of the council decision would flow onto operators.

I have spoken with some of the workers at these Visitor Information Centres on the east coast who are dedicated and passionate about their jobs. They are still very distressed at the way they have been treated and are wondering how much longer they will have to wait for the Government to release the findings from the survey they undertook nearly two months ago.

The Visitor Information Centre in Triabunna in July this year had 2200 visitors in that one month. In the last financial year, even with the impacts of coronavirus and the closure of the business, they took $120 000 through sales and bookings. At Bicheno 32 000 people walked through the door of that Visitor Information Centre in a year and they saw the same number of visitors the year prior as well. The worker I spoke with at the Bicheno Visitor Information Centre only works part-time and even with the limited hours doing that job part-time had made $56 000 in bookings for local accommodation providers and tour operators and $21 000 in parks passes in the last year.

These are incredibly valuable service providers on the east coast and the Government needs to provide certainty about the future of Visitor Information Centres. These businesses and the industries that depend on them in tourism and hospitality have endured enormous turmoil and disruption this year and the closure of these centres, which is due at the end of October, will cause further concern for them given the important revenue these centres can direct their way through bookings, accommodation and tours.

I call on the Government to detail what they are doing with the analysis of the survey they undertook which closed on 2 July to provide some communication back to the east coast community and especially to the tourism operators there about what the Government's plan is for those Visitor Information Centres and if they are not going to continue to operate, how they are going to support tourism operators and tourists visiting that region in the absence of these services.

International Overdose Awareness Day

[6.30 p.m.]

Mr ROCKLIFF (Braddon - Minister for Mental Health and Wellbeing) - Madam Deputy Speaker, I rise tonight to acknowledge the importance of International Overdose Awareness Day, coming up next Monday 31 August. This is a day that is recognised by thousands of organisations around the world to shed some light on what some may wish to ignore, or maybe they do not understand the plight of individuals caught up in the trap of illicit drug addiction or those who may accidently overdose on their prescription medication.

Once again the Alcohol, Tobacco and Other Drugs Council, the ATDC, has championed this day within the state and rallied organisations to make origami paper cranes, and I thank Alison Lai and her team for that. Ancient Japanese legend has it that if you fold 1000 cranes you will be granted a wish by the gods - happiness or good luck. By making a crane as part of the day, you are encouraged to remember Tasmanians lost to overdose as well as wish for our community to be free from the harm of overdose.

The day is certainly an important one to acknowledge. Too often, people can be quick to judge others of circumstances they find themselves in. Some may too quickly make assumptions the day is to condone illegal drug-taking in our community and it is certainly not that. I do however, acknowledge that some people, for numerous reasons, find themselves in circumstances that they feel taking illicit substances is the answer. In Tasmania, overdoses caused by prescription pharmaceutical medications far and away outstrip that of illegal substances or even the combination of illegal substances and alcohol or pharmaceuticals.

Last year, organisations and individuals around the state contributed more than 4000 cranes to the ATDC project. This year that has been surpassed with 5796 cranes made and when you include last year's creations, there are now almost 10 000. This is a fantastic effort by many organisations and individuals around Tasmania. Three groups in particular have contributed quite a large number of cranes - Legal Aid, Launceston City Mission and Cornerstone Youth Services. An eight-year-old daughter of one of the legal team made 1000 by herself. I contributed two cranes, and thanks to staff member Lucy for helping me in that as well, and I know there are many other members here who have also taken the time to participate and make a crane or two.

Unfortunately, due to COVID-19 measures the cranes were not collected this year. However, the ATDC is making a photo-mosaic with images of all the cranes and will launch this next Monday. The ATDC will also use the photo-mosaic in an upcoming pharmaceutical prescription medicine overdose awareness project in partnership with the Pharmacy Guild of Tasmania, the Pharmaceutical Society of Australia and the Drug Education Network. This statewide project, which will also go into smaller regional townships, will also see local pharmacists work with DEN to raise awareness of the risks of accidental prescription overdose.

In closing, I thank the ATDC for championing this day and bringing it to our attention. International Overdose Awareness Day should be a day to acknowledge there is more we can do, more ways we can help people, the need for more education in the broader community about the harms or prescription and that we should have more understanding.

As a government, we have done a large amount in the alcohol and drug sector. However, we also acknowledge there is always more that can be done. For anyone who may be listening or reading this contribution tonight, if this has raised any concerns for yourself or a loved one, I encourage you to seek help by contacting the National Alcohol and Other Drugs hotline on 1800 250 015 or a Tasmanian Lifeline on 1800 984 434.

Housing and Homelessness

[6.34 p.m.]

Ms BUTLER (Lyons) - Madam Deputy Speaker, I rise tonight to talk about one of the many housing cases that my diligent and caring staff are working on at the moment. I have been overseeing this case as well and it has been going since March. To protect the lady's

privacy, I will not use her name but I do have permission to bring the attention of this person's plight to the House.

This person spent six months in a correctional facility and upon leaving that facility found that she did not qualify for the Beyond the Wire program. We wrote to the Minister for Housing on 2 March in relation to this because she had reported to us at that time that she had already been homeless since February.

Our letter said:

> Dear Minister
>
> I have met with a community member in relation to her current housing status. I am advised that the community member was released from a six-month prison sentence in mid-January and is currently couch surfing between family and friends.
>
> Before her release the community member was advised through a phone hook-up with Beyond the Wire that she would be eligible for the prisoner rehousing assistance program. The community member presented to Housing Connect after her release as directed and then was advised by staff that in fact she was not entitled to access the assistance program.
>
> I would appreciate your assistance in having the matter investigated to clarify as to why the community member was not entitled to the prisoner rehousing assistance program.

We received a response from the minister, who wrote:

> Thank you for your correspondence on behalf of the community member.
>
> In relation to the community member's eligibility for the specialist through care reintegration program Beyond the Wire, I am advised that there is no record of the community member applying for the program. Furthermore, it is my advice that the community member did not have a planning officer through the Tasmanian Prison Service centre's reintegration management unit.
>
> More broadly, Housing Tasmania has confirmed that the community member has an active priority application for a one-bedroom home with a limited range of suburbs selected in the Bridgewater area. I am advised that due to the high demand for priorities in the area the community member has identified and to maximise her opportunities for housing, she may wish to consider adding more suburbs to her application.

That is exactly the response you get every time you get a housing letter; it is always exactly the same. The letter continues:

> I am pleased to hear that the community member has been approved for support through the private rental assistance program and connected with a

> support worker from CatholicCare Tasmania who will assist her to work through the options.
>
> Please encourage the community member to stay in touch with Housing Connect.

That was on 2 April. The community member then applied, after 2 April and receiving this, for 41 private rentals over a two-month period. She does not drive so she catches buses everywhere she goes. The community member was approved for rent assistance for $260 but in the private market that really just does not cover it and the community member has jumped through every loophole and applied for every possible suburb now to live in, except for two which she cannot access by bus.

On 4 August we wrote back to the minister on behalf of the community member who is still homeless and said:

> On 2 March I wrote to the minister on behalf of the community member. The community member was of the understanding she was eligible for the specialist through care reintegration program Beyond the Wire, but the letter dated 2 April advised there was no record of her being referred to the program.
>
> Your correspondence also noted the community member has an active priority application with Housing Tasmania with limited suburb selection. I would like to note that the community member has advised that she has had an extensive amount of suburbs listed with Housing, although she would prefer Bridgewater due to networks and family support.
>
> The community member is aware that she is approved for support through the private rental assistance program; however, it does not meet her bond assessment.
>
> The community member has been residing at the Hobart Women's Shelter since July and has two weeks remaining before she is requested to leave. She has been actively engaging with her support worker and support systems in place through the women's shelter and has still not been able to secure suitable accommodation.
>
> I would appreciate your assistance in revisiting the community housing matters. She has two weeks of assured accommodation remaining at the women's shelter.

We received a response back from the minister's office which basically reiterates everything we have said - the community members and number of suburbs listed on her application. She has applied for more than 40 places and this will help maximise her chances for longer-term housing. It then talks about her being assisted by the Hobart Women's Shelter, which we had already told the minister, and then it also says she should keep looking for accommodation. There is a lack of empathy, haste and the repeat of the same sentences. She has expanded the suburb, and she has engaged with Housing Connect.

This is a person who has been homeless since February for whom a one-bedroom flat is required. Instead of wasting the community member's time with blanket statements, please just help find her a home. The shelter cannot house her permanently. She has until 31 August before she has to leave the shelter. The community member has nowhere to go despite attempts to engage with the system for nearly over seven months now. It is not good enough. Mr Jaensch, please find this lady somewhere to live.

Response to Petition - Rehabilitation Beds at North West Regional Hospital

[6.41 p.m.]

Ms DOW (Braddon) - Madam Deputy Speaker, the House may recall that last year I tabled a petition with 1800 signatures around the reinstatement of eight rehabilitation beds at the North West Regional Hospital. A considerable amount of effort went into developing that petition and collecting those signatures by a number of impassioned local community members.

To date, neither I nor they have received any feedback from the Government about the petition or a formal response. I acknowledge it has been an incredibly busy and quite extraordinary time as far as the global pandemic and the impact on our health services is concerned. However, I ask that the minister please provide a response to that petition to enable me to provide some further information to my constituents and the group of impassioned local women I worked with over many months to pull that petition together.

At the very least they deserve a response from the Government about their request to see those beds, which were highly valued, particularly for those people in the community who live to the west of the North West Regional Hospital and the Circular Head region. I ask that the Government provide the courtesy of a response to those constituents.

The House adjourned at 6.42 p.m.